

1 A bill to be entitled
2 An act relating to education funding; amending s.
3 1002.415, F.S.; providing a mission for the K-8 Virtual
4 School Program; revising eligibility requirements for
5 school participation and student enrollment; providing for
6 enrollment in a K-8 virtual school of eligible students
7 who submit timely applications unless the number of
8 applications exceeds the capacity of a program; removing
9 provisions relating to pilot K-8 virtual schools; revising
10 funding for the K-8 Virtual School Program to include a
11 definition of "full-time equivalent student"; providing
12 reporting requirements; establishing the district cost
13 differential; providing for funding from the General
14 Appropriations Act and authorizing schools to receive
15 other funds; prohibiting a school from increasing
16 enrollment until it achieves a specified performance grade
17 category; amending s. 1003.01, F.S.; clarifying that the
18 term "exceptional student" for purposes of ch. 1003, F.S.,
19 includes gifted students in kindergarten through grade 8;
20 amending s. 1003.03, F.S., relating to maximum class size;
21 defining "team teaching," "co-teaching," and "inclusion
22 teaching strategy"; amending s. 1011.61, F.S.; revising
23 the definition of "full-time equivalent student" as it
24 relates to the Florida Virtual School; amending s.
25 1011.62, F.S.; providing a calculation of supplemental
26 allocation for juvenile justice education programs;
27 deleting obsolete provisions relating to categorical
28 funding; amending s. 1011.71, F.S.; deleting obsolete

29 provisions relating to expenditure of capital outlay
30 millage; amending s. 1012.71, F.S., relating to the
31 Florida Teachers Lead Program Stipend; extending the
32 stipend to prekindergarten teachers, charter school
33 teachers, and job-share classroom teachers; revising
34 provisions relating to the calculation, deposit, and
35 disbursement of stipend funds; revising the definition of
36 "classroom teacher" and defining "job-share classroom
37 teacher" to conform; amending s. 1013.64, F.S.; specifying
38 the useful life of certain educational facilities;
39 clarifying the definition of capital outlay full-time
40 equivalent membership for use in determining school
41 district capital outlay funds; providing an effective
42 date.

43
44 Be It Enacted by the Legislature of the State of Florida:

45
46 Section 1. Section 1002.415, Florida Statutes, is amended
47 to read:

48 1002.415 K-8 Virtual School Program.--

49 (1) PROGRAM; MISSION.--

50 (a) Subject to annual legislative appropriation, a
51 kindergarten through grade 8 virtual school program is
52 established within the Department of Education for the purpose
53 of making academic instruction available to full-time students
54 in kindergarten through grade 8 using on-line and distance
55 learning technology. The department shall use an application
56 process to select schools to deliver program instruction.

57 (b) The mission of the K-8 Virtual School Program is to
58 provide students with technology-based educational opportunities
59 to gain the knowledge and skills necessary to succeed. The
60 school shall serve any student in the state who meets the
61 profile for success in this educational delivery context and
62 shall give priority to:

63 1. Students who need access to K-8 courses in order to
64 meet their educational needs and goals in a home environment.

65 2. Students seeking accelerated access to move at their
66 own pace in their educational progress.

67 (2)-(1) SCHOOL ELIGIBILITY.--

68 (a) To be eligible to participate in the K-8 Virtual
69 School Program a school must:

70 1. Be nonsectarian in its programs, admission policies,
71 employment practices, and operations;

72 2. Comply with the antidiscrimination provisions of s.
73 1000.05;

74 3. Participate in the state's school accountability system
75 created in s. 1008.31;

76 4. Locate its administrative office in this state and
77 require its administrative and instructional staff members to be
78 state residents; and

79 5. Require no tuition or student registration fee.

80 (b) Schools applying to participate in the K-8 Virtual
81 School Program shall ~~may be for-profit or~~ nonprofit entities.

82 (3)-(2) APPLICATION.--

83 (a) The Department of Education shall provide an
84 application form to be completed by each school seeking to

85 participate in the K-8 Virtual School Program. Initial
 86 application forms must be made available in sufficient time to
 87 enable schools to apply and be approved to participate in the K-
 88 8 Virtual School Program by the beginning of the 2007-2008
 89 school year. In addition to information that may be required by
 90 the department, applicants must provide verification that:

91 1. The applicant meets the eligibility criteria required
 92 by this section;

93 2. All members of the school's instructional staff are
 94 certified professional educators under the provisions of chapter
 95 1012; and

96 3. All school employees have undergone background
 97 screening as required by s. 1012.32.

