

20081746e1

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

20081746e1

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; revising provisions relating to
34 the calculation of declining unweighted full-time
35 equivalent students; providing a calculation for the
36 supplemental allocation for juvenile justice education
37 programs; providing for the future expiration of certain
38 provisions governing the transfer of categorical funds;
39 amending s. 1011.71, F.S.; decreasing the maximum millage
40 a school district is allowed to levy against the taxable
41 value for school purposes; authorizing a school district
42 to redirect a specified amount of millage if revenues are
43 insufficient to cover payments due under a lease-purchase
44 agreement; amending s. 1012.72, F.S., relating to the Dale
45 Hickam Excellent Teaching Program; providing that monetary
46 incentives and bonuses be provided for up to a certain
47 period; deleting provisions relating to a fee subsidy and
48 a portfolio preparation incentive; authorizing a school
49 district to pay a certain percentage of a fee subsidy to
50 the National Board of Professional Teaching Standards on
51 behalf of certain persons, a portfolio-preparation
52 incentive up to a specified amount to certain teachers,
53 and the employer's share of contributions to the Florida
54 Retirement System; amending s. 1013.45, F.S.; requiring a
55 district school board to reuse existing construction
56 documents or design criteria packages if feasible and
57 practical; requiring the use of prototype design and

20081746e1

58 construction under certain circumstances; providing an
59 effective date.

60
61 Be It Enacted by the Legislature of the State of Florida:

62
63 Section 1. Paragraph (c) is added to subsection (2) of
64 section 1001.451, Florida Statutes, to read:

65 1001.451 Regional consortium service organizations.--In
66 order to provide a full range of programs to larger numbers of
67 students, minimize duplication of services, and encourage the
68 development of new programs and services:

69 (2)

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

75 Section 2. The amendment to s. 1001.451(2)(c), Florida
76 Statutes, made by this act shall expire July 1, 2009, and the
77 text of that section shall revert to that in existence on June
78 30, 2008, except that any amendments to such text enacted other
79 than by this act shall be preserved and continue to operate to
80 the extent that such amendments are not dependent upon the
81 portions of such text which expire pursuant to this section.

82 Section 3. Paragraphs (l) through (v) of subsection (1),
83 paragraphs (a) and (b) of subsection (4), subsection (6) of
84 section 1011.62, Florida Statutes, and subsection (8) of that
85 section as amended by section 2 of chapter 2007-328, Laws of
86 Florida, are amended, present subsections (10) and (11) of that

20081746e1

87 section are amended and redesignated as subsections (11) and
88 (12), respectively, and a new subsection (10) is added to that
89 section, to read:

90 1011.62 Funds for operation of schools.--If the annual
91 allocation from the Florida Education Finance Program to each
92 district for operation of schools is not determined in the annual
93 appropriations act or the substantive bill implementing the
94 annual appropriations act, it shall be determined as follows:

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

98 (1) Calculation of additional full-time equivalent
99 membership based on international baccalaureate examination
100 scores of students.--A value of 0.16 ~~0.24~~ full-time equivalent
101 student membership shall be calculated for each student enrolled
102 in an international baccalaureate course who receives a score of
103 4 or higher on a subject examination. A value of 0.3 full-time
104 equivalent student membership shall be calculated for each
105 student who receives an international baccalaureate diploma. Such
106 value shall be added to the total full-time equivalent student
107 membership in basic programs for grades 9 through 12 in the
108 subsequent fiscal year. The school district shall distribute to
109 each classroom teacher who provided international baccalaureate
110 instruction:

111 1. A bonus in the amount of \$50 for each student taught by
112 the International Baccalaureate teacher in each international
113 baccalaureate course who receives a score of 4 or higher on the
114 international baccalaureate examination.

20081746e1

115 2. An additional bonus of \$500 to each International
116 Baccalaureate teacher in a school designated with a grade of "D"
117 or "F" who has at least one student scoring 4 or higher on the
118 international baccalaureate examination, regardless of the number
119 of classes taught or of the number of students scoring a 4 or
120 higher on the international baccalaureate examination.

