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1 A bill to be entitled
2 An act relating to education funding; amending s.
3 1001.20, F.S.; requiring that the Office of Technology
4 and Information Services within the Office of the
5 Commissioner of Education assist school districts in
6 securing Internet access and telecommunications
7 services that are eligible for funding under the
8 Schools and Libraries Program of the federal Universal
9 Service Fund; creating s. 1001.271, F.S.; requiring
10 that the Commissioner of Education purchase the
11 nondiscounted portion of Internet access services for
12 the Florida Information Resource Network; requiring
13 that each user of the network identify the source of
14 funds in its requisition; amending s. 1001.28, F.S.;
15 revising the Department of Education's duties
16 regarding distance learning; amending s. 1001.395,
17 F.S.; requiring that the salary of district school
18 board members be the same amount as the annual
19 calculation or the salary of members of the
20 Legislature, whichever is less, for a specified
21 period; amending s. 1001.42, F.S.; clarifying
22 provisions authorizing the payment of earned leave and
23 benefits accrued by a district school board employee
24 before his or her employment contract expires;
25 amending s. 1001.451, F.S.; delaying the expiration of
26 provisions relating to the amount of funding
27 distributed to each school district and eligible
28 member of a regional consortium service organization;
29 amending s. 1001.47, F.S.; authorizing elected

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30 district school superintendents to reduce their salary
31 rates on a voluntary basis; requiring that each
32 elected district school superintendent's salary be
33 reduced by 5 percent for the 2009-2010 fiscal year;
34 amending s. 1001.50, F.S.; clarifying provisions
35 authorizing the payment of earned leave and benefits
36 accrued by a district school superintendent before his
37 or her employment contract terminates; limiting the
38 amount of remuneration that a district school
39 superintendent receives annually from state funds;
40 providing a definition for the term "remuneration";
41 limiting the use of the superintendent's compensation
42 in calculating benefits under ch. 121, F.S.;
43 encouraging district school boards and superintendents
44 to review the superintendent's annual remuneration for
45 the 2009-2010 fiscal year and mutually agree to at
46 least a 5 percent reduction; amending s. 1002.33,
47 F.S.; requiring that a charter school comply with the
48 class-size requirements; amending s. 1002.37, F.S.;
49 redefining the definition of the term "full-time
50 equivalent student" as it relates to funding for the
51 Florida Virtual School and virtual instruction;
52 amending s. 1002.45, F.S.; conforming provisions to
53 changes made by the act; amending s. 1002.71, F.S.;
54 revising provisions relating to the funding of
55 prekindergarten programs; amending s. 1003.03, F.S.;
56 extending dates relating to the calculation of the
57 number of students for purposes of complying with the
58 maximum-class-size requirement; providing duties for

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59 the Department of Education if the department
60 determines that the number of students assigned to any
61 individual class exceeds the class size maximum;
62 providing for the reduction of the class-size-
63 reduction operating categorical allocation under
64 certain circumstances; requiring that the department
65 prepare a simulated calculation; amending s. 1006.06,
66 F.S.; providing that universal school breakfast
67 programs be offered only in schools in which 80
68 percent or more of the students are eligible for free
69 or reduced meals; revising provisions relating to
70 school breakfast programs to include state
71 allocations; amending s. 1006.28, F.S.; clarifying the
72 definition of the term "adequate instructional
73 materials"; amending s. 1006.36, F.S.; extending the
74 term of adoption for instructional materials; amending
75 s. 1006.40, F.S.; conforming provisions to changes
76 made by the act; amending s. 1008.29, F.S.; requiring
77 that the State Board of Education adopt rules
78 establishing fees for the administration of the
79 college-level communications and mathematics skills
80 examination to public postsecondary students; amending
81 s. 1008.41, F.S.; authorizing rather than requiring
82 the Commissioner of Education to employ the Florida
83 Information Resource Network to perform certain
84 functions relating to workforce education; creating s.
85 1010.06, F.S.; prohibiting the Division of Public
86 Schools within the Department of Education from using
87 state funds appropriated by the Legislature to pay

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88 indirect cost to a university, community college,
89 school district, or other entity; amending s. 1010.11,
90 F.S.; authorizing each district school board,
91 community college board of trustees, and university
92 board of trustees to electronically transfer funds for
93 payment; amending s. 1011.09, F.S.; prohibiting a
94 district school board from using funds for out-of-
95 state travel, cellular phones, cellular phone service,
96 personal digital assistants, or any other mobile
97 wireless communication device or service through any
98 means, unless specifically approved by the district
99 school board; amending s. 1011.18, F.S.; authorizing a
100 district school superintendent to transfer funds from
101 a district school depository to pay expenses,
102 expenditures, or other disbursements if proper
103 documentation is provided; amending s. 1011.60, F.S.;
104 revising the minimum requirements for the Florida
105 Education Finance Program relating to the term of
106 operation; amending s. 1011.61, F.S.; redefining the
107 term "full-time equivalent student"; amending s.
108 1011.62, F.S.; requiring that a student who is
109 enrolled in study hall not be included in the
110 calculation of full-time equivalent student membership
111 for funding purposes; decreasing the amount of certain
112 bonuses for teachers; decreasing the value of full-
113 time equivalent student membership calculated on the
114 basis of international baccalaureate examination
115 scores; decreasing the value of full-time equivalent
116 student membership calculated on the basis of college

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117 board advanced placement scores; decreasing the value
118 of full-time equivalent student membership calculated
119 on the basis of certification of successful completion
120 of industry-certified career and professional academy
121 programs; deleting certain provisions that provide a
122 calculation for additional full-time equivalent
123 membership for students enrolled in the Florida
124 Virtual School; revising certain provisions relating
125 to the amount that each school district is required to
126 provide annually toward the cost of the Florida
127 Education Finance Program; extending a date relating
128 to categorical funds for instructional materials;
129 deleting provisions relating to the total allocation
130 of state funds to each district for current operation
131 for the FEFP; creating s. 1011.675, F.S.; creating a
132 discretionary bonus allocation for school districts to
133 recognize and reward the outstanding performance of
134 students, teachers, and school-based administrators;
135 providing that the funds be allocated to each school
136 district as provided in the General Appropriations
137 Act; authorizing school districts to use the funds for
138 certain programs or any other purpose it deems
139 appropriate; repealing s. 1011.68(7), F.S., relating
140 to funds for student transportation; removing a
141 provision that authorizes a district school board to
142 transfer funds to its Florida Education Finance
143 Program; amending s. 1011.685, F.S.; revising
144 provisions relating to class size reduction operating
145 categorical funds; amending s. 1011.71, F.S.; revising

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146 certain provisions relating to the district school
147 tax; waiving the three-fourths limit for certain
148 lease-purchase agreements for a specified period;
149 authorizing district school boards to levy an
150 additional discretionary millage for certain
151 operations; authorizing the Commissioner of Education
152 to waive the equal-dollar reduction in Florida
153 Education Finance Program funds if he or she finds
154 that a school district acted in good faith; amending
155 s. 1012.33, F.S.; revising provisions relating to
156 contracts for instructional staff; advising a district
157 school board not to enter into a new professional
158 service contract if the only available funds are from
159 nonrecurring Federal Stabilization Funds; amending s.
160 1012.71, F.S.; authorizing the Department of Education
161 to conduct a pilot program to determine the
162 feasibility of managing the Florida Teachers Lead
163 Program through a centralized electronic system;
164 providing requirements for such pilot program;
165 providing that participation in the pilot program is
166 voluntary; authorizing the department to limit the
167 number of participants to adequately test the
168 viability of the pilot program; amending s. 1013.62,
169 F.S.; revising the criteria for determining a charter
170 school's eligibility for capital outlay funding;
171 amending s. 1013.64, F.S.; requiring that the school
172 districts of Wakulla County and Liberty County
173 contribute specific millage amounts to the cost of
174 current special facilities projects for specified

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175 fiscal years; repealing s. 9 of chapter 2008-142, Laws
176 of Florida; abrogating the expiration of certain
177 amendments relating to categorical funding for the
178 operation of schools; providing for implementation of
179 specified appropriations; providing for the
180 incorporation by reference of certain calculations
181 used by the Legislature for the 2009-2010 fiscal year;
182 providing an effective date.

183
184 Be It Enacted by the Legislature of the State of Florida:

185
186 Section 1. Paragraph (a) of subsection (4) of section
187 1001.20, Florida Statutes, is amended to read:

188 1001.20 Department under direction of state board.—

189 (4) The Department of Education shall establish the
190 following offices within the Office of the Commissioner of
191 Education which shall coordinate their activities with all other
192 divisions and offices:

193 (a) *Office of Technology and Information Services.*—
194 Responsible for developing a systemwide technology plan, making
195 budget recommendations to the commissioner, providing data
196 collection and management for the system, assisting school
197 districts in securing Internet access and telecommunications
198 services, including those eligible for funding under the Schools
199 and Libraries Program of the federal Universal Service Fund, and
200 coordinating services with other state, local, and private
201 agencies. The office shall develop a method to address the need
202 for a statewide approach to planning and operations of library
203 and information services to achieve a single K-20 education

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204 system library information portal and a unified higher education
205 library management system. The Florida Virtual School shall be
206 administratively housed within the office.

