



232396

CHAMBER ACTION

Senate

House

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4/16/2008 12:08 PM

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1 Senator Wise moved the following **amendment**:

2  
3 **Senate Amendment (with title amendment)**

4 Delete everything after the enacting clause  
5 and insert:

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

8 1001.451 Regional consortium service organizations.--In  
9 order to provide a full range of programs to larger numbers of  
10 students, minimize duplication of services, and encourage the  
11 development of new programs and services:

12 (2)

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



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18           Section 2. The amendment to s. 1001.451(2)(c), Florida  
19 Statutes, made by this act shall expire July 1, 2009, and the  
20 text of that section shall revert to that in existence on June  
21 30, 2008, except that any amendments to such text enacted other  
22 than by this act shall be preserved and continue to operate to  
23 the extent that such amendments are not dependent upon the  
24 portions of such text which expire pursuant to this section.

25           Section 3. Paragraphs (l) through (v) of subsection (1),  
26 paragraphs (a) and (b) of subsection (4), subsection (6) of  
27 section 1011.62, Florida Statutes, and subsection (8) of that  
28 section as amended by section 2 of chapter 2007-328, Laws of  
29 Florida, are amended, present subsections (10) and (11) of that  
30 section are amended and redesignated as subsections (11) and  
31 (12), respectively, and a new subsection (10) is added to that  
32 section, to read:

33           1011.62 Funds for operation of schools.--If the annual  
34 allocation from the Florida Education Finance Program to each  
35 district for operation of schools is not determined in the annual  
36 appropriations act or the substantive bill implementing the  
37 annual appropriations act, it shall be determined as follows:

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

41           (1) Calculation of additional full-time equivalent  
42 membership based on international baccalaureate examination  
43 scores of students.--A value of 0.16 ~~0.24~~ full-time equivalent  
44 student membership shall be calculated for each student enrolled  
45 in an international baccalaureate course who receives a score of  
46 4 or higher on a subject examination. A value of 0.3 full-time  
47 equivalent student membership shall be calculated for each



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48 student who receives an international baccalaureate diploma. Such  
49 value shall be added to the total full-time equivalent student  
50 membership in basic programs for grades 9 through 12 in the  
51 subsequent fiscal year. The school district shall distribute to  
52 each classroom teacher who provided international baccalaureate  
53 instruction:

54 1. A bonus in the amount of \$50 for each student taught by  
55 the International Baccalaureate teacher in each international  
56 baccalaureate course who receives a score of 4 or higher on the  
57 international baccalaureate examination.

58 2. An additional bonus of \$500 to each International  
59 Baccalaureate teacher in a school designated with a grade of "D"  
60 or "F" who has at least one student scoring 4 or higher on the  
61 international baccalaureate examination, regardless of the number  
62 of classes taught or of the number of students scoring a 4 or  
63 higher on the international baccalaureate examination.

64  
65 Bonuses awarded to a teacher according to this paragraph shall  
66 not exceed \$2,000 in any given school year and shall be in  
67 addition to any regular wage or other bonus the teacher received  
68 or is scheduled to receive.

69 (m) Calculation of additional full-time equivalent  
70 membership based on Advanced International Certificate of  
71 Education examination scores of students.--A value of 0.16 ~~0.24~~  
72 full-time equivalent student membership shall be calculated for  
73 each student enrolled in a full-credit Advanced International  
74 Certificate of Education course who receives a score of E or  
75 higher on a subject examination. A value of 0.08 ~~0.12~~ full-time  
76 equivalent student membership shall be calculated for each  
77 student enrolled in a half-credit Advanced International



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78 Certificate of Education course who receives a score of E or  
79 higher on a subject examination. A value of 0.3 full-time  
80 equivalent student membership shall be calculated for each  
81 student who receives an Advanced International Certificate of  
82 Education diploma. Such value shall be added to the total full-  
83 time equivalent student membership in basic programs for grades 9  
84 through 12 in the subsequent fiscal year. The school district  
85 shall distribute to each classroom teacher who provided Advanced  
86 International Certificate of Education instruction:

87 1. A bonus in the amount of \$50 for each student taught by  
88 the Advanced International Certificate of Education teacher in  
89 each full-credit Advanced International Certificate of Education  
90 course who receives a score of E or higher on the Advanced  
91 International Certificate of Education examination. A bonus in  
92 the amount of \$25 for each student taught by the Advanced  
93 International Certificate of Education teacher in each half-  
94 credit Advanced International Certificate of Education course who  
95 receives a score of E or higher on the Advanced International  
96 Certificate of Education examination.