98 (b) In addition to a completed application form, each
 99 applicant must provide the department with:

100 1. A detailed plan describing how the school curriculum
 101 and course content will conform to the Sunshine State Standards;
 102 and

103 2. An annual financial plan for each year of operation of
 104 the school for a minimum of 3 years. The plan must contain
 105 anticipated fund balances based on revenue projections, a
 106 spending plan based on projected revenues and expenses, and a
 107 description of controls that will safeguard finances and
 108 projected enrollment trends.

109 (c) The department must approve or deny a school's
 110 participation in the K-8 Virtual School Program within 90 days
 111 after receipt of an application.

112 (4)~~(3)~~ PARTICIPATING SCHOOLS.--

113 (a) A school approved by the department to participate in
114 the K-8 Virtual School Program shall receive an initial 3-year
115 contract with the department to provide program services,
116 subject to annual department review and legislative
117 appropriation. Contract renewals may be for up to 5 years upon
118 agreement of both parties, contingent upon annual funding in the
119 General Appropriations Act.

120 (b) A school approved to participate in the program is
121 deemed to be an independent virtual school providing, on behalf
122 of the state, a program of instruction that is full time, of 180
123 days' duration, and an on-line program of instruction to
124 students in kindergarten through grade 8.

125 (c) A school approved to participate in the program must
126 provide each student enrolled in the virtual school with:

- 127 1. All necessary instructional materials;
- 128 2. All equipment, including, but not limited to, a
129 computer, computer monitor, and printer for each household that
130 has a student enrolled in the virtual school; and
- 131 3. Access to or reimbursement for all Internet services
132 necessary for on-line delivery of instruction for each household
133 that has a student enrolled in the virtual school.

134 (d) Except as provided in paragraph (7) (b), a K-8 virtual
135 school shall enroll an eligible student who meets the profile
136 for success in this educational delivery context and who submits
137 a timely application, prioritized in accordance with paragraph
138 (1) (b), unless the number of such applications exceeds the
139 capacity of a program. In such case, students who have submitted
140 such applications shall have an equal chance of being admitted

141 through a random selection process.

142 ~~(4) PILOT SCHOOLS.--~~

143 ~~(a) The two pilot K-8 virtual schools provided for in the~~
 144 ~~2005 General Appropriations Act may continue operation for the~~
 145 ~~entire 2006-2007 school year.~~

146 ~~(b) With the exception of the application and contracting~~
 147 ~~requirements, the pilot schools are subject to the provisions of~~
 148 ~~this section for the 2006-2007 school year.~~

149 ~~(c) Each pilot school must complete the application~~
 150 ~~requirements of this section and be approved by the department~~
 151 ~~in order to participate in the K-8 Virtual School Program beyond~~
 152 ~~the 2006-2007 school year.~~

153 (5) STUDENT ELIGIBILITY.--

154 (a) Enrollment in a each participating K-8 virtual school
 155 is open to any K-8 student in this state who meets the profile
 156 for success in this educational delivery context in accordance
 157 with paragraph (1)(b) if the student meets at least one of the
 158 following conditions:

159 1. Spent the prior school year in attendance at a public
 160 school in this state and was enrolled and reported by a public
 161 school district for funding during the preceding October and
 162 February for purposes of the Florida Education Finance Program
 163 surveys;

164 2. Was enrolled during the prior school year in a K-8
 165 virtual school funded pursuant to this section ~~or from funds~~
 166 ~~provided in the 2005 General Appropriations Act;~~

167 3. Is eligible to enroll in kindergarten or the first
 168 grade; or

169 4. Has a sibling who is currently enrolled in a
170 participating K-8 virtual school and was enrolled at the end of
171 the prior school year.

172 (b) Students enrolled in a K-8 virtual school are subject
173 to the compulsory attendance requirements of s. 1003.21. Student
174 attendance must be verified according to procedures of the
175 Department of Education.

176 (c) Each student enrolled in a K-8 virtual school must
177 take state assessment tests within the student's school district
178 of residence, which must provide that student with access to the
179 district's testing facilities.

