

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

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1 A bill to be entitled
2 An act relating to public school funding; amending s.
3 1001.451, F.S., relating to regional consortium service
4 organizations; authorizing the Department of Education to
5 appropriate a lesser amount of an incentive grant per
6 school district and eligible member for a specified fiscal
7 year; providing for the future expiration of such
8 provisions; amending s. 1011.62, F.S.; decreasing the
9 value of full-time equivalent student membership
10 calculated for each student enrolled in an International
11 Baccalaureate course, a full-credit Advanced International
12 Certificate of Education course, or an advanced placement
13 course who receives a certain score on an examination;
14 deleting provisions relating to the calculation of
15 additional full-time equivalent membership based on
16 completion of high school level algebra courses and
17 supplemental allocation for juvenile justice education
18 programs; revising provisions relating to the calculation
19 of additional full-time equivalent membership based on
20 certification of successful completion of industry-
21 certified career and professional academy programs;
22 revising provisions relating to the calculation of
23 additional full-time equivalent membership for the Florida
24 Virtual School; providing the final taxable value used in
25 the final calculation to determine the amount school
26 districts are required to put toward the cost of the
27 Florida Education Finance Program; providing for certain
28 categorical funds; requiring the Department of Education
29 to submit a report to the Legislature regarding such

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30 categorical funds; requiring a district school board to
31 submit an amendment to the department if such board
32 transfers funds from its research-based reading
33 instruction allocation; providing a calculation for the
34 supplemental allocation for juvenile justice education
35 programs; providing for the future expiration of certain
36 provisions governing the transfer of categorical funds;
37 amending s. 1011.71, F.S.; decreasing the maximum millage
38 a school district is allowed to levy against the taxable
39 value for school purposes; authorizing a school district
40 to redirect a specified amount of millage if revenues are
41 insufficient to cover payments due under a lease-purchase
42 agreement; amending s. 1012.72, F.S., relating to the Dale
43 Hickam Excellent Teaching Program; providing that monetary
44 incentives and bonuses be provided for up to a certain
45 period; deleting provisions relating to a fee subsidy and
46 a portfolio preparation incentive; providing an effective
47 date.

48
49 Be It Enacted by the Legislature of the State of Florida:

50
51 Section 1. Paragraph (c) is added to subsection (2) of
52 section 1001.451, Florida Statutes, is amended to read:

53 1001.451 Regional consortium service organizations.--In
54 order to provide a full range of programs to larger numbers of
55 students, minimize duplication of services, and encourage the
56 development of new programs and services:

57 (2)

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58 (c) Notwithstanding paragraph (a), the appropriation for
59 the 2008-2009 fiscal year may be less than \$50,000 per school
60 district and eligible member. If the amount appropriated is
61 insufficient to provide \$50,000, the funds available must be
62 prorated among all eligible districts and members.

63 Section 2. The amendment to s. 1001.451(2)(c), Florida
64 Statutes, made by this act shall expire July 1, 2009, and the
65 text of that section shall revert to that in existence on June
66 30, 2008, except that any amendments to such text enacted other
67 than by this act shall be preserved and continue to operate to
68 the extent that such amendments are not dependent upon the
69 portions of such text which expire pursuant to this section.

70 Section 3. Paragraphs (l) through (v) of subsection (1),
71 paragraphs (a) and (b) of subsection (4), and subsection (6) of
72 section 1011.62, Florida Statutes, are amended, present
73 subsections (10) and (11) of that section are amended and
74 redesignated as subsections (11) and (12), respectively, and a
75 new subsection (10) is added to that section, to read:

76 1011.62 Funds for operation of schools.--If the annual
77 allocation from the Florida Education Finance Program to each
78 district for operation of schools is not determined in the annual
79 appropriations act or the substantive bill implementing the
80 annual appropriations act, it shall be determined as follows:

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

84 (1) Calculation of additional full-time equivalent
85 membership based on international baccalaureate examination
86 scores of students.--A value of 0.16 ~~0.24~~ full-time equivalent