97 2. An additional bonus of \$500 to each Advanced  
98 International Certificate of Education teacher in a school  
99 designated with a grade of "D" or "F" who has at least one  
100 student scoring E or higher on the full-credit Advanced  
101 International Certificate of Education examination, regardless of  
102 the number of classes taught or of the number of students scoring  
103 an E or higher on the full-credit Advanced International  
104 Certificate of Education examination.

105 3. Additional bonuses of \$250 each to teachers of half-  
106 credit Advanced International Certificate of Education classes in  
107 a school designated with a grade of "D" or "F" which has at least



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108 | one student scoring an E or higher on the half-credit Advanced  
109 | International Certificate of Education examination in that class.  
110 | The maximum additional bonus for a teacher awarded in accordance  
111 | with this subparagraph shall not exceed \$500 in any given school  
112 | year. Teachers receiving an award under subparagraph 2. are not  
113 | eligible for a bonus under this subparagraph.

114 |  
115 | Bonuses awarded to a teacher according to this paragraph shall  
116 | not exceed \$2,000 in any given school year and shall be in  
117 | addition to any regular wage or other bonus the teacher received  
118 | or is scheduled to receive.

119 |       (n) Calculation of additional full-time equivalent  
120 | membership based on college board advanced placement scores of  
121 | students.--A value of 0.16 ~~0.24~~ full-time equivalent student  
122 | membership shall be calculated for each student in each advanced  
123 | placement course who receives a score of 3 or higher on the  
124 | College Board Advanced Placement Examination for the prior year  
125 | and added to the total full-time equivalent student membership in  
126 | basic programs for grades 9 through 12 in the subsequent fiscal  
127 | year. Each district must allocate at least 80 percent of the  
128 | funds provided to the district for advanced placement  
129 | instruction, in accordance with this paragraph, to the high  
130 | school that generates the funds. The school district shall  
131 | distribute to each classroom teacher who provided advanced  
132 | placement instruction:

133 |       1. A bonus in the amount of \$50 for each student taught by  
134 | the Advanced Placement teacher in each advanced placement course  
135 | who receives a score of 3 or higher on the College Board Advanced  
136 | Placement Examination.



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137           2. An additional bonus of \$500 to each Advanced Placement  
138 teacher in a school designated with a grade of "D" or "F" who has  
139 at least one student scoring 3 or higher on the College Board  
140 Advanced Placement Examination, regardless of the number of  
141 classes taught or of the number of students scoring a 3 or higher  
142 on the College Board Advanced Placement Examination.

143  
144 Bonuses awarded to a teacher according to this paragraph shall  
145 not exceed \$2,000 in any given school year and shall be in  
146 addition to any regular wage or other bonus the teacher received  
147 or is scheduled to receive.

148       ~~(e) Calculation of additional full-time equivalent~~  
149 ~~membership based on completion of high school level algebra~~  
150 ~~courses by students in grades 6 through 8.--A value of 0.088~~  
151 ~~full-time equivalent student membership shall be calculated for~~  
152 ~~each student in grades 6 through 8 who completes a high school~~  
153 ~~level algebra course and receives a grade of C or better. Such~~  
154 ~~value shall be added to the total full-time equivalent student~~  
155 ~~membership in basic programs for grades 6 through 8. Each~~  
156 ~~district must allocate the funds provided to the district for~~  
157 ~~students in grades 6 through 8 who complete a high school level~~  
158 ~~algebra course and receive a grade of C or better to the school~~  
159 ~~that generated the funds.~~

160       ~~(p) Calculation of supplemental allocation for juvenile~~  
161 ~~justice education programs.--Beginning with the 2007-2008 General~~  
162 ~~Appropriations Act, the total K-12 weighted full-time equivalent~~  
163 ~~student membership in juvenile justice education programs in each~~  
164 ~~school district shall be multiplied by the amount of the state~~  
165 ~~average class-size reduction factor multiplied by the district's~~  
166 ~~cost differential. An amount equal to the sum of this calculation~~



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167 ~~shall be allocated in the FEFP to each school district to~~  
168 ~~supplement other sources of funding for students in juvenile~~  
169 ~~justice education programs.~~