207 Section 2. Section 1001.271, Florida Statutes, is created
208 to read:

209 1001.271 Florida Information Resource Network.—Upon
210 requisition by school districts, community colleges,
211 universities, or other eligible users of the Florida Information
212 Resource Network, the Commissioner of Education shall purchase
213 the nondiscounted portion of Internet access services,
214 including, but not limited to, circuits, encryption, content
215 filtering, support, and any other services needed for the
216 effective and efficient operation of the network. Each user
217 shall identify in its requisition the source of funds from which
218 the commissioner is to make payments.

219 Section 3. Subsection (2) of section 1001.28, Florida
220 Statutes, is amended to read:

221 1001.28 Distance learning duties.—The duties of the
222 Department of Education concerning distance learning include,
223 but are not limited to, the duty to:

224 (2) Coordinate the use of existing resources, including,
225 but not limited to, the state's satellite transponders ~~on the~~
226 ~~education satellites, the SUNCOM Network,~~ the Florida
227 Information Resource Network (FIRN), the Florida Knowledge
228 Network, ~~the Department of Management Services, the Department~~
229 ~~of Corrections, and the Department of Children and Family~~
230 ~~Services' satellite communication facilities to support a~~
231 ~~statewide advanced telecommunications services~~ and distance
232 learning initiatives network.

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233
234 Nothing in this section shall be construed to abrogate,
235 supersede, alter, or amend the powers and duties of any state
236 agency, district school board, community college board of
237 trustees, university board of trustees, the Board of Governors,
238 or the State Board of Education.

239 Section 4. Subsection (3) is added to section 1001.395,
240 Florida Statutes, as amended by section 1 of chapter 2009-3,
241 Laws of Florida, to read:

242 1001.395 District school board members; compensation.—

243 (3) Notwithstanding the provisions of this section and s.
244 145.19, for the 2009-2010 fiscal year the salary of each
245 district school board member shall be the amount calculated
246 pursuant to subsection (1) or the salary of members of the
247 Legislature, pursuant to s. 11.13 or any other law, whichever is
248 less.

249 Section 5. Subsection (25) of section 1001.42, Florida
250 Statutes, as created by section 2 of chapter 2009-3, Laws of
251 Florida, is amended to read:

252 1001.42 Powers and duties of district school board.—The
253 district school board, acting as a board, shall exercise all
254 powers and perform all duties listed below:

255 (25) EMPLOYMENT CONTRACTS. ~~On or after February 1, 2009,~~ A
256 district school board may not enter into an employment contract
257 ~~that is funded from state funds and that requires the district~~
258 ~~to pay~~ from state funds an employee an amount in excess of 1
259 year of the employee's annual salary for termination, buy-out,
260 or any other type of contract settlement. This subsection does
261 not prohibit the payment of earned leave and benefits in

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262 accordance with the district's leave and benefits policies which
263 were accrued by the employee before the contract terminates.

264 Section 6. Paragraph (c) of subsection (2) of section
265 1001.451, Florida Statutes, is amended to read:

266 1001.451 Regional consortium service organizations.—In
267 order to provide a full range of programs to larger numbers of
268 students, minimize duplication of services, and encourage the
269 development of new programs and services:

270 (2)

271 (c) Notwithstanding paragraph (a), the appropriation for
272 the 2009-2010 ~~2008-2009~~ fiscal year may be less than \$50,000 per
273 school district and eligible member. If the amount appropriated
274 is insufficient to provide \$50,000, the funds available must be
275 prorated among all eligible districts and members. This
276 paragraph expires July 1, 2010 ~~2009~~.

277 Section 7. Subsections (6) and (7) are added to section
278 1001.47, Florida Statutes, to read:

279 1001.47 District school superintendent; salary.—

280 (6) Notwithstanding the provisions of this section and s.
281 145.19, elected district school superintendents may reduce their
282 salary rate on a voluntary basis.

283 (7) Notwithstanding the provisions of this section and s.
284 145.19, for the 2009-2010 fiscal year the salary of each elected
285 district school superintendent calculated pursuant to s. 1001.47
286 shall be reduced by 5 percent.

287 Section 8. Subsection (2) of section 1001.50, Florida
288 Statutes, as amended by section 3 of chapter 2009-3, Laws of
289 Florida, is amended, and subsections (5) and (6) are added to
290 that section, to read:

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291 1001.50 Superintendents employed under Art. IX of the State
292 Constitution.-

293 (2) The district school board of each of such districts
294 shall enter into contracts of employment with the district
295 school superintendent and shall adopt rules relating to his or
296 her appointment; however, ~~on or after February 1, 2009,~~ the
297 district school board may not enter into an employment contract
298 ~~that is funded from state funds and~~ that requires the district
299 to pay from state funds a superintendent an amount in excess of
300 1 year of the superintendent's annual salary for termination,
301 buy-out, or any other type of contract settlement. This
302 subsection does not prohibit the payment of earned leave and
303 benefits in accordance with the district's leave and benefits
304 policies which were accrued by the superintendent before the
305 contract terminates.

306 (5) Notwithstanding any other law, resolution, or rule to
307 the contrary, a district school superintendent employed under
308 this section may not receive more than \$225,000 in remuneration
309 annually from state funds. As used in this subsection, the term
310 "remuneration" means salary, bonuses, and cash-equivalent
311 compensation paid to a district school superintendent by his or
312 her employer for work performed, excluding health insurance
313 benefits and retirement benefits. Only compensation, as defined
314 in s. 121.021(22), which is provided to a district school
315 superintendent may be used in calculating benefits under chapter
316 121.

317 (6) District school boards and superintendents employed
318 pursuant to this section are encouraged to review the
319 superintendent's annual remuneration for the 2009-2010 fiscal

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320 year and mutually agree to a reduction of at least 5 percent.

321 Section 9. Paragraph (a) of subsection (16) of section
322 1002.33, Florida Statutes, is amended to read:

323 1002.33 Charter schools.—

324 (16) EXEMPTION FROM STATUTES.—

325 (a) A charter school shall operate in accordance with its
326 charter and shall be exempt from all statutes in chapters 1000-
327 1013. However, a charter school shall be in compliance with the
328 following statutes in chapters 1000-1013:

329 1. Those statutes specifically applying to charter schools,
330 including this section.

331 2. Those statutes pertaining to the student assessment
332 program and school grading system.

333 3. Those statutes pertaining to the provision of services
334 to students with disabilities.

335 4. Those statutes pertaining to civil rights, including s.
336 1000.05, relating to discrimination.

337 5. Those statutes pertaining to student health, safety, and
338 welfare.

339 6. Those statutes pertaining to class size.

340 Section 10. Paragraphs (a) and (b) of subsection (3) of
341 section 1002.37, Florida Statutes, are amended to read:

342 1002.37 The Florida Virtual School.—

343 (3) Funding for the Florida Virtual School shall be
344 provided as follows:

345 (a) A "full-time equivalent student" for the Florida
346 Virtual School is one student who has successfully completed six
347 credits in core curricula courses which ~~that~~ shall count toward
348 the minimum number of credits required for high school

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349 graduation. A student who completes fewer ~~less~~ than six credits
350 in core curricula courses shall be a fraction of a full-time
351 equivalent student. Half-credit completions shall be included in
352 determining a full-time equivalent student. Credit completed by
353 a student in excess of the minimum required for that student for
354 high school graduation is not eligible for funding.

355 (b) Full-time equivalent student credit completed through
356 the Florida Virtual School, including credits completed during
357 the summer, shall be reported to the Department of Education in
358 the manner prescribed by the department and shall be funded
359 through the Florida Education Finance Program. The maximum value
360 for funding a full-time equivalent student in kindergarten
361 through grade 12, including credits earned through the Florida
362 Virtual School during the summer, combined with credits and FTE
363 earned through a school district may not exceed one full-time
364 equivalent membership per student per year as provided in s.
365 1011.61(4).

366 Section 11. Paragraph (c) of subsection (7) of section
367 1002.45, Florida Statutes, is amended to read:

368 1002.45 School district virtual instruction programs.—

369 (7) FUNDING.—

370 ~~(c) Full-time or part-time school district virtual~~
371 ~~instruction program courses provided under this section for~~
372 ~~students in grades 9 through 12 are limited to Department of~~
373 ~~Juvenile Justice programs, dropout prevention programs, and~~
374 ~~career and vocational programs.~~

375 Section 12. Paragraph (a) of subsection (4) and paragraph
376 (d) of subsection (6) of section 1002.71, Florida Statutes, as
377 amended by section 7 of chapter 2009-3, Laws of Florida, are

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378 amended to read:

379 1002.71 Funding; financial and attendance reporting.—

380 (4) Notwithstanding s. 1002.53(3) and subsection (2):

381 (a) A child who, for any of the prekindergarten programs
382 listed in s. 1002.53(3), has not completed more than 70 ~~10~~
383 percent of the hours authorized to be reported for funding under
384 subsection (2) may withdraw from the program for good cause and
385 reenroll in one of the programs, ~~and be reported for funding~~
386 ~~purposes as a full-time equivalent student in the program for~~
387 ~~which the child is reenrolled.~~ The total funding for a child who
388 reenrolls in one of the programs for good cause may shall not
389 exceed one full-time equivalent student. Funding for a child who
390 withdraws and reenrolls in one of the programs for good cause
391 shall be issued in accordance with the agency's uniform
392 attendance policy adopted pursuant to paragraph (6) (d).

393
394 A child may reenroll only once in a prekindergarten program
395 under this section. A child who reenrolls in a prekindergarten
396 program under this subsection may not subsequently withdraw from
397 the program and reenroll. The Agency for Workforce Innovation
398 shall establish criteria specifying whether a good cause exists
399 for a child to withdraw from a program under paragraph (a),
400 whether a child has substantially completed a program under
401 paragraph (b), and whether an extreme hardship exists which is
402 beyond the child's or parent's control under paragraph (b).