180 (6) FUNDING.--

181 (a) A "full-time equivalent student" for the K-8 Virtual
182 School Program shall be as defined in s. 1011.61(1)(c) and
183 reported under s. 1011.62(1)(c)1.a. and b. ~~State funding for~~
184 ~~each school participating in the K-8 Virtual School Program~~
185 ~~shall be based on a total program enrollment and amount per~~
186 ~~full time equivalent student established annually in the General~~
187 ~~Appropriations Act.~~

188 (b) Full-time equivalent students for the K-8 Virtual
189 School Program shall be reported only by the K-8 virtual school
190 to the Department of Education in the manner prescribed by the
191 department and shall be funded through the Florida Education
192 Finance Program. School districts shall report full-time
193 equivalent student membership only for courses for which the
194 district provides the instruction. ~~Upon proper documentation of~~
195 ~~student enrollment, which must be reviewed and approved by the~~
196 ~~department, payments shall be made to participating schools in~~

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197 ~~four equal payments no later than September 1, November 1,~~
198 ~~February 1, and April 15 of each academic year. The initial~~
199 ~~payment shall be made after the department verifies each~~
200 ~~student's admission to the school, and subsequent payments shall~~
201 ~~be made upon verification of the continued enrollment and~~
202 ~~attendance of the student.~~

203 (c) The district cost differential as provided in s.
204 1011.62(2) shall be established as 1.000.

205 (d) A K-8 virtual school that participates in the K-8
206 Virtual School Program shall receive state funds as may be
207 provided in the General Appropriations Act.

208 (e) In addition to the funds provided in the General
209 Appropriations Act, a K-8 virtual school may receive other funds
210 from grants and donations.

211 (7) ASSESSMENT AND ACCOUNTABILITY.--

212 (a) Each K-8 virtual school must participate in the
213 statewide assessment program created under s. 1008.22 and shall
214 be subject to the school grading system created by s. 1008.34.

215 (b) A K-8 virtual school that has a performance grade
216 category of "D" or "F" must file a school improvement plan with
217 the department for consultation to determine the causes for low
218 performance and to develop a plan for correction and
219 improvement. Such a school may not increase its enrollment until
220 it achieves a performance grade category of "C" or better.

221 (c) The department shall terminate the contract of any K-8
222 virtual school that receives a performance grade category of "D"
223 or "F" for 2 years during any consecutive 4-year period.

224 (8) CAUSES FOR NONRENEWAL OR TERMINATION OF A CONTRACT.--

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225 (a) At the end of a contract with a K-8 virtual school,
 226 the department may choose not to renew the contract for any of
 227 the following grounds:

228 1. Failure to participate in the state's education
 229 accountability system created in s. 1008.31, as required in this
 230 section;

231 2. Failure to receive a school performance grade of "C" or
 232 better under the school grading system created by s. 1008.34 for
 233 any 2 years in a consecutive 4-year period;

234 3. Failure to meet generally accepted standards of fiscal
 235 management;

236 4. Violation of law;

237 5. Failure of the Legislature to fund the program; or

238 6. Other good cause shown.

239 (b) During the term of the contract, the department may
 240 terminate the contract for any of the grounds listed in
 241 paragraph (a).

242 (c) If a contract is not renewed or is terminated, the K-8
 243 virtual school is responsible for all debts of the school.

244 (d) If a contract is not renewed or is terminated, a
 245 student who attended the school must be allowed to be enrolled
 246 in a public school in the county in which the student is a
 247 resident.

248 (9) RULES.--The State Board of Education shall adopt rules
 249 under ss. 120.536(1) and 120.54 to administer this section.

250 Section 2. Paragraph (a) of subsection (3) of section
 251 1003.01, Florida Statutes, is amended to read:

252 1003.01 Definitions.--As used in this chapter, the term:

253 (3) (a) "Exceptional student" means any student who has
254 been determined eligible for a special program in accordance
255 with rules of the State Board of Education. The term includes
256 students who are gifted in kindergarten through grade 8 and
257 students with disabilities who are mentally handicapped, speech
258 and language impaired, deaf or hard of hearing, visually
259 impaired, dual sensory impaired, physically impaired,
260 emotionally handicapped, specific learning disabled, hospital
261 and homebound, autistic, developmentally delayed children, ages
262 birth through 5 years, or children, ages birth through 2 years,
263 with established conditions that are identified in State Board
264 of Education rules pursuant to s. 1003.21(1)(e).