170       (o) ~~(q)~~ Calculation of additional full-time equivalent  
171 membership based on certification of successful completion of  
172 industry-certified career and professional academy programs  
173 pursuant to s. 1003.492.--A value of 0.3 full-time equivalent  
174 student membership shall be calculated for each student who  
175 completes an industry-certified career and professional academy  
176 program under s. 1003.492 and who is issued the highest level of  
177 an industry certification and a high school diploma certificate.  
178 Such value shall be added to the total full-time equivalent  
179 student membership in secondary career education programs for  
180 grades 9 through 12 in the subsequent year for courses that were  
181 not funded through dual enrollment. The additional full-time  
182 equivalent membership authorized under this paragraph may not  
183 exceed 0.3 per student. Unless a different amount is specified in  
184 the General Appropriations Act, the appropriation for this  
185 calculation is limited to \$15 ~~\$30~~ million annually. If the  
186 appropriation is insufficient to fully fund the total  
187 calculation, the appropriation shall be prorated.

188       (p) ~~(r)~~ Calculation of additional full-time equivalent  
189 membership for the Florida Virtual School.--The ~~total~~ reported  
190 full-time equivalent student membership in core-curricula courses  
191 as defined in s. 1003.01(14) for the Florida Virtual School shall  
192 be multiplied by 0.114, and such value shall be added to the  
193 total full-time equivalent student membership.

194       (q) ~~(s)~~ Year-round-school programs.--The Commissioner of  
195 Education is authorized to adjust student eligibility  
196 definitions, funding criteria, and reporting requirements of



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197 statutes and rules in order that year-round-school programs may  
198 achieve equivalent application of funding requirements with non-  
199 year-round-school programs.

200 (r) ~~(t)~~ Extended-school-year program.--It is the intent of  
201 the Legislature that students be provided additional instruction  
202 by extending the school year to 210 days or more. Districts may  
203 apply to the Commissioner of Education for funds to be used in  
204 planning and implementing an extended-school-year program. The  
205 Department of Education shall recommend to the Legislature the  
206 policies necessary for full implementation of an extended school  
207 year.

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

212 1. The full-time equivalent student membership in each  
213 program, multiplied by

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

216 3. The base student allocation.

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

221 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.--The  
222 Legislature shall prescribe the aggregate required local effort  
223 for all school districts collectively as an item in the General  
224 Appropriations Act for each fiscal year. The amount that each  
225 district shall provide annually toward the cost of the Florida





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226 Education Finance Program for kindergarten through grade 12  
227 programs shall be calculated as follows:

228 (a) Estimated taxable value calculations.--

229 1.a. Not later than 2 working days prior to July 19, the  
230 Department of Revenue shall certify to the Commissioner of  
231 Education its most recent estimate of the taxable value for  
232 school purposes in each school district and the total for all  
233 school districts in the state for the current calendar year based  
234 on the latest available data obtained from the local property  
235 appraisers. Not later than July 19, the Commissioner of Education  
236 shall compute a millage rate, rounded to the next highest one  
237 one-thousandth of a mill, which, when applied to 95 percent of  
238 the estimated state total taxable value for school purposes,  
239 would generate the prescribed aggregate required local effort for  
240 that year for all districts. The Commissioner of Education shall  
241 certify to each district school board the millage rate, computed  
242 as prescribed in this subparagraph, as the minimum millage rate  
243 necessary to provide the district required local effort for that  
244 year.

245 b. The General Appropriations Act shall direct the  
246 computation of the statewide adjusted aggregate amount for  
247 required local effort for all school districts collectively from  
248 ad valorem taxes to ensure that no school district's revenue from  
249 required local effort millage will produce more than 90 percent  
250 of the district's total Florida Education Finance Program  
251 calculation under ss. 1011.62, 1011.67, and 1011.68, and the  
252 adjustment of the required local effort millage rate of each  
253 district that produces more than 90 percent of its total Florida  
254 Education Finance Program entitlement to a level that will



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255 produce only 90 percent of its total Florida Education Finance  
256 Program entitlement in the July calculation.