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87 student membership shall be calculated for each student enrolled
88 in an international baccalaureate course who receives a score of
89 4 or higher on a subject examination. A value of 0.3 full-time
90 equivalent student membership shall be calculated for each
91 student who receives an international baccalaureate diploma. Such
92 value shall be added to the total full-time equivalent student
93 membership in basic programs for grades 9 through 12 in the
94 subsequent fiscal year. The school district shall distribute to
95 each classroom teacher who provided international baccalaureate
96 instruction:

97 1. A bonus in the amount of \$50 for each student taught by
98 the International Baccalaureate teacher in each international
99 baccalaureate course who receives a score of 4 or higher on the
100 international baccalaureate examination.

101 2. An additional bonus of \$500 to each International
102 Baccalaureate teacher in a school designated with a grade of "D"
103 or "F" who has at least one student scoring 4 or higher on the
104 international baccalaureate examination, regardless of the number
105 of classes taught or of the number of students scoring a 4 or
106 higher on the international baccalaureate examination.

107
108 Bonuses awarded to a teacher according to this paragraph shall
109 not exceed \$2,000 in any given school year and shall be in
110 addition to any regular wage or other bonus the teacher received
111 or is scheduled to receive.

112 (m) Calculation of additional full-time equivalent
113 membership based on Advanced International Certificate of
114 Education examination scores of students.--A value of 0.16 ~~0.24~~
115 full-time equivalent student membership shall be calculated for

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116 each student enrolled in a full-credit Advanced International
117 Certificate of Education course who receives a score of E or
118 higher on a subject examination. A value of 0.08 ~~0.12~~ full-time
119 equivalent student membership shall be calculated for each
120 student enrolled in a half-credit Advanced International
121 Certificate of Education course who receives a score of E or
122 higher on a subject examination. A value of 0.3 full-time
123 equivalent student membership shall be calculated for each
124 student who receives an Advanced International Certificate of
125 Education diploma. Such value shall be added to the total full-
126 time equivalent student membership in basic programs for grades 9
127 through 12 in the subsequent fiscal year. The school district
128 shall distribute to each classroom teacher who provided Advanced
129 International Certificate of Education instruction:

130 1. A bonus in the amount of \$50 for each student taught by
131 the Advanced International Certificate of Education teacher in
132 each full-credit Advanced International Certificate of Education
133 course who receives a score of E or higher on the Advanced
134 International Certificate of Education examination. A bonus in
135 the amount of \$25 for each student taught by the Advanced
136 International Certificate of Education teacher in each half-
137 credit Advanced International Certificate of Education course who
138 receives a score of E or higher on the Advanced International
139 Certificate of Education examination.

140 2. An additional bonus of \$500 to each Advanced
141 International Certificate of Education teacher in a school
142 designated with a grade of "D" or "F" who has at least one
143 student scoring E or higher on the full-credit Advanced
144 International Certificate of Education examination, regardless of

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145 | the number of classes taught or of the number of students scoring
146 | an E or higher on the full-credit Advanced International
147 | Certificate of Education examination.

148 | 3. Additional bonuses of \$250 each to teachers of half-
149 | credit Advanced International Certificate of Education classes in
150 | a school designated with a grade of "D" or "F" which has at least
151 | one student scoring an E or higher on the half-credit Advanced
152 | International Certificate of Education examination in that class.
153 | The maximum additional bonus for a teacher awarded in accordance
154 | with this subparagraph shall not exceed \$500 in any given school
155 | year. Teachers receiving an award under subparagraph 2. are not
156 | eligible for a bonus under this subparagraph.

157 |
158 | Bonuses awarded to a teacher according to this paragraph shall
159 | not exceed \$2,000 in any given school year and shall be in
160 | addition to any regular wage or other bonus the teacher received
161 | or is scheduled to receive.