121
122 Bonuses awarded to a teacher according to this paragraph shall
123 not exceed \$2,000 in any given school year and shall be in
124 addition to any regular wage or other bonus the teacher received
125 or is scheduled to receive.

126 (m) Calculation of additional full-time equivalent
127 membership based on Advanced International Certificate of
128 Education examination scores of students.--A value of 0.16 ~~0.24~~
129 full-time equivalent student membership shall be calculated for
130 each student enrolled in a full-credit Advanced International
131 Certificate of Education course who receives a score of E or
132 higher on a subject examination. A value of 0.08 ~~0.12~~ full-time
133 equivalent student membership shall be calculated for each
134 student enrolled in a half-credit Advanced International
135 Certificate of Education course who receives a score of E or
136 higher on a subject examination. A value of 0.3 full-time
137 equivalent student membership shall be calculated for each
138 student who receives an Advanced International Certificate of
139 Education diploma. Such value shall be added to the total full-
140 time equivalent student membership in basic programs for grades 9
141 through 12 in the subsequent fiscal year. The school district
142 shall distribute to each classroom teacher who provided Advanced
143 International Certificate of Education instruction:

20081746e1

144 1. A bonus in the amount of \$50 for each student taught by
145 the Advanced International Certificate of Education teacher in
146 each full-credit Advanced International Certificate of Education
147 course who receives a score of E or higher on the Advanced
148 International Certificate of Education examination. A bonus in
149 the amount of \$25 for each student taught by the Advanced
150 International Certificate of Education teacher in each half-
151 credit Advanced International Certificate of Education course who
152 receives a score of E or higher on the Advanced International
153 Certificate of Education examination.

154 2. An additional bonus of \$500 to each Advanced
155 International Certificate of Education teacher in a school
156 designated with a grade of "D" or "F" who has at least one
157 student scoring E or higher on the full-credit Advanced
158 International Certificate of Education examination, regardless of
159 the number of classes taught or of the number of students scoring
160 an E or higher on the full-credit Advanced International
161 Certificate of Education examination.

162 3. Additional bonuses of \$250 each to teachers of half-
163 credit Advanced International Certificate of Education classes in
164 a school designated with a grade of "D" or "F" which has at least
165 one student scoring an E or higher on the half-credit Advanced
166 International Certificate of Education examination in that class.
167 The maximum additional bonus for a teacher awarded in accordance
168 with this subparagraph shall not exceed \$500 in any given school
169 year. Teachers receiving an award under subparagraph 2. are not
170 eligible for a bonus under this subparagraph.
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20081746e1

172 Bonuses awarded to a teacher according to this paragraph shall
173 not exceed \$2,000 in any given school year and shall be in
174 addition to any regular wage or other bonus the teacher received
175 or is scheduled to receive.

176 (n) Calculation of additional full-time equivalent
177 membership based on college board advanced placement scores of
178 students.--A value of 0.16 ~~0.24~~ full-time equivalent student
179 membership shall be calculated for each student in each advanced
180 placement course who receives a score of 3 or higher on the
181 College Board Advanced Placement Examination for the prior year
182 and added to the total full-time equivalent student membership in
183 basic programs for grades 9 through 12 in the subsequent fiscal
184 year. Each district must allocate at least 80 percent of the
185 funds provided to the district for advanced placement
186 instruction, in accordance with this paragraph, to the high
187 school that generates the funds. The school district shall
188 distribute to each classroom teacher who provided advanced
189 placement instruction:

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

194 2. An additional bonus of \$500 to each Advanced Placement
195 teacher in a school designated with a grade of "D" or "F" who has
196 at least one student scoring 3 or higher on the College Board
197 Advanced Placement Examination, regardless of the number of
198 classes taught or of the number of students scoring a 3 or higher
199 on the College Board Advanced Placement Examination.

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20081746e1

201 Bonuses awarded to a teacher according to this paragraph shall
202 not exceed \$2,000 in any given school year and shall be in
203 addition to any regular wage or other bonus the teacher received
204 or is scheduled to receive.

