

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Fitzgerald offered the following:

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

4 Remove lines 182-769 and insert:

5  
6 Section 5. Subsection (25) of section 1001.42, Florida  
7 Statutes, as amended by chapter 2009-3, Laws of Florida, is  
8 amended to read:

9 1001.42 Powers and duties of district school board.--The  
10 district school board, acting as a board, shall exercise all  
11 powers and perform all duties listed below:

12 (25) EMPLOYMENT CONTRACTS.--~~On or after February 1, 2009,~~  
13 A district school board may not enter into an employment  
14 contract ~~that is funded from state funds and that requires the~~  
15 district to pay from state funds an employee an amount in excess  
16 of 1 year of the employee's annual salary for termination, buy-  
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17 out, or any other type of contract settlement. This subsection  
18 does not prohibit the payment of earned leave and benefits in  
19 accordance with the district's leave and benefits policies which  
20 are accrued by the employee before the contract terminates.

21 Section 6. Paragraph (c) of subsection (2) of section  
22 1001.451, Florida Statutes, is amended to read:

23 1001.451 Regional consortium service organizations.--In  
24 order to provide a full range of programs to larger numbers of  
25 students, minimize duplication of services, and encourage the  
26 development of new programs and services:

27 (2)

28 (c) Notwithstanding paragraph (a), the appropriation ~~for~~  
29 ~~the 2008-2009 fiscal year~~ may be less than \$50,000 per school  
30 district and eligible member. If the amount appropriated is  
31 insufficient to provide \$50,000, the funds available must be  
32 prorated among all eligible districts and members. ~~This~~  
33 ~~paragraph expires July 1, 2009.~~

34 Section 7. Subsections (6) and (7) are added to section  
35 1001.47, Florida Statutes, to read:

36 1001.47 District school superintendent; salary.--

37 (6) Notwithstanding the provisions of this section and s.  
38 145.19, elected district school superintendents may reduce their  
39 salary rates on a voluntary basis.

40 (7) Notwithstanding the provisions of this section and s.  
41 145.19, for the 2009-2010 fiscal year, the salary of each  
42 elected district school superintendent calculated pursuant to  
43 this section shall be reduced by 5 percent.

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

48 1001.50 Superintendents employed under Art. IX of the  
49 State Constitution.--

50 (2) The district school board of each of such districts  
51 shall enter into contracts of employment with the district  
52 school superintendent and shall adopt rules relating to his or  
53 her appointment; however, ~~on or after February 1, 2009,~~ the  
54 district school board may not enter into an employment contract  
55 ~~that is funded from state funds and that requires the district~~  
56 to pay from state funds a superintendent an amount in excess of  
57 1 year of the superintendent's annual salary for termination,  
58 buy-out, or any other type of contract settlement. This  
59 subsection does not prohibit the payment of earned leave and  
60 benefits in accordance with the district's leave and benefits  
61 policies which are accrued by the superintendent before the  
62 contract terminates.

63 (5) Notwithstanding any other law, resolution, or rule to  
64 the contrary, a district school superintendent employed under  
65 this section may not receive more than \$225,000 in remuneration  
66 annually from state funds. "Remuneration" means salary, bonuses,  
67 and cash-equivalent compensation paid to a district school  
68 superintendent by his or her employer for work performed,  
69 excluding health insurance benefits and retirement benefits.  
70 Only compensation, as defined in s. 121.021(22), that is

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71 provided to a superintendent may be used in calculating benefits  
72 under chapter 121.

73 (6) District school boards and district school  
74 superintendents employed pursuant to this section are encouraged  
75 to review the superintendent's annual remuneration for the 2009-  
76 2010 fiscal year and mutually agree to a reduction of at least 5  
77 percent.

78 Section 9. Paragraph (g) of subsection (3) of section  
79 1002.37, Florida Statutes, is amended to read:

80 1002.37 The Florida Virtual School.--

81 (3) Funding for the Florida Virtual School shall be  
82 provided as follows:

83 (g) The Florida Virtual School shall receive additional  
84 state funds as may be provided in the General Appropriations  
85 Act; however, such funds may not be provided for the purpose of  
86 fulfilling the class size requirements in ss. 1003.03 and  
87 1011.685.