162 | (n) Calculation of additional full-time equivalent
163 | membership based on college board advanced placement scores of
164 | students.--A value of 0.16 ~~0.24~~ full-time equivalent student
165 | membership shall be calculated for each student in each advanced
166 | placement course who receives a score of 3 or higher on the
167 | College Board Advanced Placement Examination for the prior year
168 | and added to the total full-time equivalent student membership in
169 | basic programs for grades 9 through 12 in the subsequent fiscal
170 | year. Each district must allocate at least 80 percent of the
171 | funds provided to the district for advanced placement
172 | instruction, in accordance with this paragraph, to the high
173 | school that generates the funds. The school district shall

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174 distribute to each classroom teacher who provided advanced
175 placement instruction:

176 1. A bonus in the amount of \$50 for each student taught by
177 the Advanced Placement teacher in each advanced placement course
178 who receives a score of 3 or higher on the College Board Advanced
179 Placement Examination.

180 2. An additional bonus of \$500 to each Advanced Placement
181 teacher in a school designated with a grade of "D" or "F" who has
182 at least one student scoring 3 or higher on the College Board
183 Advanced Placement Examination, regardless of the number of
184 classes taught or of the number of students scoring a 3 or higher
185 on the College Board Advanced Placement Examination.

186
187 Bonuses awarded to a teacher according to this paragraph shall
188 not exceed \$2,000 in any given school year and shall be in
189 addition to any regular wage or other bonus the teacher received
190 or is scheduled to receive.

191 ~~(e) Calculation of additional full-time equivalent~~
192 ~~membership based on completion of high school level algebra~~
193 ~~courses by students in grades 6 through 8. A value of 0.088~~
194 ~~full-time equivalent student membership shall be calculated for~~
195 ~~each student in grades 6 through 8 who completes a high school~~
196 ~~level algebra course and receives a grade of C or better. Such~~
197 ~~value shall be added to the total full-time equivalent student~~
198 ~~membership in basic programs for grades 6 through 8. Each~~
199 ~~district must allocate the funds provided to the district for~~
200 ~~students in grades 6 through 8 who complete a high school level~~
201 ~~algebra course and receive a grade of C or better to the school~~
202 ~~that generated the funds.~~

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203 ~~(p) Calculation of supplemental allocation for juvenile~~
204 ~~justice education programs.--Beginning with the 2007-2008 General~~
205 ~~Appropriations Act, the total K-12 weighted full-time equivalent~~
206 ~~student membership in juvenile justice education programs in each~~
207 ~~school district shall be multiplied by the amount of the state~~
208 ~~average class-size-reduction factor multiplied by the district's~~
209 ~~cost differential. An amount equal to the sum of this calculation~~
210 ~~shall be allocated in the FEFP to each school district to~~
211 ~~supplement other sources of funding for students in juvenile~~
212 ~~justice education programs.~~

213 (o)~~(q)~~ Calculation of additional full-time equivalent
214 membership based on certification of successful completion of
215 industry-certified career and professional academy programs
216 pursuant to s. 1003.492.--A value of 0.3 full-time equivalent
217 student membership shall be calculated for each student who
218 completes an industry-certified career and professional academy
219 program under s. 1003.492 and who is issued the highest level of
220 an industry certification and a high school diploma certificate.
221 Such value shall be added to the total full-time equivalent
222 student membership in secondary career education programs for
223 grades 9 through 12 in the subsequent year for courses that were
224 not funded through dual enrollment. The additional full-time
225 equivalent membership authorized under this paragraph may not
226 exceed 0.3 per student. Unless a different amount is specified in
227 the General Appropriations Act, the appropriation for this
228 calculation is limited to \$15 ~~\$30~~ million annually. If the
229 appropriation is insufficient to fully fund the total
230 calculation, the appropriation shall be prorated.

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231 (p)~~(r)~~ Calculation of additional full-time equivalent
232 membership for the Florida Virtual School.--The ~~total~~ reported
233 full-time equivalent student membership in core-curricula courses
234 as defined in s. 1003.01(14) for the Florida Virtual School shall
235 be multiplied by 0.114, and such value shall be added to the
236 total full-time equivalent student membership.