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

260 (b) Final calculation.--

261 1. The taxable value for school purposes certified by the  
262 Department of Revenue which is used in the fourth calculation  
263 with the annualized full-time student membership from the  
264 February student survey shall be the final taxable value used in  
265 the final calculation. ~~On September 1 of each year, the~~  
266 ~~Department of Revenue shall certify to the Commissioner of~~  
267 ~~Education the total of the prior year final taxable value for~~  
268 ~~school purposes in each school district and the total for all~~  
269 ~~school districts in the state. The commissioner shall use the~~  
270 ~~final taxable value certified on September 1 for school purposes~~  
271 ~~for each school district in the final calculation of the annual~~  
272 ~~Florida Education Finance Program allocations.~~

273 2. For purposes of this paragraph, the final taxable value  
274 for school purposes shall be the taxable value for school  
275 purposes on which the tax bills are computed and mailed to the  
276 taxpayers, adjusted to reflect final administrative actions of  
277 value adjustment boards and judicial decisions pursuant to  
278 chapter 194. For each county that has not submitted a revised tax  
279 roll reflecting final value adjustment board actions and final  
280 judicial decisions, the Department of Revenue shall certify the  
281 most recent revision of the taxable value for school purposes.  
282 The value certified in subparagraph 1. ~~on September 1~~ shall be  
283 the final taxable value for school purposes for that year, and no



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284 further adjustments shall be made, except those made pursuant to  
285 paragraph (11) (b) .

286 (6) CATEGORICAL FUNDS.--

287 (a) In addition to the basic amount for current operations  
288 for the FEFP as determined in subsection (1), the Legislature may  
289 appropriate categorical funding for specified programs,  
290 activities, or purposes.

291 (b) If a district school board finds and declares in a  
292 resolution adopted at a regular meeting of the school board that  
293 the funds received for any of the following categorical  
294 appropriations are urgently needed to maintain school board  
295 specified academic classroom instruction, the school board may  
296 consider and approve an amendment to the school district  
297 operating budget transferring the identified amount of the  
298 categorical funds to the appropriate account for expenditure:

- 299 1. Funds for student transportation.
- 300 2. Funds for safe schools.
- 301 3. Funds for supplemental academic instruction.
- 302 4. Funds for research-based reading instruction.
- 303 5. Funds for instructional materials if all instructional  
304 material purchases have been completed for that fiscal year, but  
305 no sooner than March 1, 2009.

306 (c) Each district school board shall include in its annual  
307 financial report to the Department of Education the amount of  
308 funds the school board transferred from each of the categorical  
309 funds identified in this subsection and the specific academic  
310 classroom instruction for which the transferred funds were  
311 expended. The Department of Education shall provide instructions  
312 and specify the format to be used in submitting this required  
313 information as a part of the district annual financial report.



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314 The department shall submit a report to the Legislature which  
315 identifies by district and by categorical fund the amount  
316 transferred and the specific academic classroom activity for  
317 which the funds were expended.

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

323 (8) DECLINE IN FULL-TIME EQUIVALENT STUDENTS.--In those  
324 districts where there is a decline between prior year and current  
325 year unweighted FTE students, a percent 50-percent of the decline  
326 in the unweighted FTE students as determined by the Legislature  
327 shall be multiplied by the prior year calculated FEFP per  
328 unweighted FTE student and shall be added to the allocation for  
329 that district. For this purpose, the calculated FEFP shall be  
330 computed by multiplying the weighted FTE students by the base  
331 student allocation and then by the district cost differential. If  
332 a district transfers a program to another institution not under  
333 the authority of the district's school board, including a charter  
334 technical career center, the decline is to be multiplied by a  
335 factor of 0.15. However, if the funds provided for the Florida  
336 Education Finance Program in the General Appropriations Act for  
337 any fiscal year are reduced by a subsequent appropriation for  
338 that fiscal year, the percent of the decline in the unweighted  
339 FTE students to be funded shall be determined by the Legislature  
340 and designated in the subsequent appropriation.

341 (10) Calculation of supplemental allocation for juvenile  
342 justice education programs.--The total K-12 weighted full-time  
343 equivalent student membership in juvenile justice education



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344 programs in each school district shall be multiplied by the  
345 amount of the state average class-size-reduction factor  
346 multiplied by the district's cost differential. An amount equal  
347 to the sum of this calculation shall be allocated in the FEFP to  
348 each school district to supplement other sources of funding for  
349 students in juvenile justice education programs.