88 Section 10. Subsections (1), (2), (7), (8), (10), (11),  
89 and (12) of section 1002.45, Florida Statutes, are amended to  
90 read:

91 1002.45 School district virtual instruction programs.--

92 (1) PROGRAM.--

93 (a) Beginning with the 2009-2010 school year, each school  
94 district may ~~shall~~ provide eligible students within its  
95 boundaries the option of participating in a virtual instruction  
96 program operated by the school district which is a program  
97 separate from the Florida Virtual School under s. 1002.37. The  
98 purpose of the program is to make instruction available to  
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99 students using online and distance learning technology in the  
100 nontraditional classroom and to provide an exit option for  
101 students authorized to participate under paragraph (7)(c). The  
102 program shall be ~~provide virtual instruction to~~ full-time for  
103 students enrolled in ~~full-time virtual courses in~~ kindergarten  
104 through grade 8 and ~~or in~~ full-time or part-time for students  
105 enrolled virtual courses in grades 9 through 12 as authorized in  
106 paragraph (7)(c).

107 (b) Each school district's virtual instruction program  
108 shall use ~~may consist of~~ one or more ~~schools that are operated~~  
109 ~~by the district or by~~ contracted providers approved by the  
110 Department of Education under subsection (2). School districts  
111 may participate in multidistrict contractual arrangements, which  
112 may include contracts executed by a regional consortium for its  
113 member districts, to provide such programs.

114 (c) Except as provided in paragraph (7)(c), virtual  
115 instruction is instruction in which at least 80 percent of the  
116 direct instruction is provided by a Florida-certified teacher  
117 using some form of technology when the student and the teacher  
118 are separated by time or space, or both.

119 (d) If a student was enrolled in a K-8 Virtual School  
120 Program under s. 1002.415 for the 2008-2009 school year and the  
121 student resides in a school district that does not offer a  
122 virtual instruction program, the school district must provide  
123 the student access to the virtual school program in which the  
124 student was enrolled during the 2008-2009 school year.

125 (e) ~~A charter school may enter into a joint agreement with~~  
126 ~~the school district in which it is located for the charter~~  
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127 ~~school's students to participate in an approved district virtual~~  
128 ~~instruction program.~~

129 (2) PROVIDER QUALIFICATIONS. ~~--On or before March 1, 2009,~~  
130 ~~and annually thereafter,~~ The department shall annually provide  
131 school districts with a list of no more than two approved  
132 providers for the K-8 virtual instruction program and no more  
133 than two approved providers for the virtual instruction program  
134 under paragraph (7)(c) providers approved to offer virtual  
135 instruction. To be approved by the department, a contract  
136 provider must annually document that it:

137 (a) Is nonsectarian in its programs, admission policies,  
138 employment practices, and operations;

139 (b) Complies with the antidiscrimination provisions of s.  
140 1000.05;

141 (c) Locates an administrative office or offices in this  
142 state, requires its administrative staff to be state residents,  
143 and requires all instructional staff members to be Florida-  
144 certified teachers;

145 (d) Possesses prior, successful experience offering online  
146 courses to elementary, middle, or high school students;

147 (e) Utilizes Florida-certified ~~an instructional model that~~  
148 ~~relies on certified teachers, not parents, to provide at least~~  
149 ~~85 percent of the instruction to the student;~~

150 (f) Requires all school employees to have background  
151 screening as required by s. 1012.32;

152 (g) Provides no more than 20 percent of instruction to the  
153 student by a parent or an instructional coach;

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154        (h)~~(f)~~ Is accredited by the Southern Association of  
155 Colleges and Schools Council on Accreditation and School  
156 Improvement, the North Central Association Commission on  
157 Accreditation and School Improvement, the Middle States  
158 Association of Colleges and Schools Commission on Elementary  
159 Schools and Commission on Secondary Schools, the New England  
160 Association of Schools and Colleges, the Northwest Association  
161 of Accredited Schools, or the Western Association of Schools and  
162 Colleges ~~the Commission on Colleges of the Southern Association~~  
163 ~~of Colleges and Schools, the Middle States Association of~~  
164 ~~Colleges and Schools, the North Central Association of Colleges~~  
165 ~~and Schools, or the New England Association of Colleges and~~  
166 ~~Schools; and~~

167        (i)~~(g)~~ Complies with all requirements under this section.