237 (g)~~(s)~~ Year-round-school programs.--The Commissioner of
238 Education is authorized to adjust student eligibility
239 definitions, funding criteria, and reporting requirements of
240 statutes and rules in order that year-round-school programs may
241 achieve equivalent application of funding requirements with non-
242 year-round-school programs.

243 (r)~~(t)~~ Extended-school-year program.--It is the intent of
244 the Legislature that students be provided additional instruction
245 by extending the school year to 210 days or more. Districts may
246 apply to the Commissioner of Education for funds to be used in
247 planning and implementing an extended-school-year program. The
248 Department of Education shall recommend to the Legislature the
249 policies necessary for full implementation of an extended school
250 year.

251 (s)~~(u)~~ Determination of the basic amount for current
252 operation.--The basic amount for current operation to be included
253 in the Florida Education Finance Program for kindergarten through
254 grade 12 for each district shall be the product of the following:

- 255 1. The full-time equivalent student membership in each
256 program, multiplied by
- 257 2. The cost factor for each program, adjusted for the
258 maximum as provided by paragraph (c), multiplied by
- 259 3. The base student allocation.

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260 (t)~~(v)~~ Computation for funding through the Florida
261 Education Finance Program.--The State Board of Education may
262 adopt rules establishing programs and courses for which the
263 student may earn credit toward high school graduation.

264 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.--The
265 Legislature shall prescribe the aggregate required local effort
266 for all school districts collectively as an item in the General
267 Appropriations Act for each fiscal year. The amount that each
268 district shall provide annually toward the cost of the Florida
269 Education Finance Program for kindergarten through grade 12
270 programs shall be calculated as follows:

271 (a) Estimated taxable value calculations.--

272 1.a. Not later than 2 working days prior to July 19, the
273 Department of Revenue shall certify to the Commissioner of
274 Education its most recent estimate of the taxable value for
275 school purposes in each school district and the total for all
276 school districts in the state for the current calendar year based
277 on the latest available data obtained from the local property
278 appraisers. Not later than July 19, the Commissioner of Education
279 shall compute a millage rate, rounded to the next highest one
280 one-thousandth of a mill, which, when applied to 95 percent of
281 the estimated state total taxable value for school purposes,
282 would generate the prescribed aggregate required local effort for
283 that year for all districts. The Commissioner of Education shall
284 certify to each district school board the millage rate, computed
285 as prescribed in this subparagraph, as the minimum millage rate
286 necessary to provide the district required local effort for that
287 year.

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288 b. The General Appropriations Act shall direct the
289 computation of the statewide adjusted aggregate amount for
290 required local effort for all school districts collectively from
291 ad valorem taxes to ensure that no school district's revenue from
292 required local effort millage will produce more than 90 percent
293 of the district's total Florida Education Finance Program
294 calculation under ss. 1011.62, 1011.67, and 1011.68, and the
295 adjustment of the required local effort millage rate of each
296 district that produces more than 90 percent of its total Florida
297 Education Finance Program entitlement to a level that will
298 produce only 90 percent of its total Florida Education Finance
299 Program entitlement in the July calculation.

300 2. As revised data are received from property appraisers,
301 the Department of Revenue shall amend the certification of the
302 estimate of the taxable value for school purposes.