205 ~~(o) Calculation of additional full-time equivalent~~
206 ~~membership based on completion of high school level algebra~~
207 ~~courses by students in grades 6 through 8. A value of 0.088~~
208 ~~full-time equivalent student membership shall be calculated for~~
209 ~~each student in grades 6 through 8 who completes a high school~~
210 ~~level algebra course and receives a grade of C or better. Such~~
211 ~~value shall be added to the total full-time equivalent student~~
212 ~~membership in basic programs for grades 6 through 8. Each~~
213 ~~district must allocate the funds provided to the district for~~
214 ~~students in grades 6 through 8 who complete a high school level~~
215 ~~algebra course and receive a grade of C or better to the school~~
216 ~~that generated the funds.~~

217 ~~(p) Calculation of supplemental allocation for juvenile~~
218 ~~justice education programs. Beginning with the 2007-2008 General~~
219 ~~Appropriations Act, the total K-12 weighted full-time equivalent~~
220 ~~student membership in juvenile justice education programs in each~~
221 ~~school district shall be multiplied by the amount of the state~~
222 ~~average class-size-reduction factor multiplied by the district's~~
223 ~~cost differential. An amount equal to the sum of this calculation~~
224 ~~shall be allocated in the FEFP to each school district to~~
225 ~~supplement other sources of funding for students in juvenile~~
226 ~~justice education programs.~~

227 (o) ~~(q)~~ Calculation of additional full-time equivalent
228 membership based on certification of successful completion of
229 industry-certified career and professional academy programs

20081746e1

230 pursuant to s. 1003.492.--A value of 0.3 full-time equivalent
231 student membership shall be calculated for each student who
232 completes an industry-certified career and professional academy
233 program under s. 1003.492 and who is issued the highest level of
234 ~~an industry certification and a high school diploma certificate.~~
235 Such value shall be added to the total full-time equivalent
236 student membership in secondary career education programs for
237 grades 9 through 12 in the subsequent year for courses that were
238 not funded through dual enrollment. The additional full-time
239 equivalent membership authorized under this paragraph may not
240 exceed 0.3 per student. Unless a different amount is specified in
241 the General Appropriations Act, the appropriation for this
242 calculation is limited to \$15 ~~\$30~~ million annually. If the
243 appropriation is insufficient to fully fund the total
244 calculation, the appropriation shall be prorated.

245 (p) ~~(r)~~ Calculation of additional full-time equivalent
246 membership for the Florida Virtual School.--The ~~total~~ reported
247 full-time equivalent student membership in core-curricula courses
248 as defined in s. 1003.01(14) for the Florida Virtual School shall
249 be multiplied by 0.114, and such value shall be added to the
250 total full-time equivalent student membership.

251 (q) ~~(s)~~ Year-round-school programs.--The Commissioner of
252 Education is authorized to adjust student eligibility
253 definitions, funding criteria, and reporting requirements of
254 statutes and rules in order that year-round-school programs may
255 achieve equivalent application of funding requirements with non-
256 year-round-school programs.

257 (r) ~~(t)~~ Extended-school-year program.--It is the intent of
258 the Legislature that students be provided additional instruction

20081746e1

259 by extending the school year to 210 days or more. Districts may
260 apply to the Commissioner of Education for funds to be used in
261 planning and implementing an extended-school-year program. The
262 Department of Education shall recommend to the Legislature the
263 policies necessary for full implementation of an extended school
264 year.

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

269 1. The full-time equivalent student membership in each
270 program, multiplied by

271 2. The cost factor for each program, adjusted for the
272 maximum as provided by paragraph (c), multiplied by

273 3. The base student allocation.