350 (11)-(10) QUALITY ASSURANCE GUARANTEE.--The Legislature may  
351 annually in the General Appropriations Act determine a percentage  
352 increase in funds per K-12 unweighted FTE as a minimum guarantee  
353 to each school district. The guarantee shall be calculated from  
354 prior year base funding per unweighted FTE student which shall  
355 include the adjusted FTE dollars as provided in subsection (12)  
356 ~~(11)~~, quality guarantee funds, and actual nonvoted discretionary  
357 local effort from taxes. From the base funding per unweighted  
358 FTE, the increase shall be calculated for the current year. The  
359 current year funds from which the guarantee shall be determined  
360 shall include the adjusted FTE dollars as provided in subsection  
361 (12) ~~(11)~~ and potential nonvoted discretionary local effort from  
362 taxes. A comparison of current year funds per unweighted FTE to  
363 prior year funds per unweighted FTE shall be computed. For those  
364 school districts which have less than the legislatively assigned  
365 percentage increase, funds shall be provided to guarantee the  
366 assigned percentage increase in funds per unweighted FTE student.  
367 Should appropriated funds be less than the sum of this calculated  
368 amount for all districts, the commissioner shall prorate each  
369 district's allocation. This provision shall be implemented to the  
370 extent specifically funded.

371 (12)-(11) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT  
372 FOR CURRENT OPERATION.--The total annual state allocation to each  
373 district for current operation for the FEFP shall be distributed



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374 | periodically in the manner prescribed in the General  
375 | Appropriations Act.

376 |         (a) The basic amount for current operation for the FEFP as  
377 | determined in subsection (1), multiplied by the district cost  
378 | differential factor as determined in subsection (2), plus the  
379 | amounts provided for categorical components within the FEFP, plus  
380 | the discretionary millage compression supplement as determined in  
381 | subsection (5), the amount for the sparsity supplement as  
382 | determined in subsection (7), the decline in full-time equivalent  
383 | students as determined in subsection (8), the research-based  
384 | reading instruction allocation as determined in subsection (9),  
385 | the allocation for juvenile justice education programs as  
386 | determined in subsection (10), and the quality assurance  
387 | guarantee as determined in subsection (11) ~~(10)~~, instructional  
388 | materials as determined in s. 1011.67, and student transportation  
389 | as determined in s. 1011.68, less the required local effort as  
390 | determined in subsection (4). If the funds appropriated for the  
391 | purpose of funding the total amount for current operation as  
392 | provided in this paragraph are not sufficient to pay the state  
393 | requirement in full, the department shall prorate the available  
394 | state funds to each district in the following manner:

395 |         1. Determine the percentage of proration by dividing the  
396 | sum of the total amount for current operation, as provided in  
397 | this paragraph for all districts collectively, and the total  
398 | district required local effort into the sum of the state funds  
399 | available for current operation and the total district required  
400 | local effort.

401 |         2. Multiply the percentage so determined by the sum of the  
402 | total amount for current operation as provided in this paragraph  
403 | and the required local effort for each individual district.



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404           3. From the product of such multiplication, subtract the  
405 required local effort of each district; and the remainder shall  
406 be the amount of state funds allocated to the district for  
407 current operation.

408           (b) The amount thus obtained shall be the net annual  
409 allocation to each school district. However, if it is determined  
410 that any school district received an underallocation or  
411 overallocation for any prior year because of an arithmetical  
412 error, assessment roll change required by final judicial  
413 decision, full-time equivalent student membership error, or any  
414 allocation error revealed in an audit report, the allocation to  
415 that district shall be appropriately adjusted. Beginning with  
416 audits for the 2001-2002 fiscal year, if the adjustment is the  
417 result of an audit finding in which group 2 FTE are reclassified  
418 to the basic program and the district weighted FTE are over the  
419 weighted enrollment ceiling for group 2 programs, the adjustment  
420 shall not result in a gain of state funds to the district. If the  
421 Department of Education audit adjustment recommendation is based  
422 upon controverted findings of fact, the Commissioner of Education  
423 is authorized to establish the amount of the adjustment based on  
424 the best interests of the state.

425           (c) The amount thus obtained shall represent the net annual  
426 state allocation to each district; however, notwithstanding any  
427 of the provisions herein, each district shall be guaranteed a  
428 minimum level of funding in the amount and manner prescribed in  
429 the General Appropriations Act.

430           Section 4. The amendment to s. 1011.62(6), Florida  
431 Statutes, made by this act shall expire July 1, 2009, and the  
432 text of that section shall revert to that in existence on the day  
433 before the effective date of chapter 2007-328, Laws of Florida,



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434 except that any amendments to such text enacted other than by  
435 this act shall be preserved and continue to operate to the extent  
436 that such amendments are not dependent upon the portions of such  
437 text which expire pursuant to this section.