168  
169 Notwithstanding this subsection, approved providers of virtual  
170 instruction shall include the Florida Virtual School established  
171 under s. 1002.37 ~~and providers that operate under s. 1002.415.~~

172        (7) FUNDING.--

173        (a) For purposes of a district virtual instruction  
174 program, "full-time equivalent student" has the same meaning as  
175 provided in s. 1011.61(1)(c)1.b.(III) or (IV).

176        (b) The school district shall report full-time equivalent  
177 students for the school district virtual instruction program ~~and~~  
178 ~~for a charter school's students who participate under paragraph~~  
179 ~~(1)(e)~~ to the department only in a manner prescribed by the  
180 department, and funding shall be provided through the Florida  
181 Education Finance Program.

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

187 (8) ASSESSMENT AND ACCOUNTABILITY.--

188 (a) ~~With the exception of the programs offered by the~~  
189 ~~Florida Virtual School under s. 1002.37, Each school district K-~~  
190 ~~8 virtual instruction program must:~~

191 1. participate in the statewide assessment program under  
192 s. 1008.22 and in the state's education performance  
193 accountability system under s. 1008.31.

194 2. ~~Receive a school grade as provided in s. 1008.34. A~~  
195 ~~school district virtual instruction program shall be considered~~  
196 ~~a school under s. 1008.34 for purposes of this section,~~  
197 ~~regardless of the number of individual providers participating~~  
198 ~~in the district's program.~~

199 (b) The department shall aggregate by provider the  
200 statewide assessment scores of the students in each school  
201 district full-time K-8 virtual instruction program at the end of  
202 each year and publish a statewide school grade for each  
203 provider. ~~The performance of part-time students under paragraph~~  
204 ~~(7)(c) shall not be included for purposes of school grading~~  
205 ~~under subparagraph (a)2.; however, their performance shall be~~  
206 ~~included for school grading purposes by the nonvirtual school~~  
207 ~~providing the student's primary instruction.~~

208 (c) A provider program that is designated with a grade of  
209 "D," making less than satisfactory progress, or "F," failing to  
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210 make adequate progress, must file a school improvement plan with  
211 the department for consultation to determine the causes for low  
212 performance and to develop a plan for correction and  
213 improvement.

214 (d) The school district shall terminate its program with a  
215 provider, ~~including all contracts with providers for such~~  
216 ~~program~~, if the provider ~~program~~ receives a grade of "D," making  
217 less than satisfactory progress, or "F," failing to make  
218 adequate progress, for 2 years during any consecutive 4-year  
219 period. If a contract is not renewed or is terminated, the  
220 contracted provider is responsible for all debts of the program  
221 or school operated by the provider.

222 (e) A school district that terminates its contract with a  
223 provider ~~program~~ under paragraph (d) may ~~shall~~ contract with  
224 another ~~a~~ provider ~~selected and~~ approved by the department for  
225 the provision of virtual instruction ~~until the school district~~  
226 ~~receives approval from the department to operate a new school~~  
227 ~~district virtual instruction program~~.

228 (10) MARKETING.--Any information provided by a school  
229 district to parents and students regarding ~~the school district's~~  
230 virtual education ~~instruction program~~ must include information  
231 about ~~opportunities available at,~~ and the parent's and student's  
232 right to access courses offered by the school district virtual  
233 instruction program and by, the Florida Virtual School under s.  
234 1002.37.

235 ~~(11) 2008-2009 SCHOOL DISTRICT VIRTUAL INSTRUCTION~~  
236 ~~PROGRAM. For the 2008-2009 school year, each school district in~~  
237 ~~the state may offer a school district virtual instruction~~

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238 ~~program to provide full-time virtual courses in kindergarten~~  
239 ~~through grade 8 or to provide full-time or part-time virtual~~  
240 ~~courses in grades 9 through 12 as authorized in paragraph~~  
241 ~~(7)(c). Such program may be operated or contracted as provided~~  
242 ~~under paragraph (1)(b) and must comply with all requirements of~~  
243 ~~this section, except that contracts under this subsection may~~  
244 ~~only be issued for virtual courses in kindergarten through grade~~  
245 ~~8 to providers operating under s. 1002.415 or for virtual~~  
246 ~~courses in grades 9 through 12 as authorized under paragraph~~  
247 ~~(7)(c) to providers who contracted with a regional consortium in~~  
248 ~~the 2007-2008 school year to provide such services.~~

249 ~~(11)(12)~~ RULES.--The State Board of Education shall adopt  
250 rules necessary to administer this section, including rules that  
251 prescribe school district ~~and charter school~~ reporting  
252 requirements.