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

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

285 (a) Estimated taxable value calculations.--

286 1.a. Not later than 2 working days prior to July 19, the
287 Department of Revenue shall certify to the Commissioner of

20081746e1

288 Education its most recent estimate of the taxable value for
289 school purposes in each school district and the total for all
290 school districts in the state for the current calendar year based
291 on the latest available data obtained from the local property
292 appraisers. Not later than July 19, the Commissioner of Education
293 shall compute a millage rate, rounded to the next highest one
294 one-thousandth of a mill, which, when applied to 95 percent of
295 the estimated state total taxable value for school purposes,
296 would generate the prescribed aggregate required local effort for
297 that year for all districts. The Commissioner of Education shall
298 certify to each district school board the millage rate, computed
299 as prescribed in this subparagraph, as the minimum millage rate
300 necessary to provide the district required local effort for that
301 year.

302 b. The General Appropriations Act shall direct the
303 computation of the statewide adjusted aggregate amount for
304 required local effort for all school districts collectively from
305 ad valorem taxes to ensure that no school district's revenue from
306 required local effort millage will produce more than 90 percent
307 of the district's total Florida Education Finance Program
308 calculation under ss. 1011.62, 1011.67, and 1011.68, and the
309 adjustment of the required local effort millage rate of each
310 district that produces more than 90 percent of its total Florida
311 Education Finance Program entitlement to a level that will
312 produce only 90 percent of its total Florida Education Finance
313 Program entitlement in the July calculation.

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

20081746e1

317 (b) Final calculation.--

318 1. The taxable value for school purposes certified by the
319 Department of Revenue which is used in the fourth calculation
320 with the annualized full-time student membership from the
321 February student survey shall be the final taxable value used in
322 the final calculation. ~~On September 1 of each year, the~~
323 ~~Department of Revenue shall certify to the Commissioner of~~
324 ~~Education the total of the prior year final taxable value for~~
325 ~~school purposes in each school district and the total for all~~
326 ~~school districts in the state. The commissioner shall use the~~
327 ~~final taxable value certified on September 1 for school purposes~~
328 ~~for each school district in the final calculation of the annual~~
329 ~~Florida Education Finance Program allocations.~~

330 2. For purposes of this paragraph, the final taxable value
331 for school purposes shall be the taxable value for school
332 purposes on which the tax bills are computed and mailed to the
333 taxpayers, adjusted to reflect final administrative actions of
334 value adjustment boards and judicial decisions pursuant to
335 chapter 194. For each county that has not submitted a revised tax
336 roll reflecting final value adjustment board actions and final
337 judicial decisions, the Department of Revenue shall certify the
338 most recent revision of the taxable value for school purposes.
339 The value certified in subparagraph 1. ~~on September 1~~ shall be
340 the final taxable value for school purposes for that year, and no
341 further adjustments shall be made, except those made pursuant to
342 paragraph (11) (b) .

343 (6) CATEGORICAL FUNDS.--

344 (a) In addition to the basic amount for current operations
345 for the FEFP as determined in subsection (1), the Legislature may

20081746e1

346 appropriate categorical funding for specified programs,
347 activities, or purposes.

348 (b) If a district school board finds and declares in a
349 resolution adopted at a regular meeting of the school board that
350 the funds received for any of the following categorical
351 appropriations are urgently needed to maintain school board
352 specified academic classroom instruction, the school board may
353 consider and approve an amendment to the school district
354 operating budget transferring the identified amount of the
355 categorical funds to the appropriate account for expenditure:

- 356 1. Funds for student transportation.
- 357 2. Funds for safe schools.
- 358 3. Funds for supplemental academic instruction.
- 359 4. Funds for research-based reading instruction.
- 360 5. Funds for instructional materials if all instructional
361 material purchases have been completed for that fiscal year, but
362 no sooner than March 1, 2009.

363 (c) Each district school board shall include in its annual
364 financial report to the Department of Education the amount of
365 funds the school board transferred from each of the categorical
366 funds identified in this subsection and the specific academic
367 classroom instruction for which the transferred funds were
368 expended. The Department of Education shall provide instructions
369 and specify the format to be used in submitting this required
370 information as a part of the district annual financial report.
371 The department shall submit a report to the Legislature which
372 identifies by district and by categorical fund the amount
373 transferred and the specific academic classroom activity for
374 which the funds were expended.