438 Section 5. Subsection (2) of section 1011.71, Florida  
439 Statutes, is amended, present subsections (3) through (7) of that  
440 section are redesignated as subsections (4) through (8),  
441 respectively, and a new subsection (3) is added to that section  
442 to read:

443 1011.71 District school tax.--

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

449 (a) New construction and remodeling projects, as set forth  
450 in s. 1013.64(3)(b) and (6)(b) and included in the district's  
451 educational plant survey pursuant to s. 1013.31, without regard  
452 to prioritization, sites and site improvement or expansion to new  
453 sites, existing sites, auxiliary facilities, athletic facilities,  
454 or ancillary facilities.

455 (b) Maintenance, renovation, and repair of existing school  
456 plants or of leased facilities to correct deficiencies pursuant  
457 to s. 1013.15(2).

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

459 (d) The purchase, lease-purchase, or lease of new and  
460 replacement equipment.

461 (e) Payments for educational facilities and sites due under  
462 a lease-purchase agreement entered into by a district school  
463 board pursuant to s. 1003.02(1)(f) or s. 1013.15(2), not





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464 exceeding, in the aggregate, an amount equal to three-fourths of  
465 the proceeds from the millage levied by a district school board  
466 pursuant to this subsection.

467 (f) Payment of loans approved pursuant to ss. 1011.14 and  
468 1011.15.

469 (g) Payment of costs directly related to complying with  
470 state and federal environmental statutes, rules, and regulations  
471 governing school facilities.

472 (h) Payment of costs of leasing relocatable educational  
473 facilities, of renting or leasing educational facilities and  
474 sites pursuant to s. 1013.15(2), or of renting or leasing  
475 buildings or space within existing buildings pursuant to s.  
476 1013.15(4).

477 (i) Payment of the cost of school buses when a school  
478 district contracts with a private entity to provide student  
479 transportation services if the district meets the requirements of  
480 this paragraph.

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

485 2. Each such school bus must be used for the daily  
486 transportation of public school students in the manner required  
487 by the school district.

488 3. Annual payment for each such school bus may not exceed  
489 10 percent of the purchase price of the state pool bid.

490 4. The proposed expenditure of the funds for this purpose  
491 must have been included in the district school board's notice of  
492 proposed tax for school capital outlay as provided in s.  
493 200.065(10).



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

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

504 Section 6. Subsection (2) of section 1012.72, Florida  
505 Statutes, and subsection (5) of that section as created by  
506 section 7 of chapter 2007-328, Laws of Florida, are amended,  
507 present subsections (3), (4), and (5) of that section are  
508 redesignated as subsections (4), (5), and (6), respectively, and  
509 a new subsection (3) is added to that section, to read:

510 1012.72 Dale Hickam Excellent Teaching Program.--

511 (2) The Dale Hickam Excellent Teaching Program is created  
512 to provide categorical funding for monetary incentives and  
513 bonuses for teaching excellence. The monetary incentives and  
514 bonuses may be provided for initial certification for up to one  
515 10-year period. The Department of Education shall distribute to  
516 each school district ~~or to the NBPTS~~ an amount as prescribed  
517 annually by the Legislature for the Dale Hickam Excellent  
518 Teaching Program. For purposes of this section, the Florida  
519 School for the Deaf and the Blind shall be considered a school  
520 district. Unless otherwise provided in the General Appropriations  
521 Act, each distribution shall be the sum of the amounts earned for  
522 the following incentives and bonuses:



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523           ~~(a) A fee subsidy to be paid by the Department of Education~~  
524 ~~to the NBPTS on behalf of each individual who is an employee of a~~  
525 ~~district school board or a public school within the school~~  
526 ~~district, who is certified by the district to have demonstrated~~  
527 ~~satisfactory teaching performance pursuant to s. 1012.34 and who~~  
528 ~~satisfies the prerequisites for participating in the NBPTS~~  
529 ~~certification program, and who agrees, in writing, to pay 10~~  
530 ~~percent of the NBPTS participation fee and to participate in the~~  
531 ~~NBPTS certification program during the school year for which the~~  
532 ~~fee subsidy is provided. The fee subsidy for each eligible~~  
533 ~~participant shall be an amount equal to 90 percent of the fee~~  
534 ~~charged for participating in the NBPTS certification program. The~~  
535 ~~fee subsidy is a one-time award and may not be duplicated for any~~  
536 ~~individual.~~

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

543           (a) ~~(e)~~ An annual bonus equal to 10 percent of the prior  
544 fiscal year's statewide average salary for classroom teachers to  
545 be distributed to the school district to be paid to each  
546 individual who holds NBPTS certification and is employed by the  
547 district school board or by a public school within the school  
548 district. The district school board shall distribute the annual  
549 bonus to each individual who meets the requirements of this  
550 paragraph and who is certified annually by the district to have  
551 demonstrated satisfactory teaching performance pursuant to s.