253 Section 11. Paragraph (a) of subsection (4) and paragraph  
254 (d) of subsection (6) of section 1002.71, Florida Statutes, as  
255 amended by chapter 2009-3, Laws of Florida, are amended to read:

256 1002.71 Funding; financial and attendance reporting.--

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

258 (a) A child who, for any of the prekindergarten programs  
259 listed in s. 1002.53(3), has not completed more than 70 ~~10~~  
260 percent of the hours authorized to be reported for funding under  
261 subsection (2) may withdraw from the program for good cause and~~,~~  
262 reenroll in one of the programs, ~~and be reported for funding~~  
263 ~~purposes as a full-time equivalent student in the program for~~  
264 ~~which the child is reenrolled.~~ The total funding for a child who  
265 reenrolls in one of the programs for good cause shall not exceed  
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266 one full-time equivalent student. Funding for a child who  
267 withdraws and reenrolls in one of the programs for good cause  
268 shall be issued in accordance with the uniform attendance policy  
269 adopted pursuant to paragraph (6) (d).

270  
271 A child may reenroll only once in a prekindergarten program  
272 under this section. A child who reenrolls in a prekindergarten  
273 program under this subsection may not subsequently withdraw from  
274 the program and reenroll. The Agency for Workforce Innovation  
275 shall establish criteria specifying whether a good cause exists  
276 for a child to withdraw from a program under paragraph (a),  
277 whether a child has substantially completed a program under  
278 paragraph (b), and whether an extreme hardship exists which is  
279 beyond the child's or parent's control under paragraph (b).

280 (6)

281 (d) The Agency for Workforce Innovation shall adopt, for  
282 funding purposes, a uniform attendance policy for the Voluntary  
283 Prekindergarten Education Program. The attendance policy must  
284 apply statewide and apply equally to all private prekindergarten  
285 providers and public schools. The attendance policy must  
286 ~~establish a minimum requirement for student attendance and~~  
287 include at least the following provisions:

288 1. Beginning with the 2009-2010 fiscal year for school-  
289 year programs, a student's attendance may be reported on a pro  
290 rata basis as a fraction of ~~and the 2009 summer program, a~~  
291 ~~student who meets the minimum requirement of 80 percent of the~~  
292 ~~total number of hours for the program may be reported as a full-~~  
293 ~~time equivalent student for funding purposes.~~

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294       2. At a maximum, 20 percent of the total payment for each  
295 student made to a private kindergarten provider or public school  
296 may be for hours a student is absent. ~~A student who does not~~  
297 ~~meet the minimum requirement may be reported only as a~~  
298 ~~fractional part of a full-time equivalent student, reduced pro~~  
299 ~~rata based on the student's attendance.~~

300       3. A private prekindergarten provider or public school may  
301 not receive payment for absences that occur before a student's  
302 first day of attendance or after a student's last day of  
303 attendance. ~~A student who does not meet the minimum requirement~~  
304 ~~may be reported as a full-time equivalent student if the student~~  
305 ~~is absent for good cause in accordance with exceptions specified~~  
306 ~~in the uniform attendance policy.~~

307  
308 The uniform attendance policy shall be used only for funding  
309 purposes and does not prohibit a private prekindergarten  
310 provider or public school from adopting and enforcing its  
311 attendance policy under paragraphs (a) and (c).

312       Section 12. Paragraph (b) of subsection (2) of section  
313 1003.03, Florida Statutes, is amended to read:

314       1003.03 Maximum class size.--

315       (2) IMPLEMENTATION.--

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

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

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

324           3. For fiscal year 2010-2011 ~~2009-2010~~ and thereafter, the  
325 calculation for compliance shall be at the individual classroom  
326 level.