403 (6)

404 (d) The Agency for Workforce Innovation shall adopt, for
405 funding purposes, a uniform attendance policy for the Voluntary
406 Prekindergarten Education Program. The attendance policy must

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407 apply statewide and apply equally to all private prekindergarten
408 providers and public schools. The attendance policy must
409 ~~establish a minimum requirement for student attendance and~~
410 include at least the following provisions:

411 1. Beginning with the 2009-2010 fiscal year for school-year
412 programs, a student's attendance may be reported on a pro rata
413 basis as a fractional part of a full-time equivalent student and
414 ~~the 2009 summer program, a student who meets the minimum~~
415 ~~requirement of 80 percent of the total number of hours for the~~
416 ~~program may be reported as a full-time equivalent student for~~
417 ~~funding purposes.~~

418 2. At a maximum, 20 percent of the total payment made on
419 behalf of a student to a private prekindergarten provider or a
420 public school may be for hours a student is absent. A student
421 ~~who does not meet the minimum requirement may be reported only~~
422 ~~as a fractional part of a full-time equivalent student, reduced~~
423 ~~pro rata based on the student's attendance.~~

424 3. A private prekindergarten provider or public school may
425 not receive payment for absences that occur before a student's
426 first day of attendance or after a student's last day of
427 attendance. A student who does not meet the minimum requirement
428 ~~may be reported as a full-time equivalent student if the student~~
429 ~~is absent for good cause in accordance with exceptions specified~~
430 ~~in the uniform attendance policy.~~

431
432 The uniform attendance policy shall be used only for funding
433 purposes and does not prohibit a private prekindergarten
434 provider or public school from adopting and enforcing its
435 attendance policy under paragraphs (a) and (c).

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436 Section 13. Paragraph (b) of subsection (2) and subsection
437 (4) of section 1003.03, Florida Statutes, as amended by section
438 9 of chapter 2009-3, Laws of Florida, are amended to read:

439 1003.03 Maximum class size.—

440 (2) IMPLEMENTATION.—

441 (b) Determination of the number of students per classroom
442 in paragraph (a) shall be calculated as follows:

443 1. For fiscal years 2003-2004 through 2005-2006, the
444 calculation for compliance for each of the 3 grade groupings
445 shall be the average at the district level.

446 2. For fiscal years 2006-2007 through 2009-2010 ~~2008-2009~~,
447 the calculation for compliance for each of the 3 grade groupings
448 shall be the average at the school level.

449 3. For fiscal year 2010-2011 ~~2009-2010~~ and thereafter, the
450 calculation for compliance shall be at the individual classroom
451 level.

452 4. For fiscal years 2006-2007 through 2009-2010 and
453 thereafter, each teacher assigned to any classroom shall be
454 included in the calculation for compliance.

455 (4) ACCOUNTABILITY.—

456 (a)1. Beginning in the 2009-2010 ~~2003-2004~~ fiscal year, if
457 the department determines for any year that a school district
458 has not reduced average class size as required in subsection (2)
459 at the time of the third FEFP calculation, the department shall
460 calculate an amount from the class size reduction operating
461 categorical which is proportionate to the amount of class size
462 reduction not accomplished. Upon verification of the
463 department's calculation by the Florida Education Finance
464 Program Appropriation Allocation Conference and not later than

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465 March 1 of each year, the Executive Office of the Governor shall
466 transfer undistributed funds equivalent to the calculated amount
467 from the district's class size reduction operating categorical
468 to an approved fixed capital outlay appropriation for class size
469 reduction in the affected district pursuant to s. 216.292(2)(d).
470 The amount of funds transferred shall be the lesser of the
471 amount verified by the Florida Education Finance Program
472 Appropriation Allocation Conference or the undistributed balance
473 of the district's class size reduction operating categorical.

474 2. In lieu of the transfer required by subparagraph 1., the
475 Commissioner of Education may recommend a budget amendment,
476 subject to approval by the Legislative Budget Commission, to
477 transfer an alternative amount of funds from the district's
478 class size reduction operating categorical to its approved fixed
479 capital outlay account for class size reduction if the
480 commissioner finds that the State Board of Education has
481 reviewed evidence indicating that a district has been unable to
482 meet class size reduction requirements despite appropriate
483 effort to do so. The commissioner's budget amendment must be
484 submitted to the Legislative Budget Commission by February 15 of
485 each year.

486 3. For the 2007-2008 fiscal year and thereafter, if in any
487 fiscal year funds from a district's class size operating
488 categorical are required to be transferred to its fixed capital
489 outlay fund and the district's class size operating categorical
490 allocation in the General Appropriations Act for that fiscal
491 year has been reduced by a subsequent appropriation, the
492 Commissioner of Education may recommend a 50-percent reduction
493 in the amount of the transfer.

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494 (b) Beginning in the 2010-2011 fiscal year and each year
495 thereafter, if the department determines that the number of
496 students assigned to any individual class exceeds the class size
497 maximum, as required in subsection (2), at the time of the third
498 FEFP calculation, the department shall:

499 1. Identify, for each grade group, the number of classes in
500 which the enrollment exceeds the maximum, the number of students
501 which exceed the maximum for each such class, and the total
502 number of students which exceed the maximum for all classes.

503 2. Determine the number of full-time equivalent students
504 which exceed the maximum class size for each grade group.

505 3. Multiply the total number of FTE students which exceed
506 the maximum class size for each grade group by the district's
507 FTE dollar amount of the class-size-reduction allocation for
508 that year and calculate the total for all three grade groups.

509 4. Reduce the district's class-size-reduction operating
510 categorical allocation by an amount equal to the sum of the
511 calculation in subparagraph 3.

512 (c) Upon verification of the department's calculation by
513 the Florida Education Finance Program Appropriation Allocation
514 Conference and no later than March 1 of each year, the Executive
515 Office of the Governor shall place these funds in reserve and
516 the undistributed funds shall revert to the General Revenue Fund
517 unallocated at the end of the fiscal year. The amount of funds
518 reduced shall be the lesser of the amount verified by the
519 Florida Education Finance Program Appropriation Allocation
520 Conference or the undistributed balance of the district's class-
521 size-reduction operating categorical allocation.

522 (d) In lieu of the reduction calculation in paragraph (b),

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523 the Commissioner of Education may recommend a budget amendment,
524 subject to approval of the Legislative Budget Commission, to
525 reduce an alternative amount of funds from the district's class-
526 size-reduction operating categorical allocation. The
527 commissioner's budget amendment must be submitted to the
528 Legislative Budget Commission by February 15 of each year.

529 (e) In addition to the calculation required in paragraph
530 (a), at the time of the third FEFP calculation for the 2009-2010
531 fiscal year, the department shall also prepare a simulated
532 calculation based on the requirements in paragraphs (b) and (c)
533 for the 2010-2011 fiscal year. This simulated calculation shall
534 be provided to the school districts and the Legislature.

535 ~~(b) Beginning in the 2005-2006 school year, the department~~
536 ~~shall determine by January 15 of each year which districts have~~
537 ~~not met the two student per year reduction required in~~
538 ~~subsection (2) based upon a comparison of the district's October~~
539 ~~student membership survey for the current school year and the~~
540 ~~February 2003 baseline student membership survey. The department~~
541 ~~shall report such districts to the Legislature. Each district~~
542 ~~that has not met the two student per year reduction shall be~~
543 ~~required to implement one of the following policies in the~~
544 ~~subsequent school year unless the department finds that the~~
545 ~~district comes into compliance based upon the February student~~
546 ~~membership survey:~~

- 547 ~~1. Year-round schools;~~
- 548 ~~2. Double sessions;~~
- 549 ~~3. Rezoning; or~~
- 550 ~~4. Maximizing use of instructional staff by changing~~
551 ~~required teacher loads and scheduling of planning periods,~~

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552 ~~deploying school district employees who have professional~~
553 ~~certification to the classroom, using adjunct educators,~~
554 ~~operating schools beyond the normal operating hours to provide~~
555 ~~classes in the evening, or operating more than one session~~
556 ~~during the day.~~

557
558 ~~A school district that is required to implement one of the~~
559 ~~policies outlined in subparagraphs 1.-4. shall correct in the~~
560 ~~year of implementation any past deficiencies and bring the~~
561 ~~district into compliance with the two-student-per-year reduction~~
562 ~~goals established for the district by the department pursuant to~~
563 ~~subsection (2). A school district may choose to implement more~~
564 ~~than one of these policies. The district school superintendent~~
565 ~~shall report to the Commissioner of Education the extent to~~
566 ~~which the district implemented any of the policies outlined in~~
567 ~~subparagraphs 1.-4. in a format to be specified by the~~
568 ~~Commissioner of Education. The Department of Education shall use~~
569 ~~the enforcement authority provided in s. 1008.32 to ensure that~~
570 ~~districts comply with the provisions of this paragraph.~~

571 ~~(c) Beginning in the 2006-2007 school year, the department~~
572 ~~shall annually determine which districts do not meet the~~
573 ~~requirements described in subsection (2). In addition to~~
574 ~~enforcement authority provided in s. 1008.32, the Department of~~
575 ~~Education shall develop a constitutional compliance plan for~~
576 ~~each such district which includes, but is not limited to,~~
577 ~~redrawing school attendance zones to maximize use of facilities~~
578 ~~while minimizing the additional use of transportation unless the~~
579 ~~department finds that the district comes into compliance based~~
580 ~~upon the February student membership survey and the other~~

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581 ~~accountability policies listed in paragraph (b). Each district~~
582 ~~school board shall implement the constitutional compliance plan~~
583 ~~developed by the state board until the district complies with~~
584 ~~the constitutional class size maximums.~~

585 Section 14. Paragraphs (a) and (b) of subsection (5) of
586 section 1006.06, Florida Statutes, are amended to read:

587 1006.06 School food service programs.-

588 (5) (a) Each district school board shall implement school
589 breakfast programs that make breakfast meals available to all
590 students in each elementary school. By the beginning of the
591 2010-2011 school year, the school breakfast programs shall make
592 breakfast meals available to all students in each elementary,
593 middle, and high school. However, universal school breakfast
594 programs shall be offered only in schools in which 80 percent or
595 more of the students are eligible for free or reduced meals.