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552 | 1012.34. The annual bonus may be paid as a single payment or  
553 | divided into not more than three payments.

554 |       **(b)**~~(d)~~ An annual bonus equal to 10 percent of the prior  
555 | fiscal year's statewide average salary for classroom teachers to  
556 | be distributed to the school district to be paid to each  
557 | individual who meets the requirements of paragraph **(a)** ~~(e)~~ and  
558 | agrees, in writing, to provide the equivalent of 12 workdays of  
559 | mentoring and related services to public school teachers within  
560 | the state who do not hold NBPTS certification. Related services  
561 | must include instruction in helping teachers work more  
562 | effectively with the families of their students. The district  
563 | school board shall distribute the annual bonus in a single  
564 | payment following the completion of all required mentoring and  
565 | related services for the year. It is not the intent of the  
566 | Legislature to remove excellent teachers from their assigned  
567 | classrooms; therefore, credit may not be granted by a school  
568 | district or public school for mentoring or related services  
569 | provided during student contact time during the 196 days of  
570 | required service for the school year.

571 |       **(c)**~~(e)~~ The employer's share of social security and Medicare  
572 | taxes ~~and Florida Retirement System contributions~~ for those  
573 | teachers who qualify for NBPTS certification and receive bonus  
574 | amounts.

575 |

576 | A teacher for whom the state or the school district pays the  
577 | certification fee and who does not complete the certification  
578 | program or does not teach in a public school of this state for at  
579 | least 1 year after completing the certification program must  
580 | repay the amount of the certification fee to the state. However,  
581 | a teacher who completes the certification program but fails to be



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582 awarded NBPTS certification is not required to repay the amount  
583 of the certification fee if the teacher meets the 1-year teaching  
584 requirement. Repayment is not required of a teacher who does not  
585 complete the certification program or fails to fulfill the  
586 teaching requirement because of the teacher's death or disability  
587 or because of other extenuating circumstances as determined by  
588 the State Board of Education.

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

590 (a) A fee subsidy to the NBPTS on behalf of each individual  
591 who is an employee of a district school board or a public school  
592 within the school district, who is certified by the district to  
593 have demonstrated satisfactory teaching performance pursuant to  
594 s. 1012.34, who satisfies the prerequisites for participating in  
595 the NBPTS certification program, and who agrees, in writing, to  
596 pay at least 10 percent or more of the NBPTS participation fee  
597 and to participate in the NBPTS certification program during the  
598 school year for which the fee subsidy is provided. The fee  
599 subsidy for each eligible participant shall be an amount up to 90  
600 percent of the fee charged for participating in the NBPTS  
601 certification program. The fee subsidy is a one-time award and  
602 may not be duplicated for any individual.

603 (b) A portfolio-preparation incentive of up to \$150 to each  
604 teacher employed by a district school board or a public school  
605 within a school district who is participating in the NBPTS  
606 certification program. The portfolio-preparation incentive is a  
607 one-time award paid during the school year for which the NBPTS  
608 fee subsidy is provided.

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



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612        ~~(6)(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 the mentoring and related services are  
617 prorated, school districts may pay a portion or all of the  
618 balance. If funds are insufficient to pay in full the annual  
619 bonuses for certification, payments of bonuses for certification  
620 shall be prorated among the eligible recipients.

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

623            1013.45 Educational facilities contracting and construction  
624 techniques.--

625            (4) Except as otherwise provided in this section and s.  
626 481.229, the services of a registered architect must be used for  
627 the development of plans for the erection, enlargement, or  
628 alteration of any educational facility. The services of a  
629 registered architect are not required for a minor renovation  
630 project for which the construction cost is less than \$50,000 or  
631 for the placement or hookup of relocatable educational facilities  
632 that conform with standards adopted under s. 1013.37. However,  
633 boards must provide compliance with building code requirements  
634 and ensure that these structures are adequately anchored for wind  
635 resistance as required by law. A district school board shall  
636 ~~Boards are encouraged to consider the reuse of existing~~  
637 ~~construction documents or design criteria packages if where~~ such  
638 reuse is feasible and practical. If a school district's 5-year  
639 educational facilities work plan includes the construction of two  
640 or more new schools for students in the same grade group and  
641 program, such as elementary, middle, or high school, the district



