

By Senator Lynn

7-00414-09

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1                   A bill to be entitled  
 2           An act relating to the Florida Education Finance  
 3           Program; amending s. 1011.60, F.S.; revising  
 4           provisions relating to the minimum requirements that  
 5           each school district must meet to participate in the  
 6           Florida Education Finance Program; amending s.  
 7           1011.61, F.S.; revising the term "full-time equivalent  
 8           student" to conform to changes made by the act;  
 9           providing an effective date.

10  
 11 Be It Enacted by the Legislature of the State of Florida:

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 13           Section 1. Subsection (2) and paragraphs (d) and (f) of  
 14           subsection (3) of section 1011.60, Florida Statutes, are amended  
 15           to read:

16           1011.60 Minimum requirements of the Florida Education  
 17           Finance Program.—Each district which participates in the state  
 18           appropriations for the Florida Education Finance Program shall  
 19           provide evidence of its effort to maintain an adequate school  
 20           program throughout the district and shall meet at least the  
 21           following requirements:

22           (2) MINIMUM TERM.—Operate all schools for a term of ~~at~~  
 23           ~~least~~ 180 actual teaching days or the equivalent on an hourly  
 24           basis as specified by rules of the State Board of Education ~~each~~  
 25           ~~school-year~~. The State Board of Education may prescribe  
 26           procedures for altering, and, upon written application, may  
 27           alter, this requirement during a national, state, or local  
 28           emergency as it may apply to an individual school or schools in  
 29           any district or districts if, in the opinion of the board, it is

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30 not feasible to make up lost days or hours, and the  
31 apportionment may, at the discretion of the Commissioner of  
32 Education and if the board determines that the reduction of  
33 school days or hours is caused by the existence of a bona fide  
34 emergency, be reduced for such district or districts in  
35 proportion to the decrease in the length of term in any such  
36 school or schools. A strike, as defined in s. 447.203(6), by  
37 employees of the school district may not be considered an  
38 emergency.

39 (3) EMPLOYMENT POLICIES.—Adopt rules relating to the  
40 appointment, promotion, transfer, suspension, and dismissal of  
41 personnel.

42 (d) District school boards may authorize a maximum of six  
43 paid legal holidays which shall apply to the 196 days or the  
44 equivalent hours of service.

45 (f) Such rules must require 12 calendar months of service  
46 for such principals as prescribed by rules of the State Board of  
47 Education and must require 10 months to include not less than  
48 196 days or the equivalent hours of service, excluding Sundays  
49 and other holidays, for all members of the instructional staff,  
50 with any such service on a 12-month basis to include reasonable  
51 allowance for vacation or further study as prescribed by the  
52 school board in accordance with rules of the State Board of  
53 Education.

54 Section 2. Paragraph (c) of subsection (1) of section  
55 1011.61, Florida Statutes, is amended to read:

56 1011.61 Definitions.—Notwithstanding the provisions of s.  
57 1000.21, the following terms are defined as follows for the  
58 purposes of the Florida Education Finance Program:

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

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

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

65 b. A combination of full-time or part-time students in any  
66 one of the programs listed in s. 1011.62(1)(c) which is the  
67 equivalent of one full-time student based on the following  
68 calculations:

69 (I) A full-time student, except a postsecondary or adult  
70 student or a senior high school student enrolled in adult  
71 education when such courses are required for high school  
72 graduation, in a combination of programs listed in s.  
73 1011.62(1)(c) shall be a fraction of a full-time equivalent  
74 membership in each special program equal to the number of net  
75 hours per school year for which he or she is a member, divided  
76 by the appropriate number of hours set forth in subparagraph  
77 (a)1. or subparagraph (a)2. The difference between that fraction  
78 or sum of fractions and the maximum value as set forth in  
79 subsection (4) for each full-time student is presumed to be the  
80 balance of the student's time not spent in such special  
81 education programs and shall be recorded as time in the  
82 appropriate basic program.

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

85 (III) A full-time equivalent student for students in grades  
86 K-8 in a school district virtual instruction program as provided  
87 in s. 1002.45 shall consist of a student who has successfully

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88 completed a basic program listed in s. 1011.62(1)(c)1.a. or b.,  
89 and who is promoted to a higher grade level.

90 (IV) A full-time equivalent student for students in grades  
91 9-12 in a school district virtual instruction program as  
92 provided in s. 1002.45 shall consist of six full credit  
93 completions in programs listed in s. 1011.62(1)(c)1. and 4.  
94 Credit completions can be a combination of either full credits  
95 or half credits.

96 (V) A Florida Virtual School full-time equivalent student  
97 shall consist of six full credit completions in the programs  
98 listed in s. 1011.62(1)(c)1. and 4. Credit completions can be a  
99 combination of either full credits or half credits.

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

105 2. A student in membership in a program scheduled for more  
106 or less than 180 school days or the equivalent hours is a  
107 fraction of a full-time equivalent membership equal to the  
108 number of instructional hours in membership divided by the  
109 appropriate number of hours set forth in subparagraph (a)1.;  
110 however, for the purposes of this subparagraph, membership in  
111 programs scheduled for more than 180 days or the equivalent  
112 hours is limited to students enrolled in juvenile justice  
113 education programs and the Florida Virtual School.

114

115 The department shall determine and implement an equitable method  
116 of equivalent funding for experimental schools and for schools

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117 operating under emergency conditions, which schools have been  
118 approved by the department to operate for less than the minimum  
119 school day.

120 Section 3. This act shall take effect July 1, 2009.