596 Each school shall, to the maximum extent practicable, make
597 breakfast meals available to students at an alternative site
598 location, which may include, but need not be limited to,
599 alternative breakfast options as described in publications of
600 the Food and Nutrition Service of the United States Department
601 of Agriculture for the federal School Breakfast Program.

602 (b) Beginning with the 2009-2010 school year, each school
603 district must annually set prices for breakfast meals at rates
604 that, combined with federal reimbursements and state
605 allocations, are sufficient to defray costs of school breakfast
606 programs without requiring allocations from the district's
607 operating funds, except if the district school board approves
608 lower rates.

609 Section 15. Subsection (1) of section 1006.28, Florida

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610 Statutes, is amended to read:

611 1006.28 Duties of district school board, district school
612 superintendent; and school principal regarding K-12
613 instructional materials.—

614 (1) DISTRICT SCHOOL BOARD.—The district school board has
615 the duty to provide adequate instructional materials for all
616 students in accordance with the requirements of this part. The
617 term “adequate instructional materials” means a sufficient
618 number of textbooks or sets of materials that are available in
619 bound, unbound, kit, or package form and may consist of hard-
620 backed or soft-backed textbooks, consumables, learning
621 laboratories, manipulatives, electronic media, and computer
622 courseware or software that serve ~~serve~~ as the basis for
623 instruction for each student in the core courses of mathematics,
624 language arts, social studies, science, reading, and literature,
625 except for instruction for which the school advisory council
626 approves the use of a program that does not include a textbook
627 as a major tool of instruction. The district school board has
628 the following specific duties:

629 (a) *Courses of study; adoption.*—Adopt courses of study for
630 use in the schools of the district.

631 (b) *Textbooks.*—Provide for proper requisitioning,
632 distribution, accounting, storage, care, and use of all
633 instructional materials furnished by the state and furnish such
634 other instructional materials as may be needed. The district
635 school board shall assure that instructional materials used in
636 the district are consistent with the district goals and
637 objectives and the curriculum frameworks adopted by rule of the
638 State Board of Education, as well as with the state and district

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639 performance standards provided for in s. 1001.03(1).

640 (c) *Other instructional materials.*—Provide such other
641 teaching accessories and aids as are needed for the school
642 district's educational program.

643 (d) *School library media services; establishment and*
644 *maintenance.*—Establish and maintain a program of school library
645 media services for all public schools in the district, including
646 school library media centers, or school library media centers
647 open to the public, and, in addition such traveling or
648 circulating libraries as may be needed for the proper operation
649 of the district school system.

650 Section 16. Section 1006.36, Florida Statutes, is amended
651 to read:

652 1006.36 Term of adoption for instructional materials.—

653 (1) The term of adoption of any instructional materials
654 must be an 8-year ~~a 6-year~~ period beginning on April 1 following
655 the adoption, except that the commissioner may approve terms of
656 adoption of less than 8 ~~6~~ years for materials in content areas
657 which require more frequent revision. Any contract for
658 instructional materials may be extended as prescribed in s.
659 1006.34(3).

660 (2) The department shall publish annually an official
661 schedule of subject areas to be called for adoption for each of
662 the succeeding 2 years, and a tentative schedule for years 3, 4,
663 5, ~~and 6,~~ 7, and 8. If extenuating circumstances warrant, the
664 commissioner may order the department to add one or more subject
665 areas to the official schedule, in which event the commissioner
666 shall develop criteria for such additional subject area or areas
667 and make them available to publishers as soon as practicable

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668 before the date on which bids are due. The schedule shall be
669 developed so as to promote balance among the subject areas so
670 that the required expenditure for new instructional materials is
671 approximately the same each year in order to maintain curricular
672 consistency.

673 Section 17. Paragraph (a) of subsection (2) of section
674 1006.40, Florida Statutes, as amended by section 10 of chapter
675 2009-3, Laws of Florida, is amended to read:

676 1006.40 Use of instructional materials allocation;
677 instructional materials, library books, and reference books;
678 repair of books.-

679 (2) (a) Each district school board must purchase current
680 instructional materials to provide each student with a textbook
681 or other instructional materials as a major tool of instruction
682 in core courses of the appropriate subject areas of mathematics,
683 language arts, science, social studies, reading, and literature
684 for kindergarten through grade 12. Such purchase must be made
685 within the first 2 years after the effective date of the
686 adoption cycle; however, this requirement is waived for the
687 adoption cycle occurring in the 2008-2009 academic year, and is
688 waived for the 2009-2010 academic year if the district certifies
689 to the Commissioner of Education that the district has
690 sufficient instructional materials to implement the newly
691 adopted state standards for mathematics. Unless specifically
692 provided for in the General Appropriations Act, the cost of
693 instructional materials purchases required by this paragraph
694 shall not exceed the amount of the district's allocation for
695 instructional materials, pursuant to s. 1011.67, for the
696 previous 2 years.

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697 Section 18. Subsection (7) of section 1008.29, Florida
698 Statutes, is amended to read:

699 1008.29 College-level communication and mathematics skills
700 examination (CLAST).—

701 (7) The State Board of Education, by rule, shall establish
702 fees for the administration of the examination to public and
703 private postsecondary students.

704 Section 19. Paragraph (c) of subsection (1) of section
705 1008.41, Florida Statutes, is amended to read:

706 1008.41 Workforce education; management information
707 system.—

708 (1) The Commissioner of Education shall coordinate uniform
709 program structures, common definitions, and uniform management
710 information systems for workforce education for all divisions
711 within the department. In performing these functions, the
712 commissioner shall designate deadlines after which data elements
713 may not be changed for the coming fiscal or school year. School
714 districts and community colleges shall be notified of data
715 element changes at least 90 days prior to the start of the
716 subsequent fiscal or school year. Such systems must provide for:

717 (c) Maximum use of automated technology and records in
718 existing databases and data systems. To the extent feasible, the
719 Florida Information Resource Network may ~~shall~~ be employed for
720 this purpose.

721 Section 20. Section 1010.06, Florida Statutes, is created
722 to read:

723 1010.06 Indirect cost limitation.—State funds appropriated
724 by the Legislature to the Division of Public Schools within the
725 Department of Education may not be used to pay indirect cost to

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726 a university, community college, school district, or any other
727 entity.

728 Section 21. Section 1010.11, Florida Statutes, is amended
729 to read:

730 1010.11 Electronic transfer of funds.—Pursuant to the
731 provisions of s. 215.85, each district school board, community
732 college board of trustees, and university board of trustees
733 shall adopt written policies prescribing the accounting and
734 control procedures under which any funds under their control are
735 allowed to be moved by electronic transaction for any purpose
736 including direct deposit, wire transfer, withdrawal, ~~or~~
737 investment, or payment. Electronic transactions shall comply
738 with the provisions of chapter 668.

739 Section 22. Subsection (4) is added to section 1011.09,
740 Florida Statutes, to read:

741 1011.09 Expenditure of funds by district school board.—All
742 state funds apportioned to the credit of any district constitute
743 a part of the district school fund of that district and must be
744 budgeted and expended under authority of the district school
745 board subject to the provisions of law and rules of the State
746 Board of Education.

747 (4) During the 2009-2010 fiscal year, unless specifically
748 approved by the district school board, public funds may not be
749 expended for out-of-state travel or cellular phones, cellular
750 phone service, personal digital assistants, or any other mobile
751 wireless communication device or service, including text
752 messaging, whether through purchasing, leasing, contracting, or
753 any other method.

754 Section 23. Subsection (4) of section 1011.18, Florida

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755 Statutes, is amended to read:

756 1011.18 School depositories; payments into and withdrawals
757 from depositories.—

758 (4) HOW FUNDS DRAWN FROM DEPOSITORIES.—All money drawn from
759 any district school depository holding same as prescribed herein
760 shall be upon a check or warrant drawn on authority of the
761 district school board as prescribed by law. Each check or
762 warrant shall be signed by the chair or, in his or her absence,
763 the vice chair of the district school board and countersigned by
764 the district school superintendent, with corporate seal of the
765 school board affixed. However, as a matter of convenience, the
766 corporate seal of the district school board may be printed upon
767 the warrant and a proper record of such warrant shall be
768 maintained. The district school board may by resolution, a copy
769 of which must be delivered to the depository, provide for
770 internal funds to be withdrawn from any district depository by a
771 check duly signed by at least two bonded school employees
772 designated by the board to be responsible for administering such
773 funds. However, the district school superintendent or his or her
774 designee, after having been by resolution specifically
775 authorized by the district school board, may transfer funds from
776 one depository to another, within a depository, to another
777 institution, or from another institution to a depository for
778 investment purposes and may transfer funds to pay expenses,
779 expenditures, or other disbursements that must be evidenced by
780 an invoice or other appropriate documentation in a similar
781 manner ~~when the transfer does not represent an expenditure,~~
782 ~~advance, or reduction of cash assets.~~ Such transfer may be made
783 by electronic, telephonic, or other medium; and each transfer

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784 shall be confirmed in writing and signed by the district school
785 superintendent or his or her designee.