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

330           Section 13. Paragraph (a) of subsection (1) of section  
331 1004.55, Florida Statutes, is amended to read:

332           1004.55 Regional autism centers.--

333           (1) Seven regional autism centers are established to  
334 provide nonresidential resource and training services for  
335 persons of all ages and of all levels of intellectual  
336 functioning who have autism, as defined in s. 393.063; who have  
337 a pervasive developmental disorder that is not otherwise  
338 specified; who have an autistic-like disability; who have a dual  
339 sensory impairment; or who have a sensory impairment with other  
340 handicapping conditions. Each center shall be operationally and  
341 fiscally independent and shall provide services within its  
342 geographical region of the state. Service delivery shall be  
343 consistent for all centers. Each center shall coordinate  
344 services within and between state and local agencies and school  
345 districts but may not duplicate services provided by those  
346 agencies or school districts. The respective locations and  
347 service areas of the centers are:

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348 (a) The College of Medicine ~~Department of Communication~~  
349 ~~Disorders~~ at Florida State University, which serves Bay,  
350 Calhoun, Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson,  
351 Jefferson, Leon, Liberty, Madison, Okaloosa, Santa Rosa, Taylor,  
352 Wakulla, Walton, and Washington Counties.

353 Section 14. Paragraph (b) of subsection (5) of section  
354 1006.06, Florida Statutes, is amended to read:

355 1006.06 School food service programs.--

356 (5)

357 (b) Beginning with the 2009-2010 school year, each school  
358 district must annually set prices for breakfast meals at rates  
359 that, combined with federal reimbursements and state  
360 allocations, are sufficient to defray costs of school breakfast  
361 programs without requiring allocations from the district's  
362 operating funds, except if the district school board approves  
363 lower rates.

364 Section 15. Subsection (1) of section 1006.28, Florida  
365 Statutes, is amended to read:

366 1006.28 Duties of district school board, district school  
367 superintendent; and school principal regarding K-12  
368 instructional materials.--

369 (1) DISTRICT SCHOOL BOARD.--The district school board has  
370 the duty to provide adequate instructional materials for all  
371 students in accordance with the requirements of this part. The  
372 term "adequate instructional materials" means a sufficient  
373 number of textbooks or sets of materials that are available in  
374 bound, unbound, kit, or package form and may consist of  
375 hardbacked or softbacked textbooks, consumables, learning

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376 laboratories, manipulatives, electronic media, and computer  
377 courseware or software that serve ~~serve~~ as the basis for  
378 instruction for each student in the core courses of mathematics,  
379 language arts, social studies, science, reading, and literature,  
380 except for instruction for which the school advisory council  
381 approves the use of a program that does not include a textbook  
382 as a major tool of instruction. The district school board has  
383 the following specific duties:

384 (a) Courses of study; adoption.--Adopt courses of study  
385 for use in the schools of the district.

386 (b) Textbooks.--Provide for proper requisitioning,  
387 distribution, accounting, storage, care, and use of all  
388 instructional materials furnished by the state and furnish such  
389 other instructional materials as may be needed. The district  
390 school board shall assure that instructional materials used in  
391 the district are consistent with the district goals and  
392 objectives and the curriculum frameworks adopted by rule of the  
393 State Board of Education, as well as with the state and district  
394 performance standards provided for in s. 1001.03(1).

395 (c) Other instructional materials.--Provide such other  
396 teaching accessories and aids as are needed for the school  
397 district's educational program.

398 (d) School library media services; establishment and  
399 maintenance.--Establish and maintain a program of school library  
400 media services for all public schools in the district, including  
401 school library media centers, or school library media centers  
402 open to the public, and, in addition such traveling or

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403 circulating libraries as may be needed for the proper operation  
404 of the district school system.

405 Section 16. Subsection (4) of section 1006.40, Florida  
406 Statutes, is amended to read:

407 1006.40 Use of instructional materials allocation;  
408 instructional materials, library books, and reference books;  
409 repair of books.--

410 (4) The funds described in subsection (3) which district  
411 school boards may use to purchase materials not on the state-  
412 adopted list shall be used for the purchase of instructional  
413 materials or other items having intellectual content which  
414 assist in the instruction of a subject or course. These items  
415 may be available in bound, unbound, kit, or package form and may  
416 consist of hardbacked or softbacked textbooks, replacements for  
417 items which were part of previously purchased instructional  
418 materials, consumables, learning laboratories, manipulatives,  
419 electronic media, computer courseware or software, and other  
420 commonly accepted instructional tools as prescribed by district  
421 school board rule. The funds available to district school boards  
422 for the purchase of materials not on the state-adopted list may  
423 not be used to purchase electronic or computer hardware unless  
424 ~~even if~~ such hardware is bundled with other state-adopted  
425 instructional materials such as textbooks, software, or other  
426 electronic media, nor may such funds be used to purchase  
427 equipment or supplies. However, when authorized to do so in the  
428 General Appropriations Act, a school or district school board  
429 may use a portion of the funds available to it for the purchase

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430 of materials not on the state-adopted list to purchase science  
431 laboratory materials and supplies.