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642 | school board shall require that prototype design and construction  
643 | be used for the construction of these schools. Notwithstanding s.  
644 | 287.055, a board may purchase the architectural services for the  
645 | design of educational or ancillary facilities under an existing  
646 | contract agreement for professional services held by a district  
647 | school board in the State of Florida, provided that the purchase  
648 | is to the economic advantage of the purchasing board, the  
649 | services conform to the standards prescribed by rules of the  
650 | State Board of Education, and such reuse is not without notice  
651 | to, and permission from, the architect of record whose plans or  
652 | design criteria are being reused. Plans shall be reviewed for  
653 | compliance with the state requirements for educational  
654 | facilities. Rules adopted under this section must establish  
655 | uniform prequalification, selection, bidding, and negotiation  
656 | procedures applicable to construction management contracts and  
657 | the design-build process. This section does not supersede any  
658 | small, woman-owned or minority-owned business enterprise  
659 | preference program adopted by a board. Except as otherwise  
660 | provided in this section, the negotiation procedures applicable  
661 | to construction management contracts and the design-build process  
662 | must conform to the requirements of s. 287.055. A board may not  
663 | modify any rules regarding construction management contracts or  
664 | the design-build process.

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

666 |  
667 | ===== T I T L E   A M E N D M E N T =====

668 | And the title is amended as follows:

669 |       Delete everything before the enacting clause  
670 | and insert:

671 |                                   A bill to be entitled



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672 An act relating to public school funding; amending s.  
673 1001.451, F.S., relating to regional consortium service  
674 organizations; authorizing the Department of Education to  
675 appropriate a lesser amount of an incentive grant per  
676 school district and eligible member for a specified fiscal  
677 year; providing for the future expiration of such  
678 provisions; amending s. 1011.62, F.S.; decreasing the  
679 value of full-time equivalent student membership  
680 calculated for each student enrolled in an International  
681 Baccalaureate course, a full-credit Advanced International  
682 Certificate of Education course, or an advanced placement  
683 course who receives a certain score on an examination;  
684 deleting provisions relating to the calculation of  
685 additional full-time equivalent membership based on  
686 completion of high school level algebra courses and  
687 supplemental allocation for juvenile justice education  
688 programs; revising provisions relating to the calculation  
689 of additional full-time equivalent membership based on  
690 certification of successful completion of industry-  
691 certified career and professional academy programs;  
692 revising provisions relating to the calculation of  
693 additional full-time equivalent membership for the Florida  
694 Virtual School; providing the final taxable value used in  
695 the final calculation to determine the amount school  
696 districts are required to put toward the cost of the  
697 Florida Education Finance Program; providing for certain  
698 categorical funds; requiring the Department of Education  
699 to submit a report to the Legislature regarding such  
700 categorical funds; requiring a district school board to  
701 submit an amendment to the department if such board





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702 transfers funds from its research-based reading  
703 instruction allocation; revising provisions relating to  
704 the calculation of declining unweighted full-time  
705 equivalent students; providing a calculation for the  
706 supplemental allocation for juvenile justice education  
707 programs; providing for the future expiration of certain  
708 provisions governing the transfer of categorical funds;  
709 amending s. 1011.71, F.S.; decreasing the maximum millage  
710 a school district is allowed to levy against the taxable  
711 value for school purposes; authorizing a school district  
712 to redirect a specified amount of millage if revenues are  
713 insufficient to cover payments due under a lease-purchase  
714 agreement; amending s. 1012.72, F.S., relating to the Dale  
715 Hickam Excellent Teaching Program; providing that monetary  
716 incentives and bonuses be provided for up to a certain  
717 period; deleting provisions relating to a fee subsidy and  
718 a portfolio preparation incentive; authorizing a school  
719 district to pay a certain percentage of a fee subsidy to  
720 the National Board of Professional Teaching Standards on  
721 behalf of certain persons, a portfolio-preparation  
722 incentive up to a specified amount to certain teachers,  
723 and the employer's share of contributions to the Florida  
724 Retirement System; amending s. 1013.45, F.S.; requiring a  
725 district school board to reuse existing construction  
726 documents or design criteria packages if feasible and  
727 practical; requiring the use of prototype design and  
728 construction under certain circumstances; providing an  
729 effective date.