265 Section 3. Paragraphs (c) and (d) are added to subsection
266 (5) of section 1003.03, Florida Statutes, to read:

267 1003.03 Maximum class size.--

268 (5) TEAM-TEACHING STRATEGIES.--

269 (c) "Team teaching" or "co-teaching" means that two or
270 more teachers are assigned to a group of students and that each
271 teacher is responsible for planning, delivering, and evaluating
272 instruction for all students in a class or subject for the
273 entire class period.

274 (d) "Inclusion teaching strategy" means that two or more
275 teachers are assigned to a group of students, but one of the
276 teachers is only responsible for one student or a small group of
277 students in the classroom.

278
279 The use of strategies implemented as outlined in this subsection
280 meets the letter and intent of the Florida Constitution and the

281 Florida Statutes which relate to implementing class-size
 282 reduction, and this subsection applies retroactively. A school
 283 district may not be penalized financially or otherwise as a
 284 result of the use of any legal strategy, including, but not
 285 limited to, those set forth in subsection (3) and this
 286 subsection.

287 Section 4. Paragraph (c) of subsection (1) of section
 288 1011.61, Florida Statutes, is amended to read:

289 1011.61 Definitions.--Notwithstanding the provisions of s.
 290 1000.21, the following terms are defined as follows for the
 291 purposes of the Florida Education Finance Program:

292 (1) A "full-time equivalent student" in each program of
 293 the district is defined in terms of full-time students and part-
 294 time students as follows:

295 (c)1. A "full-time equivalent student" is:

296 a. A full-time student in any one of the programs listed
 297 in s. 1011.62(1)(c); or

298 b. A combination of full-time or part-time students in any
 299 one of the programs listed in s. 1011.62(1)(c) which is the
 300 equivalent of one full-time student based on the following
 301 calculations:

302 (I) A full-time student, except a postsecondary or adult
 303 student or a senior high school student enrolled in adult
 304 education when such courses are required for high school
 305 graduation, in a combination of programs listed in s.
 306 1011.62(1)(c) shall be a fraction of a full-time equivalent
 307 membership in each special program equal to the number of net
 308 hours per school year for which he or she is a member, divided

309 by the appropriate number of hours set forth in subparagraph
310 (a)1. or subparagraph (a)2. The difference between that fraction
311 or sum of fractions and the maximum value as set forth in
312 subsection (4) for each full-time student is presumed to be the
313 balance of the student's time not spent in such special
314 education programs and shall be recorded as time in the
315 appropriate basic program.

316 (II) A prekindergarten handicapped student shall meet the
317 requirements specified for kindergarten students.

318 (III) A Florida Virtual School full-time equivalent
319 student shall consist of six full credit completions in the
320 programs listed in s. 1011.62(1)(c)1. ~~and 4.~~ Credit completions
321 can be a combination of either full credits or half credits.

322 2. A student in membership in a program scheduled for more
323 or less than 180 school days is a fraction of a full-time
324 equivalent membership equal to the number of instructional hours
325 in membership divided by the appropriate number of hours set
326 forth in subparagraph (a)1.; however, for the purposes of this
327 subparagraph, membership in programs scheduled for more than 180
328 days is limited to students enrolled in juvenile justice
329 education programs and the Florida Virtual School.

330
331 The department shall determine and implement an equitable method
332 of equivalent funding for experimental schools and for schools
333 operating under emergency conditions, which schools have been
334 approved by the department to operate for less than the minimum
335 school day.