432 Section 17. Subsections (7) and (8) of section 1008.29,  
433 Florida Statutes, are amended to read:

434 1008.29 College-level communication and mathematics skills  
435 examination (CLAST).--

436 (7) The State Board of Education shall collaborate with  
437 the Board of Governors to establish rules instituting uniform  
438 fees for all students, including private postsecondary students,  
439 who take the CLAST. The fees shall be sufficient to cover the  
440 actual cost of developing and administering the examination, ~~by~~  
441 ~~rule, shall establish fees for the administration of the~~  
442 ~~examination to private postsecondary students.~~

443 (8) ~~(a) The State Board of Education, by rule, shall~~  
444 ~~establish fees for the administration of the examination by~~  
445 ~~community colleges at times other than regularly scheduled dates~~  
446 ~~to accommodate examinees who are unable to be tested on those~~  
447 ~~dates. The state board shall establish the conditions under~~  
448 ~~which examinees may be admitted to the special administrations.~~

449 ~~(b)~~ The Board of Governors may establish fees for the  
450 administration of the examination by state universities at times  
451 other than regularly scheduled dates to accommodate examinees  
452 who are unable to be tested on those dates. The Board of  
453 Governors may establish the conditions under which examinees may  
454 be admitted to the special administrations.

455 Section 18. Paragraph (c) of subsection (1) of section  
456 1008.41, Florida Statutes, is amended to read:

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457 1008.41 Workforce education; management information  
458 system.--

459 (1) The Commissioner of Education shall coordinate uniform  
460 program structures, common definitions, and uniform management  
461 information systems for workforce education for all divisions  
462 within the department. In performing these functions, the  
463 commissioner shall designate deadlines after which data elements  
464 may not be changed for the coming fiscal or school year. School  
465 districts and community colleges shall be notified of data  
466 element changes at least 90 days prior to the start of the  
467 subsequent fiscal or school year. Such systems must provide for:

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

472 Section 19. Section 1010.11, Florida Statutes, is amended  
473 to read:

474 1010.11 Electronic transfer of funds.--Pursuant to the  
475 provisions of s. 215.85, each district school board, community  
476 college board of trustees, and university board of trustees  
477 shall adopt written policies prescribing the accounting and  
478 control procedures under which any funds under their control are  
479 allowed to be moved by electronic transaction for any purpose  
480 including direct deposit, wire transfer, withdrawal, ~~or~~  
481 investment, or payment. Electronic transactions shall comply  
482 with the provisions of chapter 668.

483 Section 20. Subsection (4) of section 1011.18, Florida  
484 Statutes, is amended to read:

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485 1011.18 School depositories; payments into and withdrawals  
486 from depositories.--

487 (4) HOW FUNDS DRAWN FROM DEPOSITORIES.--All money drawn  
488 from any district school depository holding same as prescribed  
489 herein shall be upon a check or warrant drawn on authority of  
490 the district school board as prescribed by law. Each check or  
491 warrant shall be signed by the chair or, in his or her absence,  
492 the vice chair of the district school board and countersigned by  
493 the district school superintendent, with corporate seal of the  
494 school board affixed. However, as a matter of convenience, the  
495 corporate seal of the district school board may be printed upon  
496 the warrant and a proper record of such warrant shall be  
497 maintained. The district school board may by resolution, a copy  
498 of which must be delivered to the depository, provide for  
499 internal funds to be withdrawn from any district depository by a  
500 check duly signed by at least two bonded school employees  
501 designated by the board to be responsible for administering such  
502 funds. However, the district school superintendent or his or her  
503 designee, after having been by resolution specifically  
504 authorized by the district school board, may transfer funds from  
505 one depository to another, within a depository, to another  
506 institution, or from another institution to a depository for  
507 investment purposes and may transfer funds to pay expenses,  
508 expenditures, or other disbursements that must be evidenced by  
509 an invoice or other appropriate documentation in a similar  
510 manner ~~when the transfer does not represent an expenditure,~~  
511 ~~advance, or reduction of cash assets.~~ Such transfer may be made  
512 by electronic, telephonic, or other medium; and each transfer  
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513 shall be confirmed in writing and signed by the district school  
514 superintendent or his or her designee.