20081746e1

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

380 (8) DECLINE IN FULL-TIME EQUIVALENT STUDENTS.--In those
381 districts where there is a decline between prior year and current
382 year unweighted FTE students, a percent ~~50 percent~~ of the decline
383 in the unweighted FTE students as determined by the Legislature
384 shall be multiplied by the prior year calculated FEFP per
385 unweighted FTE student and shall be added to the allocation for
386 that district. For this purpose, the calculated FEFP shall be
387 computed by multiplying the weighted FTE students by the base
388 student allocation and then by the district cost differential. If
389 a district transfers a program to another institution not under
390 the authority of the district's school board, including a charter
391 technical career center, the decline is to be multiplied by a
392 factor of 0.15. However, if the funds provided for the Florida
393 Education Finance Program in the General Appropriations Act for
394 any fiscal year are reduced by a subsequent appropriation for
395 that fiscal year, the percent of the decline in the unweighted
396 FTE students to be funded shall be determined by the Legislature
397 and designated in the subsequent appropriation.

398 (10) Calculation of supplemental allocation for juvenile
399 justice education programs.--The total K-12 weighted full-time
400 equivalent student membership in juvenile justice education
401 programs in each school district shall be multiplied by the
402 amount of the state average class-size-reduction factor
403 multiplied by the district's cost differential. An amount equal

20081746e1

404 to the sum of this calculation shall be allocated in the FEFP to
405 each school district to supplement other sources of funding for
406 students in juvenile justice education programs.

407 (11)~~(10)~~ QUALITY ASSURANCE GUARANTEE.--The Legislature may
408 annually in the General Appropriations Act determine a percentage
409 increase in funds per K-12 unweighted FTE as a minimum guarantee
410 to each school district. The guarantee shall be calculated from
411 prior year base funding per unweighted FTE student which shall
412 include the adjusted FTE dollars as provided in subsection (12)
413 ~~(11)~~, quality guarantee funds, and actual nonvoted discretionary
414 local effort from taxes. From the base funding per unweighted
415 FTE, the increase shall be calculated for the current year. The
416 current year funds from which the guarantee shall be determined
417 shall include the adjusted FTE dollars as provided in subsection
418 (12) ~~(11)~~ and potential nonvoted discretionary local effort from
419 taxes. A comparison of current year funds per unweighted FTE to
420 prior year funds per unweighted FTE shall be computed. For those
421 school districts which have less than the legislatively assigned
422 percentage increase, funds shall be provided to guarantee the
423 assigned percentage increase in funds per unweighted FTE student.
424 Should appropriated funds be less than the sum of this calculated
425 amount for all districts, the commissioner shall prorate each
426 district's allocation. This provision shall be implemented to the
427 extent specifically funded.

428 (12)~~(11)~~ TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT
429 FOR CURRENT OPERATION.--The total annual state allocation to each
430 district for current operation for the FEFP shall be distributed
431 periodically in the manner prescribed in the General
432 Appropriations Act.

20081746e1

433 (a) The basic amount for current operation for the FEFP as
434 determined in subsection (1), multiplied by the district cost
435 differential factor as determined in subsection (2), plus the
436 amounts provided for categorical components within the FEFP, plus
437 the discretionary millage compression supplement as determined in
438 subsection (5), the amount for the sparsity supplement as
439 determined in subsection (7), the decline in full-time equivalent
440 students as determined in subsection (8), the research-based
441 reading instruction allocation as determined in subsection (9),
442 the allocation for juvenile justice education programs as
443 determined in subsection (10), ~~and~~ the quality assurance
444 guarantee as determined in subsection (11) ~~(10)~~, instructional
445 materials as determined in s. 1011.67, and student transportation
446 as determined in s. 1011.68, less the required local effort as
447 determined in subsection (4). If the funds appropriated for the
448 purpose of funding the total amount for current operation as
449 provided in this paragraph are not sufficient to pay the state
450 requirement in full, the department shall prorate the available
451 state funds to each district in the following manner:

452 1. Determine the percentage of proration by dividing the
453 sum of the total amount for current operation, as provided in
454 this paragraph for all districts collectively, and the total
455 district required local effort into the sum of the state funds
456 available for current operation and the total district required
457 local effort.