786 Section 24. Subsection (2) and paragraphs (d) and (f) of
787 subsection (3) of section 1011.60, Florida Statutes, are amended
788 to read:

789 1011.60 Minimum requirements of the Florida Education
790 Finance Program.—Each district which participates in the state
791 appropriations for the Florida Education Finance Program shall
792 provide evidence of its effort to maintain an adequate school
793 program throughout the district and shall meet at least the
794 following requirements:

795 (2) MINIMUM TERM.—Operate all schools for a term of ~~at~~
796 ~~least~~ 180 actual teaching days or the equivalent on an hourly
797 basis as specified by rules of the State Board of Education each
798 school year. The State Board of Education may prescribe
799 procedures for altering, and, upon written application, may
800 alter, this requirement during a national, state, or local
801 emergency as it may apply to an individual school or schools in
802 any district or districts if, in the opinion of the board, it is
803 not feasible to make up lost days or hours, and the
804 apportionment may, at the discretion of the Commissioner of
805 Education and if the board determines that the reduction of
806 school days or hours is caused by the existence of a bona fide
807 emergency, be reduced for such district or districts in
808 proportion to the decrease in the length of term in any such
809 school or schools. A strike, as defined in s. 447.203(6), by
810 employees of the school district may not be considered an
811 emergency.

812 (3) EMPLOYMENT POLICIES.—Adopt rules relating to the

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813 appointment, promotion, transfer, suspension, and dismissal of
814 personnel.

815 (d) District school boards may authorize a maximum of six
816 paid legal holidays which shall apply to the total annual number
817 of 196 days of service adopted by the board.

818 (f) Such rules must not require more than 10 ~~12~~ calendar
819 months of service for ~~such~~ principals and other school site
820 administrators as prescribed by rules of the State Board of
821 Education and may ~~must~~ require up to 10 months ~~to include not~~
822 ~~less than 196 days~~ of service, excluding Sundays and other
823 holidays, for all members of the instructional staff. Principals
824 and other school site administrators may serve more than 10
825 calendar months of service if specifically approved by the
826 district school board, and ~~with~~ any such service on a 12-month
827 basis may ~~to~~ include reasonable allowance for vacation or
828 further study as prescribed by the school board in accordance
829 with rules of the State Board of Education.

830 Section 25. Paragraph (c) of subsection (1) of section
831 1011.61, Florida Statutes, is amended to read:

832 1011.61 Definitions.—Notwithstanding the provisions of s.
833 1000.21, the following terms are defined as follows for the
834 purposes of the Florida Education Finance Program:

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

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

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

841 b. A combination of full-time or part-time students in any

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842 one of the programs listed in s. 1011.62(1)(c) which is the
843 equivalent of one full-time student based on the following
844 calculations:

845 (I) A full-time student, except a postsecondary or adult
846 student or a senior high school student enrolled in adult
847 education when such courses are required for high school
848 graduation, in a combination of programs listed in s.
849 1011.62(1)(c) shall be a fraction of a full-time equivalent
850 membership in each special program equal to the number of net
851 hours per school year for which he or she is a member, divided
852 by the appropriate number of hours set forth in subparagraph
853 (a)1. or subparagraph (a)2. The difference between that fraction
854 or sum of fractions and the maximum value as set forth in
855 subsection (4) for each full-time student is presumed to be the
856 balance of the student's time not spent in such special
857 education programs and shall be recorded as time in the
858 appropriate basic program.

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

861 (III) A full-time equivalent student for students in grades
862 K-8 in a school district virtual instruction program as provided
863 in s. 1002.45 shall consist of a student who has successfully
864 completed a basic program listed in s. 1011.62(1)(c)1.a. or b.,
865 and who is promoted to a higher grade level.

866 (IV) A full-time equivalent student for students in grades
867 9-12 in a school district virtual instruction program as
868 provided in s. 1002.45 shall consist of six full credit
869 completions in programs listed in s. 1011.62(1)(c)1. and 3 4.
870 Credit completions can be a combination of either full credits

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871 or half credits.

872 (V) A Florida Virtual School full-time equivalent student
873 shall consist of six full credit completions in the programs
874 listed in s. 1011.62(1)(c)1.b. for grades 6 through 8 and the
875 programs listed in s. 1011.62(1)(c)1.c. for grades 9 through 12
876 ~~s. 1011.62(1)(e)1. and 4.~~ Credit completions can be a
877 combination of either full credits or half credits.

878 (VI) Each successfully completed credit earned under the
879 alternative high school course credit requirements authorized in
880 s. 1002.375, which is not reported as a portion of the 900 net
881 hours of instruction pursuant to subparagraph (1)(a)1., shall be
882 calculated as 1/6 FTE.

883 2. A student in membership in a program scheduled for more
884 or less than 180 school days is a fraction of a full-time
885 equivalent membership equal to the number of instructional hours
886 in membership divided by the appropriate number of hours set
887 forth in subparagraph (a)1.; however, for the purposes of this
888 subparagraph, membership in programs scheduled for more than 180
889 days is limited to students enrolled in juvenile justice
890 education programs and the Florida Virtual School.

891
892 The department shall determine and implement an equitable method
893 of equivalent funding for experimental schools and for schools
894 operating under emergency conditions, which schools have been
895 approved by the department to operate for less than the minimum
896 school day.

897 Section 26. Present paragraphs (l) through (o) of
898 subsection (1) of section 1011.62, Florida Statutes, are amended
899 and redesignated as paragraphs (m) through (p), respectively,

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900 present paragraph (p) is deleted, paragraph (l) is added to that
901 subsection, and paragraph (a) of subsection (4), paragraph (b)
902 of subsection (6), and paragraph (a) of subsection (12) of that
903 section are amended, to read:

904 1011.62 Funds for operation of schools.—If the annual
905 allocation from the Florida Education Finance Program to each
906 district for operation of schools is not determined in the
907 annual appropriations act or the substantive bill implementing
908 the annual appropriations act, it shall be determined as
909 follows:

910 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
911 OPERATION.—The following procedure shall be followed in
912 determining the annual allocation to each district for
913 operation:

914 (1) Study hall.—A student who is enrolled in study hall may
915 not be included in the calculation of full-time equivalent
916 student membership for funding under this section.

917 (m) ~~(l)~~ Calculation of additional full-time equivalent
918 membership based on international baccalaureate examination
919 scores of students.—A value of 0.08 ~~0.16~~ full-time equivalent
920 student membership shall be calculated for each student enrolled
921 in an international baccalaureate course who receives a score of
922 4 or higher on a subject examination. A value of 0.16 ~~0.3~~ full-
923 time equivalent student membership shall be calculated for each
924 student who receives an international baccalaureate diploma.
925 Such value shall be added to the total full-time equivalent
926 student membership in basic programs for grades 9 through 12 in
927 the subsequent fiscal year. The school district shall distribute
928 to each classroom teacher who provided international

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929 baccalaureate instruction:

930 1. A bonus in the amount of \$40 ~~\$50~~ for each student taught
931 by the International Baccalaureate teacher in each international
932 baccalaureate course who receives a score of 4 or higher on the
933 international baccalaureate examination.

934 2. An additional bonus of \$400 ~~\$500~~ to each International
935 Baccalaureate teacher in a school designated with a grade of "D"
936 or "F" who has at least one student scoring 4 or higher on the
937 international baccalaureate examination, regardless of the
938 number of classes taught or of the number of students scoring a
939 4 or higher on the international baccalaureate examination.

940

941 Bonuses awarded to a teacher according to this paragraph shall
942 not exceed \$1,600 ~~\$2,000~~ in any given school year and shall be
943 in addition to any regular wage or other bonus the teacher
944 received or is scheduled to receive.

945 (n) ~~(m)~~ *Calculation of additional full-time equivalent*
946 *membership based on Advanced International Certificate of*
947 *Education examination scores of students.*—A value of 0.08 ~~0.16~~
948 full-time equivalent student membership shall be calculated for
949 each student enrolled in a full-credit Advanced International
950 Certificate of Education course who receives a score of E or
951 higher on a subject examination. A value of 0.04 ~~0.08~~ full-time
952 equivalent student membership shall be calculated for each
953 student enrolled in a half-credit Advanced International
954 Certificate of Education course who receives a score of E or
955 higher on a subject examination. A value of 0.16 ~~0.3~~ full-time
956 equivalent student membership shall be calculated for each
957 student who receives an Advanced International Certificate of

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958 Education diploma. Such value shall be added to the total full-
959 time equivalent student membership in basic programs for grades
960 9 through 12 in the subsequent fiscal year. The school district
961 shall distribute to each classroom teacher who provided Advanced
962 International Certificate of Education instruction:

963 1. A bonus in the amount of \$40 ~~\$50~~ for each student taught
964 by the Advanced International Certificate of Education teacher
965 in each full-credit Advanced International Certificate of
966 Education course who receives a score of E or higher on the
967 Advanced International Certificate of Education examination. A
968 bonus in the amount of \$20 ~~\$25~~ for each student taught by the
969 Advanced International Certificate of Education teacher in each
970 half-credit Advanced International Certificate of Education
971 course who receives a score of E or higher on the Advanced
972 International Certificate of Education examination.