515 Section 21. Subsection (2) and paragraphs (d) and (f) of  
516 subsection (3) of section 1011.60, Florida Statutes, are amended  
517 to read:

518 1011.60 Minimum requirements of the Florida Education  
519 Finance Program.--Each district which participates in the state  
520 appropriations for the Florida Education Finance Program shall  
521 provide evidence of its effort to maintain an adequate school  
522 program throughout the district and shall meet at least the  
523 following requirements:

524 (2) MINIMUM TERM.--Operate all schools for a term of at  
525 least 180 actual teaching days or the equivalent on an hourly  
526 basis as specified by rules of the State Board of Education each  
527 school year. The State Board of Education may prescribe  
528 procedures for altering, and, upon written application, may  
529 alter, this requirement during a national, state, or local  
530 emergency as it may apply to an individual school or schools in  
531 any district or districts if, in the opinion of the board, it is  
532 not feasible to make up lost days or hours, and the  
533 apportionment may, at the discretion of the Commissioner of  
534 Education and if the board determines that the reduction of  
535 school days or hours is caused by the existence of a bona fide  
536 emergency, be reduced for such district or districts in  
537 proportion to the decrease in the length of term in any such  
538 school or schools. A strike, as defined in s. 447.203(6), by  
539 employees of the school district may not be considered an  
540 emergency.

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**T I T L E   A M E N D M E N T**

Remove lines 14-66 and insert:  
amending s. 1001.42, F.S.; clarifying provisions authorizing the  
payment of earned leave and benefits accrued by a district  
school board employee before his or her employment contract  
expires; amending s. 1001.451, F.S.; revising provisions  
relating to the funding of regional consortium service  
organizations; amending s. 1001.47, F.S.; authorizing elected  
district school superintendents to reduce their salary rates on  
a voluntary basis; requiring that each elected superintendent's  
salary be reduced by 5 percent for the 2009-2010 fiscal year;  
amending s. 1001.50, F.S.; clarifying provisions authorizing  
payment of earned leave and benefits accrued by a superintendent  
before his or her employment contract terminates; limiting the  
use of compensation in calculating benefits; encouraging review  
and reduction of compensation; amending s. 1002.37, F.S.;  
restricting funds for the Florida Virtual School; amending s.  
1002.45, F.S.; revising provisions relating to the provision of  
and access to school district virtual instruction programs and  
the provider and accountability requirements for such programs;  
revising marketing provisions; deleting obsolete provisions;  
amending s. 1002.71, F.S.; revising provisions relating to the  
funding of prekindergarten programs; revising requirements for  
the Voluntary Prekindergarten Education Program attendance  
policy; amending s. 1003.03, F.S.; extending dates relating to  
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HOUSE AMENDMENT  
Bill No. CS/HB 5005

Amendment No.

569 the calculation of the number of students for purposes of  
570 complying with the class size requirements; amending s. 1004.55,  
571 F.S.; revising provisions relating to the location and service  
572 area of a regional autism center; amending s. 1006.06, F.S.;  
573 revising provisions relating to school breakfast programs to  
574 include state allocations; amending s. 1006.28, F.S.; clarifying  
575 the definition of the term "adequate instructional materials";  
576 amending s. 1006.40, F.S.; revising provisions relating to the  
577 purchase of instructional materials; amending s. 1008.29, F.S.;  
578 revising provisions relating to the establishment of fees for  
579 the College-level communications and mathematics skills  
580 examination; amending s. 1008.41, F.S.; authorizing rather than  
581 requiring the commissioner to employ the Florida Information  
582 Resource Network for workforce education data management;  
583 amending s. 1010.11, F.S.; providing for the electronic transfer  
584 of funds for certain payments; amending s. 1011.18, F.S.;  
585 providing for the transfer of funds from depositories for  
586 certain payments; amending s. 1011.60, F.S.; revising provisions  
587 relating to the minimum requirements of the Florida Education  
588 Finance Program; providing for 196 days

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