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

20081746e1

461 3. From the product of such multiplication, subtract the
462 required local effort of each district; and the remainder shall
463 be the amount of state funds allocated to the district for
464 current operation.

465 (b) The amount thus obtained shall be the net annual
466 allocation to each school district. However, if it is determined
467 that any school district received an underallocation or
468 overallocation for any prior year because of an arithmetical
469 error, assessment roll change required by final judicial
470 decision, full-time equivalent student membership error, or any
471 allocation error revealed in an audit report, the allocation to
472 that district shall be appropriately adjusted. Beginning with
473 audits for the 2001-2002 fiscal year, if the adjustment is the
474 result of an audit finding in which group 2 FTE are reclassified
475 to the basic program and the district weighted FTE are over the
476 weighted enrollment ceiling for group 2 programs, the adjustment
477 shall not result in a gain of state funds to the district. If the
478 Department of Education audit adjustment recommendation is based
479 upon controverted findings of fact, the Commissioner of Education
480 is authorized to establish the amount of the adjustment based on
481 the best interests of the state.

482 (c) The amount thus obtained shall represent the net annual
483 state allocation to each district; however, notwithstanding any
484 of the provisions herein, each district shall be guaranteed a
485 minimum level of funding in the amount and manner prescribed in
486 the General Appropriations Act.

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

20081746e1

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

495 Section 5. Subsection (2) of section 1011.71, Florida
496 Statutes, is amended, present subsections (3) through (7) of that
497 section are redesignated as subsections (4) through (8),
498 respectively, and a new subsection (3) is added to that section
499 to read:

500 1011.71 District school tax.--

501 (2) In addition to the maximum millage levy as provided in
502 subsection (1), each school board may levy not more than 1.8
503 mills ~~2-mills~~ against the taxable value for school purposes for
504 district schools, including charter schools at the discretion of
505 the school board, to fund:

506 (a) New construction and remodeling projects, as set forth
507 in s. 1013.64(3)(b) and (6)(b) and included in the district's
508 educational plant survey pursuant to s. 1013.31, without regard
509 to prioritization, sites and site improvement or expansion to new
510 sites, existing sites, auxiliary facilities, athletic facilities,
511 or ancillary facilities.

512 (b) Maintenance, renovation, and repair of existing school
513 plants or of leased facilities to correct deficiencies pursuant
514 to s. 1013.15(2).

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

516 (d) The purchase, lease-purchase, or lease of new and
517 replacement equipment.

20081746e1

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

524 (f) Payment of loans approved pursuant to ss. 1011.14 and
525 1011.15.

526 (g) Payment of costs directly related to complying with
527 state and federal environmental statutes, rules, and regulations
528 governing school facilities.

529 (h) Payment of costs of leasing relocatable educational
530 facilities, of renting or leasing educational facilities and
531 sites pursuant to s. 1013.15(2), or of renting or leasing
532 buildings or space within existing buildings pursuant to s.
533 1013.15(4).

534 (i) Payment of the cost of school buses when a school
535 district contracts with a private entity to provide student
536 transportation services if the district meets the requirements of
537 this paragraph.

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

542 2. Each such school bus must be used for the daily
543 transportation of public school students in the manner required
544 by the school district.

545 3. Annual payment for each such school bus may not exceed
546 10 percent of the purchase price of the state pool bid.

20081746e1

547 4. The proposed expenditure of the funds for this purpose
548 must have been included in the district school board's notice of
549 proposed tax for school capital outlay as provided in s.
550 200.065(10).