303 (b) Final calculation.--

304 1. The taxable value for school purposes certified by the
305 Department of Revenue which is used in the fourth calculation
306 with the annualized full-time student membership from the
307 February student survey shall be the final taxable value used in
308 the final calculation. ~~On September 1 of each year, the~~
309 ~~Department of Revenue shall certify to the Commissioner of~~
310 ~~Education the total of the prior year final taxable value for~~
311 ~~school purposes in each school district and the total for all~~
312 ~~school districts in the state. The commissioner shall use the~~
313 ~~final taxable value certified on September 1 for school purposes~~
314 ~~for each school district in the final calculation of the annual~~
315 ~~Florida Education Finance Program allocations.~~

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316 2. For purposes of this paragraph, the final taxable value
317 for school purposes shall be the taxable value for school
318 purposes on which the tax bills are computed and mailed to the
319 taxpayers, adjusted to reflect final administrative actions of
320 value adjustment boards and judicial decisions pursuant to
321 chapter 194. For each county that has not submitted a revised tax
322 roll reflecting final value adjustment board actions and final
323 judicial decisions, the Department of Revenue shall certify the
324 most recent revision of the taxable value for school purposes.
325 The value certified in subparagraph 1. ~~on September 1~~ shall be
326 the final taxable value for school purposes for that year, and no
327 further adjustments shall be made, except those made pursuant to
328 paragraph (11) (b).

329 (6) CATEGORICAL FUNDS.--

330 (a) In addition to the basic amount for current operations
331 for the FEFP as determined in subsection (1), the Legislature may
332 appropriate categorical funding for specified programs,
333 activities, or purposes.

334 (b) If a district school board finds and declares in a
335 resolution adopted at a regular meeting of the school board that
336 the funds received for any of the following categorical
337 appropriations are urgently needed to maintain school board
338 specified academic classroom instruction, the school board may
339 consider and approve an amendment to the school district
340 operating budget transferring the identified amount of the
341 categorical funds to the appropriate account for expenditure:

- 342 1. Funds for student transportation.
- 343 2. Funds for safe schools.
- 344 3. Funds for supplemental academic instruction.

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345 4. Funds for research-based reading instruction.

346 5. Funds for instructional materials if all instructional
347 material purchases have been completed for that fiscal year, but
348 no sooner than March 1, 2009.

349 (c) Each district school board shall include in its annual
350 financial report to the Department of Education the amount of
351 funds the school board transferred from each of the categorical
352 funds identified in this subsection and the specific academic
353 classroom instruction for which the transferred funds were
354 expended. The Department of Education shall provide instructions
355 and specify the format to be used in submitting this required
356 information as a part of the district annual financial report.
357 The department shall submit a report to the Legislature which
358 identifies by district and by categorical fund the amount
359 transferred and the specific academic classroom activity for
360 which the funds were expended.

361 (d) If a district school board transfers funds from its
362 research-based reading instruction allocation, the board must
363 also submit to the Department of Education an amendment
364 describing the changes that the district is making to its reading
365 plan approved pursuant to paragraph (9)(d).

366 (10) Calculation of supplemental allocation for juvenile
367 justice education programs.--The total K-12 weighted full-time
368 equivalent student membership in juvenile justice education
369 programs in each school district shall be multiplied by the
370 amount of the state average class-size-reduction factor
371 multiplied by the district's cost differential. An amount equal
372 to the sum of this calculation shall be allocated in the FEFP to

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373 each school district to supplement other sources of funding for
374 students in juvenile justice education programs.

375 (11)~~(10)~~ QUALITY ASSURANCE GUARANTEE.--The Legislature may
376 annually in the General Appropriations Act determine a percentage
377 increase in funds per K-12 unweighted FTE as a minimum guarantee
378 to each school district. The guarantee shall be calculated from
379 prior year base funding per unweighted FTE student which shall
380 include the adjusted FTE dollars as provided in subsection (12)
381 ~~(11)~~, quality guarantee funds, and actual nonvoted discretionary
382 local effort from taxes. From the base funding per unweighted
383 FTE, the increase shall be calculated for the current year. The
384 current year funds from which the guarantee shall be determined
385 shall include the adjusted FTE dollars as provided in subsection
386 (12) ~~(11)~~ and potential nonvoted discretionary local effort from
387 taxes. A comparison of current year funds per unweighted FTE to
388 prior year funds per unweighted FTE shall be computed. For those
389 school districts which have less than the legislatively assigned
390 percentage increase, funds shall be provided to guarantee the
391 assigned percentage increase in funds per unweighted FTE student.
392 Should appropriated funds be less than the sum of this calculated
393 amount for all districts, the commissioner shall prorate each
394 district's allocation. This provision shall be implemented to the
395 extent specifically funded.