973 2. An additional bonus of \$400 ~~\$500~~ to each Advanced
974 International Certificate of Education teacher in a school
975 designated with a grade of "D" or "F" who has at least one
976 student scoring E or higher on the full-credit Advanced
977 International Certificate of Education examination, regardless
978 of the number of classes taught or of the number of students
979 scoring an E or higher on the full-credit Advanced International
980 Certificate of Education examination.

981 3. Additional bonuses of \$200 ~~\$250~~ each to teachers of
982 half-credit Advanced International Certificate of Education
983 classes in a school designated with a grade of "D" or "F" which
984 has at least one student scoring an E or higher on the half-
985 credit Advanced International Certificate of Education
986 examination in that class. The maximum additional bonus for a

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987 teacher awarded in accordance with this subparagraph shall not
988 exceed \$500 in any given school year. Teachers receiving an
989 award under subparagraph 2. are not eligible for a bonus under
990 this subparagraph.

991
992 Bonuses awarded to a teacher according to this paragraph shall
993 not exceed \$1,600 ~~\$2,000~~ in any given school year and shall be
994 in addition to any regular wage or other bonus the teacher
995 received or is scheduled to receive.

996 ~~(o)-(n)~~ *Calculation of additional full-time equivalent*
997 *membership based on college board advanced placement scores of*
998 *students.*—A value of 0.08 ~~0.16~~ full-time equivalent student
999 membership shall be calculated for each student in each advanced
1000 placement course who receives a score of 3 or higher on the
1001 College Board Advanced Placement Examination for the prior year
1002 and added to the total full-time equivalent student membership
1003 in basic programs for grades 9 through 12 in the subsequent
1004 fiscal year. Each district must allocate at least 80 percent of
1005 the funds provided to the district for advanced placement
1006 instruction, in accordance with this paragraph, to the high
1007 school that generates the funds. The school district shall
1008 distribute to each classroom teacher who provided advanced
1009 placement instruction:

1010 1. A bonus in the amount of \$40 ~~\$50~~ for each student taught
1011 by the Advanced Placement teacher in each advanced placement
1012 course who receives a score of 3 or higher on the College Board
1013 Advanced Placement Examination.

1014 2. An additional bonus of \$400 ~~\$500~~ to each Advanced
1015 Placement teacher in a school designated with a grade of "D" or

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1016 "F" who has at least one student scoring 3 or higher on the
1017 College Board Advanced Placement Examination, regardless of the
1018 number of classes taught or of the number of students scoring a
1019 3 or higher on the College Board Advanced Placement Examination.

1020
1021 Bonuses awarded to a teacher according to this paragraph shall
1022 not exceed \$1,600 ~~\$2,000~~ in any given school year and shall be
1023 in addition to any regular wage or other bonus the teacher
1024 received or is scheduled to receive.

1025 ~~(p)~~ ~~(e)~~ *Calculation of additional full-time equivalent*
1026 *membership based on certification of successful completion of*
1027 *industry-certified career and professional academy programs*
1028 *pursuant to s. 1003.492.—A value of 0.16 ~~0.3~~ full-time*
1029 *equivalent student membership shall be calculated for each*
1030 *student who completes an industry-certified career and*
1031 *professional academy program under s. 1003.492 and who is issued*
1032 *the highest level of industry certification and a high school*
1033 *diploma. Such value shall be added to the total full-time*
1034 *equivalent student membership in secondary career education*
1035 *programs for grades 9 through 12 in the subsequent year for*
1036 *courses that were not funded through dual enrollment. The*
1037 *additional full-time equivalent membership authorized under this*
1038 *paragraph may not exceed 0.16 ~~0.3~~ per student. Unless a*
1039 *different amount is specified in the General Appropriations Act,*
1040 *the appropriation for this calculation is limited to \$8 ~~\$15~~*
1041 *million annually. If the appropriation is insufficient to fully*
1042 *fund the total calculation, the appropriation shall be prorated.*

1043 ~~(p)~~ ~~Calculation of additional full-time equivalent~~
1044 ~~membership for the Florida Virtual School. The total reported~~

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1045 ~~full-time equivalent student membership for the Florida Virtual~~
1046 ~~School shall be multiplied by 0.114, and such value shall be~~
1047 ~~added to the total full-time equivalent student membership.~~

1048 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The
1049 Legislature shall prescribe the aggregate required local effort
1050 for all school districts collectively as an item in the General
1051 Appropriations Act for each fiscal year. The amount that each
1052 district shall provide annually toward the cost of the Florida
1053 Education Finance Program for kindergarten through grade 12
1054 programs shall be calculated as follows:

1055 (a) *Estimated taxable value calculations.*—

1056 1.a. Not later than 2 working days prior to July 19, the
1057 Department of Revenue shall certify to the Commissioner of
1058 Education its most recent estimate of the taxable value for
1059 school purposes in each school district and the total for all
1060 school districts in the state for the current calendar year
1061 based on the latest available data obtained from the local
1062 property appraisers. Not later than July 19, the Commissioner of
1063 Education shall compute a millage rate, rounded to the next
1064 highest one one-thousandth of a mill, which, when applied to 95
1065 percent of the estimated state total taxable value for school
1066 purposes, would generate the prescribed aggregate required local
1067 effort for that year for all districts. The Commissioner of
1068 Education shall certify to each district school board the
1069 millage rate, computed as prescribed in this subparagraph, as
1070 the minimum millage rate necessary to provide the district
1071 required local effort for that year.

1072 b. The General Appropriations Act shall direct the
1073 computation of the statewide adjusted aggregate amount for

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1074 required local effort for all school districts collectively from
1075 ad valorem taxes to ensure that no school district's revenue
1076 from required local effort millage will produce more than 90
1077 percent of the district's total Florida Education Finance
1078 Program calculation as calculated and adopted by the
1079 Legislature, and the adjustment of the required local effort
1080 millage rate of each district that produces more than 90 percent
1081 of its total Florida Education Finance Program entitlement to a
1082 level that will produce only 90 percent of its total Florida
1083 Education Finance Program entitlement in the July calculation.

1084 2. As revised data are received from property appraisers,
1085 the Department of Revenue shall amend the certification of the
1086 estimate of the taxable value for school purposes.

1087 (6) CATEGORICAL FUNDS.—

1088 (b) If a district school board finds and declares in a
1089 resolution adopted at a regular meeting of the school board that
1090 the funds received for any of the following categorical
1091 appropriations are urgently needed to maintain school board
1092 specified academic classroom instruction, the school board may
1093 consider and approve an amendment to the school district
1094 operating budget transferring the identified amount of the
1095 categorical funds to the appropriate account for expenditure:

- 1096 1. Funds for student transportation.
- 1097 2. Funds for safe schools.
- 1098 3. Funds for supplemental academic instruction.
- 1099 4. Funds for research-based reading instruction.
- 1100 5. Funds for instructional materials if all instructional
1101 material purchases have been completed for that fiscal year, but
1102 no sooner than March 1, 2010 ~~2009~~.

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1103 (12) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR
1104 CURRENT OPERATION.—The total annual state allocation to each
1105 district for current operation for the FEFP shall be distributed
1106 periodically in the manner prescribed in the General
1107 Appropriations Act.

1108 (a) ~~The basic amount for current operation for the FEFP as~~
1109 ~~determined in subsection (1), multiplied by the district cost~~
1110 ~~differential factor as determined in subsection (2), plus the~~
1111 ~~amounts provided for categorical components within the FEFP,~~
1112 ~~plus the discretionary millage compression supplement as~~
1113 ~~determined in subsection (5), the amount for the sparsity~~
1114 ~~supplement as determined in subsection (7), the decline in full-~~
1115 ~~time equivalent students as determined in subsection (8), the~~
1116 ~~research-based reading instruction allocation as determined in~~
1117 ~~subsection (9), the allocation for juvenile justice education~~
1118 ~~programs as determined in subsection (10), the quality assurance~~
1119 ~~guarantee as determined in subsection (11), less the required~~
1120 ~~local effort as determined in subsection (4). If the funds~~
1121 ~~appropriated for the purpose of funding the total amount for~~
1122 ~~current operation for the FEFP as provided in this paragraph are~~
1123 ~~not sufficient to pay the state requirement in full, the~~
1124 ~~department shall prorate the available state funds to each~~
1125 ~~district in the following manner:~~

1126 1. Determine the percentage of proration by dividing the
1127 sum of the total amount for current operation, as provided in
1128 this paragraph for all districts collectively, and the total
1129 district required local effort into the sum of the state funds
1130 available for current operation and the total district required
1131 local effort.

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1132 2. Multiply the percentage so determined by the sum of the
1133 total amount for current operation as provided in this paragraph
1134 and the required local effort for each individual district.

1135 3. From the product of such multiplication, subtract the
1136 required local effort of each district; and the remainder shall
1137 be the amount of state funds allocated to the district for
1138 current operation.

1139 Section 27. The amendments made by this act to subsection
1140 (1) of section 1011.62, Florida Statutes, except for newly
1141 created paragraph (1), shall apply to bonuses earned in the
1142 2008-2009 fiscal year for funding in the 2009-2010 fiscal year.