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

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

561 Section 6. Subsection (2) of section 1012.72, Florida
562 Statutes, and subsection (5) of that section as created by
563 section 7 of chapter 2007-328, Laws of Florida, are amended,
564 present subsections (3), (4), and (5) of that section are
565 redesignated as subsections (4), (5), and (6), respectively, and
566 a new subsection (3) is added to that section, to read:

567 1012.72 Dale Hickam Excellent Teaching Program.--

568 (2) The Dale Hickam Excellent Teaching Program is created
569 to provide categorical funding for monetary incentives and
570 bonuses for teaching excellence. The monetary incentives and
571 bonuses may be provided for initial certification for up to one
572 10-year period. The Department of Education shall distribute to
573 each school district ~~or to the NBPTS~~ an amount as prescribed
574 annually by the Legislature for the Dale Hickam Excellent
575 Teaching Program. For purposes of this section, the Florida

20081746e1

576 School for the Deaf and the Blind shall be considered a school
577 district. Unless otherwise provided in the General Appropriations
578 Act, each distribution shall be the sum of the amounts earned for
579 the following incentives and bonuses:

580 ~~(a) A fee subsidy to be paid by the Department of Education~~
581 ~~to the NBPTS on behalf of each individual who is an employee of a~~
582 ~~district school board or a public school within the school~~
583 ~~district, who is certified by the district to have demonstrated~~
584 ~~satisfactory teaching performance pursuant to s. 1012.34 and who~~
585 ~~satisfies the prerequisites for participating in the NBPTS~~
586 ~~certification program, and who agrees, in writing, to pay 10~~
587 ~~percent of the NBPTS participation fee and to participate in the~~
588 ~~NBPTS certification program during the school year for which the~~
589 ~~fee subsidy is provided. The fee subsidy for each eligible~~
590 ~~participant shall be an amount equal to 90 percent of the fee~~
591 ~~charged for participating in the NBPTS certification program. The~~
592 ~~fee subsidy is a one-time award and may not be duplicated for any~~
593 ~~individual.~~

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

600 (a)(e) An annual bonus equal to 10 percent of the prior
601 fiscal year's statewide average salary for classroom teachers to
602 be distributed to the school district to be paid to each
603 individual who holds NBPTS certification and is employed by the
604 district school board or by a public school within the school

20081746e1

605 district. The district school board shall distribute the annual
606 bonus to each individual who meets the requirements of this
607 paragraph and who is certified annually by the district to have
608 demonstrated satisfactory teaching performance pursuant to s.
609 1012.34. The annual bonus may be paid as a single payment or
610 divided into not more than three payments.

611 (b)~~(d)~~ An annual bonus equal to 10 percent of the prior
612 fiscal year's statewide average salary for classroom teachers to
613 be distributed to the school district to be paid to each
614 individual who meets the requirements of paragraph (a) ~~(e)~~ and
615 agrees, in writing, to provide the equivalent of 12 workdays of
616 mentoring and related services to public school teachers within
617 the state who do not hold NBPTS certification. Related services
618 must include instruction in helping teachers work more
619 effectively with the families of their students. The district
620 school board shall distribute the annual bonus in a single
621 payment following the completion of all required mentoring and
622 related services for the year. It is not the intent of the
623 Legislature to remove excellent teachers from their assigned
624 classrooms; therefore, credit may not be granted by a school
625 district or public school for mentoring or related services
626 provided during student contact time during the 196 days of
627 required service for the school year.

628 (c)~~(e)~~ The employer's share of social security and Medicare
629 taxes and ~~Florida Retirement System contributions~~ for those
630 teachers who qualify for NBPTS certification and receive bonus
631 amounts.

632

633 A teacher for whom the state or the school district pays the

20081746e1

634 certification fee and who does not complete the certification
635 program or does not teach in a public school of this state for at
636 least 1 year after completing the certification program must
637 repay the amount of the certification fee to the state. However,
638 a teacher who completes the certification program but fails to be
639 awarded NBPTS certification is not required to repay the amount
640 of the certification fee if the teacher meets the 1-year teaching
641 requirement. Repayment is not required of a teacher who does not
642 complete the certification program or fails to fulfill the
643 teaching requirement because of the teacher's death or disability
644 or because of other extenuating circumstances as determined by
645 the State Board of Education.