396 (12)~~(11)~~ TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT
397 FOR CURRENT OPERATION.--The total annual state allocation to each
398 district for current operation for the FEFP shall be distributed
399 periodically in the manner prescribed in the General
400 Appropriations Act.

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401 (a) The basic amount for current operation for the FEFP as
402 determined in subsection (1), multiplied by the district cost
403 differential factor as determined in subsection (2), plus the
404 amounts provided for categorical components within the FEFP, plus
405 the discretionary millage compression supplement as determined in
406 subsection (5), the amount for the sparsity supplement as
407 determined in subsection (7), the decline in full-time equivalent
408 students as determined in subsection (8), the research-based
409 reading instruction allocation as determined in subsection (9),
410 the allocation for juvenile justice education programs as
411 determined in subsection (10), and the quality assurance
412 guarantee as determined in subsection (11) ~~(10)~~, instructional
413 materials as determined in s. 1011.67, and student transportation
414 as determined in s. 1011.68, less the required local effort as
415 determined in subsection (4). If the funds appropriated for the
416 purpose of funding the total amount for current operation as
417 provided in this paragraph are not sufficient to pay the state
418 requirement in full, the department shall prorate the available
419 state funds to each district in the following manner:

420 1. Determine the percentage of proration by dividing the
421 sum of the total amount for current operation, as provided in
422 this paragraph for all districts collectively, and the total
423 district required local effort into the sum of the state funds
424 available for current operation and the total district required
425 local effort.

426 2. Multiply the percentage so determined by the sum of the
427 total amount for current operation as provided in this paragraph
428 and the required local effort for each individual district.

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429 3. From the product of such multiplication, subtract the
430 required local effort of each district; and the remainder shall
431 be the amount of state funds allocated to the district for
432 current operation.

433 (b) The amount thus obtained shall be the net annual
434 allocation to each school district. However, if it is determined
435 that any school district received an underallocation or
436 overallocation for any prior year because of an arithmetical
437 error, assessment roll change required by final judicial
438 decision, full-time equivalent student membership error, or any
439 allocation error revealed in an audit report, the allocation to
440 that district shall be appropriately adjusted. Beginning with
441 audits for the 2001-2002 fiscal year, if the adjustment is the
442 result of an audit finding in which group 2 FTE are reclassified
443 to the basic program and the district weighted FTE are over the
444 weighted enrollment ceiling for group 2 programs, the adjustment
445 shall not result in a gain of state funds to the district. If the
446 Department of Education audit adjustment recommendation is based
447 upon controverted findings of fact, the Commissioner of Education
448 is authorized to establish the amount of the adjustment based on
449 the best interests of the state.

450 (c) The amount thus obtained shall represent the net annual
451 state allocation to each district; however, notwithstanding any
452 of the provisions herein, each district shall be guaranteed a
453 minimum level of funding in the amount and manner prescribed in
454 the General Appropriations Act.

455 Section 4. The amendment to s. 1011.62(6), Florida
456 Statutes, made by this act shall expire July 1, 2009, and the
457 text of that section shall revert to that in existence on the day

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458 before the effective date of chapter 2007-328, Laws of Florida,
459 except that any amendments to such text enacted other than by
460 this act shall be preserved and continue to operate to the extent
461 that such amendments are not dependent upon the portions of such
462 text which expire pursuant to this section.