336 Section 5. Paragraphs (p) through (t) of subsection (1) of

337 section 1011.62, Florida Statutes, are redesignated as
 338 paragraphs (q) through (u), respectively, a new paragraph (p) is
 339 added to that subsection, and paragraph (b) of subsection (6) of
 340 that section is amended, to read:

341 1011.62 Funds for operation of schools.--If the annual
 342 allocation from the Florida Education Finance Program to each
 343 district for operation of schools is not determined in the
 344 annual appropriations act or the substantive bill implementing
 345 the annual appropriations act, it shall be determined as
 346 follows:

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

351 (p) Calculation of supplemental allocation for juvenile
 352 justice education programs.--Beginning with the 2007-2008
 353 General Appropriations Act, the total K-12 weighted full-time
 354 equivalent student membership in juvenile justice education
 355 programs in each school district shall be multiplied by the
 356 amount of the state average class-size-reduction factor
 357 multiplied by the district's cost differential. An amount equal
 358 to the product of this calculation shall be allocated in the
 359 FEFP to each school district to supplement other sources of
 360 funding for students in juvenile justice education programs.

361 (6) CATEGORICAL FUNDS.--

362 (b) If a district school board finds and declares in a
 363 resolution adopted at a regular meeting of the school board that
 364 the funds received for any of the following categorical

365 appropriations are urgently needed to maintain school board
 366 specified academic classroom instruction, the school board may
 367 consider and approve an amendment to the school district
 368 operating budget transferring the identified amount of the
 369 categorical funds to the appropriate account for expenditure:

- 370 1. Funds for student transportation.
- 371 ~~2. Funds for in service educational personnel training.~~
- 372 2.3. Funds for safe schools.
- 373 ~~4. Funds for public school technology.~~
- 374 3.5. Funds for supplemental academic instruction.

375 Section 6. Subsection (5) of section 1011.71, Florida
 376 Statutes, is amended to read:

377 1011.71 District school tax.--

378 (5) (a) It is the intent of the Legislature that, by July
 379 1, 2003, revenue generated by the millage levy authorized by
 380 subsection (2) should be used only for the costs of
 381 construction, renovation, remodeling, maintenance, and repair of
 382 the educational plant; for the purchase, lease, or lease-
 383 purchase of equipment, educational plants, and construction
 384 materials directly related to the delivery of student
 385 instruction; for the rental or lease of existing buildings, or
 386 space within existing buildings, originally constructed or used
 387 for purposes other than education, for conversion to use as
 388 educational facilities; for the opening day collection for the
 389 library media center of a new school; for the purchase, lease-
 390 purchase, or lease of school buses or the payment to a private
 391 entity to offset the cost of school buses pursuant to paragraph
 392 (2) (i); and for servicing of payments related to certificates of

393 participation issued for any purpose prior to the effective date
394 of this act. Costs associated with the lease-purchase of
395 equipment, educational plants, and school buses may include the
396 issuance of certificates of participation on or after the
397 effective date of this act and the servicing of payments related
398 to certificates so issued. For purposes of this section,
399 "maintenance and repair" is defined in s. 1013.01.

400 ~~(b) For purposes not delineated in paragraph (a) for which~~
401 ~~proceeds received from millage levied under subsection (2) may~~
402 ~~be legally expended, a district school board may spend no more~~
403 ~~than the following percentages of the amount the district spent~~
404 ~~for these purposes in fiscal year 1995-1996:~~

405 ~~1. In fiscal year 2000-2001, 40 percent.~~

406 ~~2. In fiscal year 2001-2002, 25 percent.~~

407 ~~3. In fiscal year 2002-2003, 10 percent.~~

408 (b)-(e) Beginning July 1, 2003, revenue generated by the
409 millage levy authorized by subsection (2) must be used only for
410 the purposes delineated in paragraph (a).

411 (c)-(d) Notwithstanding any other provision of this
412 subsection, if through its adopted educational facilities plan a
413 district has clearly identified the need for an ancillary plant,
414 has provided opportunity for public input as to the relative
415 value of the ancillary plant versus an educational plant, and
416 has obtained public approval, the district may use revenue
417 generated by the millage levy authorized by subsection (2) for
418 the acquisition, construction, renovation, remodeling,
419 maintenance, or repair of an ancillary plant.

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421 A district that violates these expenditure restrictions shall
 422 have an equal dollar reduction in funds appropriated to the
 423 district under s. 1011.62 in the fiscal year following the audit
 424 citation. The expenditure restrictions do not apply to any
 425 school district that certifies to the Commissioner of Education
 426 that all of the district's instructional space needs for the
 427 next 5 years can be met from capital outlay sources that the
 428 district reasonably expects to receive during the next 5 years
 429 or from alternative scheduling or construction, leasing,
 430 rezoning, or technological methodologies that exhibit sound
 431 management.