646 (3) A school district may pay the following:

647 (a) A fee subsidy to the NBPTS on behalf of each individual
648 who is an employee of a district school board or a public school
649 within the school district, who is certified by the district to
650 have demonstrated satisfactory teaching performance pursuant to
651 s. 1012.34, who satisfies the prerequisites for participating in
652 the NBPTS certification program, and who agrees, in writing, to
653 pay at least 10 percent or more of the NBPTS participation fee
654 and to participate in the NBPTS certification program during the
655 school year for which the fee subsidy is provided. The fee
656 subsidy for each eligible participant shall be an amount up to 90
657 percent of the fee charged for participating in the NBPTS
658 certification program. The fee subsidy is a one-time award and
659 may not be duplicated for any individual.

660 (b) A portfolio-preparation incentive of up to \$150 to each
661 teacher employed by a district school board or a public school
662 within a school district who is participating in the NBPTS

20081746e1

663 certification program. The portfolio-preparation incentive is a
664 one-time award paid during the school year for which the NBPTS
665 fee subsidy is provided.

666 (c) The employer's share of Florida Retirement System
667 contributions for any bonus payments under paragraphs (2) (a) and
668 (b).

669 (6)(5)- If the funds available in any fiscal year are
670 insufficient to pay in full the annual bonuses for certification
671 and for providing mentoring and related services, such payments
672 for mentoring and related services shall be prorated among the
673 eligible recipients. If the mentoring and related services are
674 prorated, school districts may pay a portion or all of the
675 balance. If funds are insufficient to pay in full the annual
676 bonuses for certification, payments of bonuses for certification
677 shall be prorated among the eligible recipients.

678 Section 7. Subsection (4) of section 1013.45, Florida
679 Statutes, is amended to read:

680 1013.45 Educational facilities contracting and construction
681 techniques.--

682 (4) Except as otherwise provided in this section and s.
683 481.229, the services of a registered architect must be used for
684 the development of plans for the erection, enlargement, or
685 alteration of any educational facility. The services of a
686 registered architect are not required for a minor renovation
687 project for which the construction cost is less than \$50,000 or
688 for the placement or hookup of relocatable educational facilities
689 that conform with standards adopted under s. 1013.37. However,
690 boards must provide compliance with building code requirements
691 and ensure that these structures are adequately anchored for wind

20081746e1

692 resistance as required by law. A district school board shall
693 ~~Boards are encouraged to consider the reuse of existing~~
694 construction documents or design criteria packages if where such
695 reuse is feasible and practical. If a school district's 5-year
696 educational facilities work plan includes the construction of two
697 or more new schools for students in the same grade group and
698 program, such as elementary, middle, or high school, the district
699 school board shall require that prototype design and construction
700 be used for the construction of these schools. Notwithstanding s.
701 287.055, a board may purchase the architectural services for the
702 design of educational or ancillary facilities under an existing
703 contract agreement for professional services held by a district
704 school board in the State of Florida, provided that the purchase
705 is to the economic advantage of the purchasing board, the
706 services conform to the standards prescribed by rules of the
707 State Board of Education, and such reuse is not without notice
708 to, and permission from, the architect of record whose plans or
709 design criteria are being reused. Plans shall be reviewed for
710 compliance with the state requirements for educational
711 facilities. Rules adopted under this section must establish
712 uniform prequalification, selection, bidding, and negotiation
713 procedures applicable to construction management contracts and
714 the design-build process. This section does not supersede any
715 small, woman-owned or minority-owned business enterprise
716 preference program adopted by a board. Except as otherwise
717 provided in this section, the negotiation procedures applicable
718 to construction management contracts and the design-build process
719 must conform to the requirements of s. 287.055. A board may not
720 modify any rules regarding construction management contracts or

20081746e1

721 the design-build process.

722 Section 8. This act shall take effect July 1, 2008.