463 Section 5. Subsection (2) of section 1011.71, Florida
464 Statutes, is amended, present subsections (3) through (7) of that
465 section are redesignated as subsections (4) through (8),
466 respectively, and a new subsection (3) is added to that section
467 to read:

468 1011.71 District school tax.--

469 (2) In addition to the maximum millage levy as provided in
470 subsection (1), each school board may levy not more than 1.8
471 mills ~~2 mills~~ against the taxable value for school purposes for
472 district schools, including charter schools at the discretion of
473 the school board, to fund:

474 (a) New construction and remodeling projects, as set forth
475 in s. 1013.64(3)(b) and (6)(b) and included in the district's
476 educational plant survey pursuant to s. 1013.31, without regard
477 to prioritization, sites and site improvement or expansion to new
478 sites, existing sites, auxiliary facilities, athletic facilities,
479 or ancillary facilities.

480 (b) Maintenance, renovation, and repair of existing school
481 plants or of leased facilities to correct deficiencies pursuant
482 to s. 1013.15(2).

483 (c) The purchase, lease-purchase, or lease of school buses.

484 (d) The purchase, lease-purchase, or lease of new and
485 replacement equipment.

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486 (e) Payments for educational facilities and sites due under
487 a lease-purchase agreement entered into by a district school
488 board pursuant to s. 1003.02(1)(f) or s. 1013.15(2), not
489 exceeding, in the aggregate, an amount equal to three-fourths of
490 the proceeds from the millage levied by a district school board
491 pursuant to this subsection.

492 (f) Payment of loans approved pursuant to ss. 1011.14 and
493 1011.15.

494 (g) Payment of costs directly related to complying with
495 state and federal environmental statutes, rules, and regulations
496 governing school facilities.

497 (h) Payment of costs of leasing relocatable educational
498 facilities, of renting or leasing educational facilities and
499 sites pursuant to s. 1013.15(2), or of renting or leasing
500 buildings or space within existing buildings pursuant to s.
501 1013.15(4).

502 (i) Payment of the cost of school buses when a school
503 district contracts with a private entity to provide student
504 transportation services if the district meets the requirements of
505 this paragraph.

506 1. The district's contract must require that the private
507 entity purchase, lease-purchase, or lease, and operate and
508 maintain, one or more school buses of a specific type and size
509 that meet the requirements of s. 1006.25.

510 2. Each such school bus must be used for the daily
511 transportation of public school students in the manner required
512 by the school district.

513 3. Annual payment for each such school bus may not exceed
514 10 percent of the purchase price of the state pool bid.

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515 4. The proposed expenditure of the funds for this purpose
516 must have been included in the district school board's notice of
517 proposed tax for school capital outlay as provided in s.
518 200.065(10).

519 (j) Payment of the cost of the opening day collection for
520 the library media center of a new school.

521 (3) If the revenue from the millage authorized in
522 subsection (2) is insufficient to make payments due under a
523 lease-purchase agreement entered into prior to June 30, 2008, by
524 a district school board pursuant to s. 1011.71 (2) (e), an amount
525 equal to 0.2 mills of the taxable value for school purposes
526 within the school district shall be legally available for such
527 payments, notwithstanding other restrictions on the use of such
528 revenues imposed by law.

529 Section 6. Subsection (2) of section 1012.72, Florida
530 Statutes, and subsection (5) of that section as created by
531 section 7 of chapter 2007-328, Laws of Florida, are amended to
532 read:

533 1012.72 Dale Hickam Excellent Teaching Program.--

534 (2) The Dale Hickam Excellent Teaching Program is created
535 to provide categorical funding for monetary incentives and
536 bonuses for teaching excellence. The monetary incentives and
537 bonuses may be provided for initial certification for up to one
538 10-year period. The Department of Education shall distribute to
539 each school district or to the NBPTS an amount as prescribed
540 annually by the Legislature for the Dale Hickam Excellent
541 Teaching Program. For purposes of this section, the Florida
542 School for the Deaf and the Blind shall be considered a school
543 district. Unless otherwise provided in the General Appropriations

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544 Act, each distribution shall be the sum of the amounts earned for
545 the following incentives and bonuses:

546 ~~(a) A fee subsidy to be paid by the Department of Education~~
547 ~~to the NBPTS on behalf of each individual who is an employee of a~~
548 ~~district school board or a public school within the school~~
549 ~~district, who is certified by the district to have demonstrated~~
550 ~~satisfactory teaching performance pursuant to s. 1012.34 and who~~
551 ~~satisfies the prerequisites for participating in the NBPTS~~
552 ~~certification program, and who agrees, in writing, to pay 10~~
553 ~~percent of the NBPTS participation fee and to participate in the~~
554 ~~NBPTS certification program during the school year for which the~~
555 ~~fee subsidy is provided. The fee subsidy for each eligible~~
556 ~~participant shall be an amount equal to 90 percent of the fee~~
557 ~~charged for participating in the NBPTS certification program. The~~
558 ~~fee subsidy is a one-time award and may not be duplicated for any~~
559 ~~individual.~~

560 ~~(b) A portfolio-preparation incentive of \$150 paid by the~~
561 ~~Department of Education to each teacher employed by a district~~
562 ~~school board or a public school within a school district who is~~
563 ~~participating in the NBPTS certification program. The portfolio-~~
564 ~~preparation incentive is a one-time award paid during the school~~
565 ~~year for which the NBPTS fee subsidy is provided.~~

566 (a)(e) An annual bonus equal to 10 percent of the prior
567 fiscal year's statewide average salary for classroom teachers to
568 be distributed to the school district to be paid to each
569 individual who holds NBPTS certification and is employed by the
570 district school board or by a public school within the school
571 district. The district school board shall distribute the annual
572 bonus to each individual who meets the requirements of this

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573 | paragraph and who is certified annually by the district to have
574 | demonstrated satisfactory teaching performance pursuant to s.
575 | 1012.34. The annual bonus may be paid as a single payment or
576 | divided into not more than three payments.

577 | (b)~~(d)~~ An annual bonus equal to 10 percent of the prior
578 | fiscal year's statewide average salary for classroom teachers to
579 | be distributed to the school district to be paid to each
580 | individual who meets the requirements of paragraph (c) and
581 | agrees, in writing, to provide the equivalent of 12 workdays of
582 | mentoring and related services to public school teachers within
583 | the state who do not hold NBPTS certification. Related services
584 | must include instruction in helping teachers work more
585 | effectively with the families of their students. The district
586 | school board shall distribute the annual bonus in a single
587 | payment following the completion of all required mentoring and
588 | related services for the year. It is not the intent of the
589 | Legislature to remove excellent teachers from their assigned
590 | classrooms; therefore, credit may not be granted by a school
591 | district or public school for mentoring or related services
592 | provided during student contact time during the 196 days of
593 | required service for the school year.

594 | (c)~~(e)~~ The employer's share of social security and Medicare
595 | taxes ~~and Florida Retirement System contributions~~ for those
596 | teachers who qualify for NBPTS certification and receive bonus
597 | amounts.

598 |
599 | A teacher for whom the state pays the certification fee and who
600 | does not complete the certification program or does not teach in
601 | a public school of this state for at least 1 year after

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602 | completing the certification program must repay the amount of the
603 | certification fee to the state. However, a teacher who completes
604 | the certification program but fails to be awarded NBPTS
605 | certification is not required to repay the amount of the
606 | certification fee if the teacher meets the 1-year teaching
607 | requirement. Repayment is not required of a teacher who does not
608 | complete the certification program or fails to fulfill the
609 | teaching requirement because of the teacher's death or disability
610 | or because of other extenuating circumstances as determined by
611 | the State Board of Education.

612 | (5) If the funds available in any fiscal year are
613 | insufficient to pay in full the annual bonuses for certification
614 | and for providing mentoring and related services, such payments
615 | for mentoring and related services shall be prorated among the
616 | eligible recipients. If funds are insufficient to pay in full the
617 | annual bonuses for certification, payments of bonuses for
618 | certification shall be prorated among the eligible recipients.

619 | Section 7. This act shall take effect July 1, 2008.