432 Section 7. Section 1012.71, Florida Statutes, is amended
 433 to read:

434 1012.71 The Florida Teachers Lead Program Stipend.--

435 (1) Funding for the Florida Teachers Lead Program Stipend
 436 shall be as determined by the Legislature in the General
 437 Appropriations Act. Funds appropriated for the Florida Teachers
 438 Lead Program Stipend are provided to purchase classroom
 439 materials and supplies used in the instruction of students who
 440 are funded through the Florida Education Finance Program,
 441 including charter school students, in prekindergarten
 442 ~~kindergarten~~ through grade 12 of the public school system. From
 443 the funds appropriated, the Commissioner of Education shall
 444 calculate an amount for each school district by prorating the
 445 total of each school district's share of the total ~~K-12~~
 446 unweighted FTE student enrollment in prekindergarten through
 447 grade 12 that is funded through the Florida Education Finance
 448 Program.

449 (2) From the funds allocated to each district, the
450 district school board shall calculate an identical amount for
451 each classroom teacher that ~~which~~ is his or her proportionate
452 share of the amount allocated to the district for the total
453 number of classroom teachers in the district. A job-share
454 classroom teacher shall receive his or her prorated share of a
455 regular full-time classroom teacher's proportionate share of the
456 stipend. The district school board shall provide the funds no
457 later than September 30 of each year directly to each classroom
458 teacher or charter school for its classroom teachers as a
459 stipend to purchase, on behalf of the school district or charter
460 school, classroom materials and supplies to be used in the
461 instruction of students assigned to the teacher. Each classroom
462 teacher shall have sole discretion regarding which classroom
463 materials and supplies best meet the needs of the students, when
464 they are needed, and where they are acquired. The funds expended
465 by individual classroom teachers shall not be subject to state
466 or local competitive bidding requirements. Disbursement of
467 Florida Teachers Lead Program Stipend funds directly to each
468 classroom teacher or charter school shall complete the school
469 district's expenditure of these funds, and disbursement of such
470 funds by the charter school to each charter school classroom
471 teacher shall complete the charter school's expenditure of these
472 funds.

473 (3) Each classroom teacher shall sign a statement
474 acknowledging receipt of the funds, agreeing to keep receipts to
475 show the expenditure of the funds used to purchase classroom
476 materials and supplies for use in the instruction of the

477 students assigned to them, and agreeing to return any unused
 478 funds by the end of the regular school year. The statement to be
 479 signed and dated by each classroom teacher for receipt of the
 480 Florida Teachers Lead Program Stipend shall include the wording:
 481 "I, (Name of teacher) , am employed by the _____ County
 482 District School Board or by the _____ Charter School as a
 483 regular full-time or job-share classroom teacher. I acknowledge
 484 that Florida Teachers Lead Program Stipend funds are
 485 appropriated by the Legislature for the sole purpose of
 486 purchasing classroom materials and supplies to be used in the
 487 instruction of students assigned to me. In accepting custody of
 488 these funds, I agree to keep receipts for all expenditures. I
 489 understand that if I do not keep receipts showing these funds
 490 were spent to purchase classroom materials and supplies for use
 491 with my students, it will be my personal responsibility to pay
 492 any federal taxes due on these funds. I also agree to return any
 493 unused funds to the district school board at the end of the
 494 regular school year for deposit into the School Advisory Council
 495 account of the school at which I was employed at the time of the
 496 receipt of the funds or for deposit into the Florida Teachers
 497 Lead Program account of the district in which the charter school
 498 is sponsored, as applicable."

499 (4) Florida Teachers Lead Program Stipend funds shall be
 500 provided to each classroom teacher in addition to any other
 501 funds appropriated for public school operations.

502 (5) Any unused funds that ~~which~~ are returned to the
 503 district school board shall be deposited into the School
 504 Advisory Council account of the school at which the classroom

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505 teacher returning the funds was employed at the time of the
506 receipt of the funds or into the Florida Teachers Lead Program
507 account of the district in which the charter school is
508 sponsored, as applicable.

