

1 A bill to be entitled
 2 An act relating to the Florida Teachers Lead Program;
 3 amending s. 1012.71, F.S.; revising requirements for use
 4 of program funds by classroom teachers; providing for
 5 disbursement of funds to school districts; specifying
 6 means for providing a classroom teacher with his or her
 7 proportionate share of program funds and providing that
 8 funds received are not subject to collective bargaining;
 9 providing for retroactive effect; providing requirements
 10 for accounting of expenditures; providing an effective
 11 date.

12
 13 Be It Enacted by the Legislature of the State of Florida:

14
 15 Section 1. Section 1012.71, Florida Statutes, is amended
 16 to read:

17 (Substantial rewording of section. See
 18 s. 1012.71, F.S., for present text.)

19 1012.71 The Florida Teachers Lead Program.--

20 (1) For purposes of the Florida Teachers Lead Program, the
 21 term "classroom teacher" means a certified teacher employed by a
 22 public school district or a public charter school in that
 23 district on or before September 1 of each year whose full-time
 24 or job-share responsibility is the classroom instruction of
 25 students in prekindergarten through grade 12, including full-
 26 time media specialists and guidance counselors serving students
 27 in prekindergarten through grade 12, who are funded through the
 28 Florida Education Finance Program. A "job-share" classroom

29 teacher is one of two teachers whose combined full-time
30 equivalent employment for the same teaching assignment equals
31 one full-time classroom teacher.

32 (2) The Legislature, in the General Appropriations Act,
33 shall determine funding for the Florida Teachers Lead Program.
34 The funds appropriated are for classroom teachers to purchase,
35 on behalf of the school district or charter school, classroom
36 materials and supplies for the public school students assigned
37 to them and may not be used to purchase equipment. The funds
38 appropriated shall be used to supplement the materials and
39 supplies otherwise available to classroom teachers. From the
40 funds appropriated for the Florida Teachers Lead Program, the
41 Commissioner of Education shall calculate an amount for each
42 school district based upon each school district's proportionate
43 share of the state's total unweighted FTE student enrollment and
44 shall disburse the funds to the school districts by July 15.

45 (3) From the funds allocated to each school district for
46 the Florida Teachers Lead Program, the district school board
47 shall calculate an identical amount for each classroom teacher,
48 which is that teacher's proportionate share of the total amount
49 allocated to the district. A job-share classroom teacher may
50 receive a prorated share of the amount provided to a full-time
51 classroom teacher. The district school board and each charter
52 school board shall provide each classroom teacher with his or
53 her total proportionate share by September 30 of each year by
54 any means determined appropriate by the district school board or
55 charter school board, including, but not limited to, direct
56 deposit, check, debit card, or purchasing card, notwithstanding

57 any law to the contrary. Expenditures under the program are not
 58 subject to state or local competitive bidding requirements.
 59 Funds received by a classroom teacher do not affect wages,
 60 hours, or terms and conditions of employment and, therefore, are
 61 not subject to collective bargaining. Any classroom teacher may
 62 decline receipt of or return the funds without explanation or
 63 cause. This subsection shall apply retroactively to July 1,
 64 2007.

65 (4) Each classroom teacher must sign a statement
 66 acknowledging receipt of the funds, keep receipts for no less
 67 than 4 years to show that funds expended meet the requirements
 68 of this section, and return any unused funds to the district
 69 school board at the end of the regular school year. Any unused
 70 funds that are returned to the district school board shall be
 71 deposited into the school advisory council account of the school
 72 at which the classroom teacher returning the funds was employed
 73 when that teacher received the funds or deposited into the
 74 Florida Teachers Lead Program account of the school district in
 75 which a charter school is sponsored, as applicable.

76 (5) The statement must be signed and dated by each
 77 classroom teacher before receipt of the Florida Teachers Lead
 78 Program funds and shall include the wording: "I, (name of
 79 teacher) , am employed by the County District School
 80 Board or by the Charter School as a full-time classroom
 81 teacher. I acknowledge that Florida Teachers Lead Program funds
 82 are appropriated by the Legislature for the sole purpose of
 83 purchasing classroom materials and supplies to be used in the
 84 instruction of students assigned to me. In accepting custody of

HB 7039

2008

85 these funds, I agree to keep the receipts for all expenditures
86 for no less than 4 years. I understand that if I do not keep the
87 receipts, it will be my personal responsibility to pay any
88 federal taxes due on these funds. I also agree to return any
89 unexpended funds to the district school board at the end of the
90 regular school year for deposit into the school advisory council
91 account of the school where I was employed at the time I
92 received the funds or for deposit into the Florida Teachers Lead
93 Program account of the school district in which the charter
94 school is sponsored, as applicable."

95 Section 2. This act shall take effect upon becoming a law.