1143 Section 28. Section 1011.675, Florida Statutes, is created
1144 to read:

1145 1011.675 Discretionary bonus allocation for outstanding
1146 performance.-

1147 (1) A discretionary bonus allocation is created for school
1148 districts to recognize and reward the outstanding performance of
1149 students, teachers, and school-based administrators in an amount
1150 to be determined by the Legislature. The funds shall be
1151 allocated to each school district as provided in the General
1152 Appropriations Act.

1153 (2) Notwithstanding the provisions of s. 1012.225, relating
1154 to the Merit Award Program for Instructional Personnel and
1155 School-Based Administrators, and s. 1012.72, relating to the
1156 Excellent Teaching Program, during the 2009-2010 and 2010-2011
1157 fiscal years, school districts may use the funds received under
1158 this section for any or all of the programs listed in this
1159 subsection or for any other purpose that the district school
1160 board deems appropriate.

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1161 Section 29. Subsection (7) of section 1011.68, Florida
1162 Statutes, is repealed.

1163 Section 30. Section 1011.685, Florida Statutes, is amended
1164 to read:

1165 1011.685 Class size reduction; operating categorical fund.—

1166 (1) There is created an operating categorical fund for
1167 implementing the class size reduction provisions of s. 1, Art.
1168 IX of the State Constitution. These funds shall be allocated to
1169 each school district in the amount prescribed by the Legislature
1170 in the General Appropriations Act.

1171 (2) Class size reduction operating categorical funds shall
1172 be used by school districts to reduce class size as required in
1173 s. 1003.03, or the funds may be used for any lawful operating
1174 expenditure; however, priority shall be given to increasing
1175 salaries of classroom teachers. ~~for the following:~~

1176 ~~(a) To reduce class size in any lawful manner, if the~~
1177 ~~district has not met the constitutional maximums identified in~~
1178 ~~s. 1003.03(1) or the reduction of two students per year required~~
1179 ~~by s. 1003.03(2).~~

1180 ~~(b) For any lawful operating expenditure, if the district~~
1181 ~~has met the constitutional maximums identified in s. 1003.03(1)~~
1182 ~~or the reduction of two students per year required by s.~~
1183 ~~1003.03(2); however, priority shall be given to increase~~
1184 ~~salaries of classroom teachers as defined in s. 1012.01(2)(a)~~
1185 ~~and to implement the differentiated-pay provisions detailed in~~
1186 ~~s. 1012.22.~~

1187 Section 31. Subsections (2), (3), and (4) of section
1188 1011.71, Florida Statutes, as amended by section 12 of chapter
1189 2009-3, Laws of Florida, are amended, and subsection (9) is

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1190 added to that section, to read:

1191 1011.71 District school tax.—

1192 (2) In addition to the maximum millage levy as provided in
1193 subsection (1), each school board may levy not more than 1.5
1194 ~~1.75~~ mills against the taxable value for school purposes for
1195 district schools, including charter schools at the discretion of
1196 the school board, to fund:

1197 (a) New construction and remodeling projects, as set forth
1198 in s. 1013.64(3)(b) and (6)(b) and included in the district's
1199 educational plant survey pursuant to s. 1013.31, without regard
1200 to prioritization, sites and site improvement or expansion to
1201 new sites, existing sites, auxiliary facilities, athletic
1202 facilities, or ancillary facilities.

1203 (b) Maintenance, renovation, and repair of existing school
1204 plants or of leased facilities to correct deficiencies pursuant
1205 to s. 1013.15(2).

1206 (c) The purchase, lease-purchase, or lease of school buses.

1207 (d) Effective July 1, 2008, the purchase, lease-purchase,
1208 or lease of new and replacement equipment, and enterprise
1209 resource software applications that are classified as capital
1210 assets in accordance with definitions of the Governmental
1211 Accounting Standards Board, have a useful life of at least 5
1212 years, and are used to support districtwide administration or
1213 state-mandated reporting requirements.

1214 (e) Payments for educational facilities and sites due under
1215 a lease-purchase agreement entered into by a district school
1216 board pursuant to s. 1003.02(1)(f) or s. 1013.15(2), not
1217 exceeding, in the aggregate, an amount equal to three-fourths of
1218 the proceeds from the millage levied by a district school board

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1219 pursuant to this subsection. For the 2009-2010 fiscal year, the
1220 three-fourths limit is waived for lease-purchase agreements
1221 entered into before June 30, 2009, by a district school board
1222 pursuant to this paragraph.

1223 (f) Payment of loans approved pursuant to ss. 1011.14 and
1224 1011.15.

1225 (g) Payment of costs directly related to complying with
1226 state and federal environmental statutes, rules, and regulations
1227 governing school facilities.

1228 (h) Payment of costs of leasing relocatable educational
1229 facilities, of renting or leasing educational facilities and
1230 sites pursuant to s. 1013.15(2), or of renting or leasing
1231 buildings or space within existing buildings pursuant to s.
1232 1013.15(4).

1233 (i) Payment of the cost of school buses when a school
1234 district contracts with a private entity to provide student
1235 transportation services if the district meets the requirements
1236 of this paragraph.

1237 1. The district's contract must require that the private
1238 entity purchase, lease-purchase, or lease, and operate and
1239 maintain, one or more school buses of a specific type and size
1240 that meet the requirements of s. 1006.25.

1241 2. Each such school bus must be used for the daily
1242 transportation of public school students in the manner required
1243 by the school district.

1244 3. Annual payment for each such school bus may not exceed
1245 10 percent of the purchase price of the state pool bid.

1246 4. The proposed expenditure of the funds for this purpose
1247 must have been included in the district school board's notice of

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1248 proposed tax for school capital outlay as provided in s.
1249 200.065(10).

1250 (j) Payment of the cost of the opening day collection for
1251 the library media center of a new school.

1252 (3) If the revenue from the millage authorized in
1253 subsection (2) is insufficient to make payments due under a
1254 lease-purchase agreement entered into prior to June 30, 2008, by
1255 a district school board pursuant to paragraph (2)(e), an amount
1256 up to 0.5 ~~0.25~~ mills of the taxable value for school purposes
1257 within the school district shall be legally available for such
1258 payments, notwithstanding other restrictions on the use of such
1259 revenues imposed by law.

1260 (4) Effective July 1, 2008, ~~and through June 30, 2010,~~ a
1261 school district may expend, subject to the provisions of s.
1262 200.065, up to \$100 per unweighted full-time equivalent student
1263 from the revenue generated by the millage levy authorized by
1264 subsection (2) to fund, in addition to expenditures authorized
1265 in paragraphs (2)(a)-(j), expenses for the following:

1266 (a) The purchase, lease-purchase, or lease of driver's
1267 education vehicles; motor vehicles used for the maintenance or
1268 operation of plants and equipment; security vehicles; or
1269 vehicles used in storing or distributing materials and
1270 equipment.

1271 (b) Payment of the cost of premiums for property and
1272 casualty insurance necessary to insure school district
1273 educational and ancillary plants. Operating revenues that are
1274 made available through the payment of property and casualty
1275 insurance premiums from revenues generated under this subsection
1276 may be expended only for nonrecurring operational expenditures

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1277 of the school district.

1278 (9) Notwithstanding subsection (2), for the 2009-2010
1279 fiscal year, if the revenue from 1.5 mills is insufficient to
1280 meet the payments due under a lease-purchase agreement entered
1281 into before June 30, 2009, by a district school board pursuant
1282 to paragraph (2)(e), or to meet other critical district fixed
1283 capital outlay needs, the board, in addition to the 1.5 mills,
1284 may levy up to 0.25 mills for fixed capital outlay in lieu of
1285 levying an equivalent amount of the discretionary mills for
1286 operations as provided in the General Appropriations Act for
1287 2009-2010. Millage levied pursuant to this subsection is subject
1288 to the provisions of s. 200.065 and, combined with the 1.5 mills
1289 authorized in subsection (2), may not exceed 1.75 mills. If the
1290 district chooses to use up to .25 mills for fixed capital
1291 outlay, the compression adjustment pursuant to s. 1011.62(5)
1292 shall be calculated for the standard discretionary millage that
1293 is not eligible for transfer to capital outlay.

1294 Section 32. If the Commissioner of Education determines
1295 that a school district acted in good faith, he or she may waive
1296 the equal-dollar reduction, required in s. 1011.71(5), Florida
1297 Statutes, for audit findings during the 2007-2008 fiscal year
1298 which were related to the purchase of software.

1299 Section 33. Paragraph (g) of subsection (3) of section
1300 1012.33, Florida Statutes, is amended, and subsection (9) is
1301 added to that section, to read:

1302 1012.33 Contracts with instructional staff, supervisors,
1303 and school principals.—

1304 (3)

1305 (g) Beginning July 1, 2001, for each employee who enters

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1306 into a written contract, pursuant to this section, in a school
1307 district in which the employee was not employed as of June 30,
1308 2001, or was employed as of June 30, 2001, but has since broken
1309 employment with that district for 1 school year or more, for
1310 purposes of pay, a district school board must recognize and
1311 accept each year of full-time public school teaching service
1312 earned in the State of Florida ~~or outside the state~~ and for
1313 which the employee received a satisfactory performance
1314 evaluation; however, an employee may voluntarily waive this
1315 provision. Instructional personnel employed pursuant to s.
1316 121.091(9)(b)3. are exempt from the provisions of this
1317 paragraph.

1318 (9) Notwithstanding this section or any other law or rule
1319 to the contrary, for the 2009-2010 and 2010-2011 fiscal years,
1320 district school boards should not enter into a new professional
1321 service contract if the only funds available to pay such
1322 contract are from nonrecurring Federal Stabilization Funds.