509 (6) For purposes of this section, the term "classroom
510 teacher" includes certified teachers, and also includes charter
511 school teachers, employed on or before September 1 of each year
512 whose regular full-time or job-share ~~job~~ responsibility is the
513 classroom instruction of students who are funded through the
514 Florida Education Finance Program, including charter school
515 students, in prekindergarten ~~kindergarten~~ through grade 12, and
516 full-time media specialists and guidance counselors who serve
517 such students. The term "job-share classroom teacher" means a
518 teacher who shares a full-time position with two or more other
519 classroom teachers ~~in kindergarten through grade 12.~~ Only school
520 district and charter school personnel employed in these
521 positions are eligible for the classroom materials and supply
522 stipend from funds appropriated to implement the provisions of
523 this section.

524 Section 8. Paragraph (a) of subsection (1) and paragraph
525 (a) of subsection (3) of section 1013.64, Florida Statutes, are
526 amended to read:

527 1013.64 Funds for comprehensive educational plant needs;
528 construction cost maximums for school district capital
529 projects.--Allocations from the Public Education Capital Outlay
530 and Debt Service Trust Fund to the various boards for capital
531 outlay projects shall be determined as follows:

532 (1)(a) Funds for remodeling, renovation, maintenance,

533 repairs, and site improvement for existing satisfactory
534 facilities shall be given priority consideration by the
535 Legislature for appropriations allocated to the boards from the
536 total amount of the Public Education Capital Outlay and Debt
537 Service Trust Fund appropriated. These funds shall be calculated
538 pursuant to the following basic formula: the building value
539 times the building age over the sum of the years' digits
540 assuming a 50-year building life. For modular noncombustible
541 facilities, a 35- year life shall be used and, for relocatable
542 facilities, a 20-year life shall be used. "Building value" is
543 calculated by multiplying each building's total assignable
544 square feet times the appropriate net-to-gross conversion rate
545 found in state board rules and that product times the current
546 average new construction cost. "Building age" is calculated by
547 multiplying the prior year's building age times 1 minus the
548 prior year's sum received from this subsection divided by the
549 prior year's building value. To the net result shall be added
550 the number 1. Each board shall receive the percentage generated
551 by the preceding formula of the total amount appropriated for
552 the purposes of this section.

553 (3) (a) Each district school board shall receive an amount
554 from the Public Education Capital Outlay and Debt Service Trust
555 Fund to be calculated by computing the capital outlay full-time
556 equivalent membership as determined by the department. Such
557 membership must include, but is not limited to:

558 1. K-12 students for whom the school district is required
559 to provide the educational facility, except hospital and
560 homebound part-time students; and

561 2. Students who are career education students, and adult
562 disabled students and who are enrolled in school district career
563 centers. The capital outlay full-time equivalent membership
564 shall be determined for kindergarten through the 12th grade and
565 for career centers by averaging the unweighted full-time
566 equivalent student membership for the second and third surveys
567 and comparing the results on a school-by-school basis with the
568 Florida Inventory for School Houses. The capital outlay full-
569 time equivalent membership by grade level organization shall be
570 used in making the following calculations: The capital outlay
571 full-time equivalent membership by grade level organization for
572 the 4th prior year must be used to compute the base-year
573 allocation. The capital outlay full-time equivalent membership
574 by grade-level organization for the prior year must be used to
575 compute the growth over the highest of the 3 years preceding the
576 prior year. From the total amount appropriated by the
577 Legislature pursuant to this subsection, 40 percent shall be
578 allocated among the base capital outlay full-time equivalent
579 membership and 60 percent among the growth capital outlay full-
580 time equivalent membership. The allocation within each of these
581 groups shall be prorated to the districts based upon each
582 district's percentage of base and growth capital outlay full-
583 time membership. The most recent 4-year capital outlay full-time
584 equivalent membership data shall be used in each subsequent
585 year's calculation for the allocation of funds pursuant to this
586 subsection. If a change, correction, or recomputation of data
587 during any year results in a reduction or increase of the
588 calculated amount previously allocated to a district, the

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589 allocation to that district shall be adjusted correspondingly.
590 If such recomputation results in an increase or decrease of the
591 calculated amount, such additional or reduced amounts shall be
592 added to or reduced from the district's future appropriations.
593 However, no change, correction, or recomputation of data shall
594 be made subsequent to 2 years following the initial annual
595 allocation.

596 Section 9. This act shall take effect July 1, 2007.