1323 Section 34. Subsection (6) is added to section 1012.71,
1324 Florida Statutes, to read:

1325 1012.71 The Florida Teachers Lead Program.—

1326 (6) For the 2009-2010 fiscal year, the Department of
1327 Education is authorized to conduct a pilot program to determine
1328 the feasibility of managing the Florida Teachers Lead Program
1329 through a centralized electronic system. The pilot program must:

1330 (a) Be established through a competitive process;

1331 (b) Provide the capability for participating teachers to
1332 purchase from online sources;

1333 (c) Provide the capability for participating teachers to
1334 purchase from local vendors by means other than online

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1335 purchasing;

1336 (d) Generally comply with the provisions of this section;

1337 (e) Be subject to annual auditing requirements to ensure
1338 accountability for funds received and disbursed; and

1339 (f) Provide for all unused funds to be returned to the
1340 state at the close of each fiscal year.

1341

1342 Any participation in this pilot program by school districts and
1343 individual teachers must be on a voluntary basis. The department
1344 may limit the number of participating districts to the number it
1345 deems feasible to adequately test the viability of the pilot
1346 program. The department is not required to implement this pilot
1347 program if it determines that the number of school districts
1348 willing to participate is insufficient to adequately test the
1349 viability of the pilot program.

1350 Section 35. Subsection (1) of section 1013.62, Florida
1351 Statutes, is amended to read:

1352 1013.62 Charter schools capital outlay funding.—

1353 (1) In each year in which funds are appropriated for
1354 charter school capital outlay purposes, the Commissioner of
1355 Education shall allocate the funds among eligible charter
1356 schools.

1357 (a) To be eligible for a funding allocation, a charter
1358 school must:

1359 1.a.~~(a)1.~~ Have been in operation for 3 or more years;

1360 b. Be governed by a governing board established in the
1361 state for 3 or more years which operates both charter schools
1362 and conversion charter schools within the state;

1363 c.2.~~2.~~ Be an expanded feeder chain of a charter school within

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1364 the same school district that is currently receiving charter
1365 school capital outlay funds; or

1366 d.3. Have been accredited by the Commission on Schools of
1367 the Southern Association of Colleges and Schools.

1368 2.(b) Have financial stability for future operation as a
1369 charter school.

1370 3.(e) Have satisfactory student achievement based on state
1371 accountability standards applicable to the charter school.

1372 4.(d) Have received final approval from its sponsor
1373 pursuant to s. 1002.33 for operation during that fiscal year.

1374 5.(e) Serve students in facilities that are not provided by
1375 the charter school's sponsor.

1376 (b) The first priority for charter school capital outlay
1377 funding is ~~shall be~~ to allocate to the charter schools that
1378 received funding in the 2005-2006 fiscal year an allocation of
1379 the same amount per capital outlay full-time equivalent student,
1380 up to the lesser of the actual number of capital outlay full-
1381 time equivalent students in the current year, or the capital
1382 outlay full-time equivalent students in the 2005-2006 fiscal
1383 year. After calculating the first priority, the second priority
1384 is ~~shall be~~ to allocate excess funds remaining in the
1385 appropriation in an amount equal to the per capital outlay full-
1386 time equivalent student amount in the first priority calculation
1387 to eligible charter schools not included in the first priority
1388 calculation and to schools in the first priority calculation
1389 with growth greater than ~~in excess of~~ the 2005-2006 capital
1390 outlay full-time equivalent students. After calculating the
1391 first and second priorities, excess funds remaining in the
1392 appropriation must ~~shall~~ be allocated to all eligible charter

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1393 schools.

1394 (c) A charter school's allocation may ~~shall~~ not exceed one-
1395 fifteenth of the cost per student station specified in s.
1396 1013.64(6)(b). Before releasing ~~Prior to the release of~~ capital
1397 outlay funds to a school district on behalf of the charter
1398 school, the Department of Education must ~~shall~~ ensure that the
1399 district school board and the charter school governing board
1400 enter into a written agreement that provides ~~includes provisions~~
1401 for the reversion of any unencumbered funds and all equipment
1402 and property purchased with public education funds to the
1403 ownership of the district school board, as provided for in
1404 subsection (3) if, ~~in the event that~~ the school terminates
1405 operations. Any funds recovered by the state shall be deposited
1406 in the General Revenue Fund.

1407 (d) A charter school is not eligible for a funding
1408 allocation if it was created by the conversion of a public
1409 school and operates in facilities provided by the charter
1410 school's sponsor for a nominal fee, or at no charge, or if it is
1411 directly or indirectly operated by the school district.

1412 (e) Unless otherwise provided in the General Appropriations
1413 Act, the funding allocation for each eligible charter school is
1414 ~~shall be~~ determined by multiplying the school's projected
1415 student enrollment by one-fifteenth of the cost-per-student
1416 station specified in s. 1013.64(6)(b) for an elementary, middle,
1417 or high school, as appropriate. If the funds appropriated are
1418 not sufficient, the commissioner shall prorate the available
1419 funds among eligible charter schools. However, a ~~no~~ charter
1420 school or charter lab school may not ~~shall~~ receive state charter
1421 school capital outlay funds greater than ~~in excess of~~ the one-

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1422 fifteenth cost per student station formula if the charter
1423 school's combination of state charter school capital outlay
1424 funds, capital outlay funds calculated through the reduction in
1425 the administrative fee provided in s. 1002.33(20), and capital
1426 outlay funds allowed in s. 1002.32(9)(e) and (h) exceeds the
1427 one-fifteenth cost per student station formula.

1428 (f) Funds shall be distributed on the basis of the capital
1429 outlay full-time equivalent membership by grade level, which is
1430 ~~shall be~~ calculated by averaging the results of the second and
1431 third enrollment surveys. The Department of Education shall
1432 distribute capital outlay funds monthly, beginning in the first
1433 quarter of the fiscal year, based on one-twelfth of the amount
1434 the department reasonably expects the charter school to receive
1435 during that fiscal year. The commissioner shall adjust
1436 subsequent distributions as necessary to reflect each charter
1437 school's actual student enrollment as reflected in the second
1438 and third enrollment surveys. The commissioner shall establish
1439 the intervals and procedures for determining the projected and
1440 actual student enrollment of eligible charter schools.

1441 Section 36. Paragraph (b) of subsection (6) of section
1442 1013.64, Florida Statutes, is amended, as amended by section 14
1443 of chapter 2009-3, Laws of Florida, and subsection (7) is added
1444 to that section, to read:

1445 1013.64 Funds for comprehensive educational plant needs;
1446 construction cost maximums for school district capital
1447 projects.—Allocations from the Public Education Capital Outlay
1448 and Debt Service Trust Fund to the various boards for capital
1449 outlay projects shall be determined as follows:

1450 (6)

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1451 (b)1. A district school board, including a district school
1452 board of an academic performance-based charter school district,
1453 must not use funds from the following sources: Public Education
1454 Capital Outlay and Debt Service Trust Fund; School District and
1455 Community College District Capital Outlay and Debt Service Trust
1456 Fund; Classrooms First Program funds provided in s. 1013.68;
1457 effort index grant funds provided in s. 1013.73; nonvoted 1.5-
1458 mill ~~1.75-mill~~ levy of ad valorem property taxes provided in s.
1459 1011.71(2); Classrooms for Kids Program funds provided in s.
1460 1013.735; District Effort Recognition Program funds provided in
1461 s. 1013.736; or High Growth District Capital Outlay Assistance
1462 Grant Program funds provided in s. 1013.738 for any new
1463 construction of educational plant space with a total cost per
1464 student station, including change orders, that equals more than:
1465 a. \$17,952 for an elementary school,
1466 b. \$19,386 for a middle school, or
1467 c. \$25,181 for a high school,
1468
1469 (January 2006) as adjusted annually to reflect increases or
1470 decreases in the Consumer Price Index.

1471 2. A district school board must not use funds from the
1472 Public Education Capital Outlay and Debt Service Trust Fund or
1473 the School District and Community College District Capital
1474 Outlay and Debt Service Trust Fund for any new construction of
1475 an ancillary plant that exceeds 70 percent of the average cost
1476 per square foot of new construction for all schools.

1477 (7) Notwithstanding subsection (2), the district school
1478 board of Wakulla County shall contribute 1 mill in the 2009-2010
1479 fiscal year and 0.50 mill in the 2010-2011 fiscal year to the

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1480 cost of currently funded special facilities construction
1481 projects. The district school board of Liberty County shall
1482 contribute 1 mill in the 2009-2010 fiscal year, 1 mill in the
1483 2010-2011 fiscal year, and 1 mill in the 2011-2012 fiscal year.

1484 Section 37. Section 9 of chapter 2008-142, Laws of Florida,
1485 is repealed.

1486 Section 38. In order to implement Specific Appropriations
1487 5B, 6, 7, 76, and 77 of the General Appropriations Act for the
1488 2009-2010 fiscal year, the calculations of the Florida Education
1489 Finance Program for the 2009-2010 fiscal year in the document
1490 entitled "Public School Funding - The Florida Education Finance
1491 Program," dated April 17, 2009, and filed with the Secretary of
1492 the Senate are incorporated by reference for the purpose of
1493 displaying the calculations used by the Legislature, consistent
1494 with requirements of the Florida Statutes, in making
1495 appropriations for the Florida Education Finance Program.

1496 Section 39. This act shall take effect July 1, 2009.