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602-00062B-09A

Proposed Committee Substitute by the Committee on Education Pre-
K - 12 Appropriations

1 A bill to be entitled
2 An act relating to education funding; amending s.
3 218.503, F.S.; providing for a reduction in salary for
4 certain school district employees when a state of
5 financial emergency within the district continues
6 beyond a specified period; amending ss. 1001.42 and
7 1001.50, F.S.; prohibiting a district school board
8 from entering into an employment contract that
9 provides for payment of an amount greater than 1 year
10 of an employee's or superintendent's annual salary for
11 termination, buy-out, or other type of settlement;
12 amending s. 1002.53, F.S., relating to the Voluntary
13 Prekindergarten Education Program; conforming
14 provisions to changes made by the act; amending s.
15 1002.61, F.S.; increasing the number of students
16 authorized for a summer prekindergarten class;
17 conforming cross-references; amending s. 1002.63,
18 F.S.; eliminating certain eligibility requirements for
19 delivering a prekindergarten program during the school
20 year; amending s. 1002.71, F.S.; providing for
21 separate base student allocations for school-year and
22 summer prekindergarten programs; revising the formula
23 for calculating and reporting full-time equivalent
24 student enrollment; providing certain restrictions
25 with respect to a child who reenrolls in a
26 prekindergarten program; requiring that certain
27 administrative procedures be automated; decreasing the



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28 amount that an early learning coalition may expend for
29 administrative purposes; amending s. 1002.73, F.S.;
30 revising duties of the Department of Education, to
31 conform; amending s. 1006.40, F.S.; waiving, for the
32 adoption cycle of the 2008-2009 academic year, the
33 requirement that district school boards purchase
34 instructional materials in core courses; creating s.
35 1011.051, F.S.; requiring that district school boards
36 maintain an unreserved general fund balance sufficient
37 to address contingencies; specifying procedures for
38 the district to follow if the operating budget falls
39 below specified percentages or projected general fund
40 revenues; requiring that collective bargaining
41 agreements make adequate provisions for maintaining
42 the required general fund balances; providing that a
43 collective bargaining agreement entered into after the
44 effective date of the act which fails to comply with
45 the act is void and unenforceable; requiring
46 modification of collective bargaining agreements under
47 circumstances involving financial urgency; amending s.
48 1011.71, F.S.; eliminating certain restrictions on the
49 expenditure of revenues from the district school tax
50 levy; providing for future expiration of such
51 provisions; amending s. 1013.64, F.S., relating to
52 funds for constructing educational plant space;
53 conforming provisions; requiring that the Merit Award
54 Program for Instructional Personnel and School-Based
55 Administrators be held in abeyance during the 2008-
56 2009 fiscal year; incorporating by reference certain



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57 calculations of the Florida Education Finance Program
58 for the 2008-2009 fiscal year; providing for
59 contingent retroactive application of specified
60 provisions of the act; providing an effective date.
61

62 Be It Enacted by the Legislature of the State of Florida:
63

64 Section 1. Present subsections (4) and (5) of section
65 218.503, Florida Statutes, are renumbered as subsections (5) and
66 (6), respectively, and a new subsection (4) is added to that
67 section, to read:

68 218.503 Determination of financial emergency.—

69 (4) Notwithstanding ss. 1001.395 and 1001.47, if the
70 Commissioner of Education determines that the measures imposed
71 pursuant to subsection (3) have not eliminated a state of
72 financial emergency in a school district within 30 days after
73 the date the condition was declared to exist, the salary of each
74 district school board member, the district superintendent, and
75 each district employee shall be reduced proportionately in an
76 amount necessary to prevent a deficit in the unreserved general
77 fund of the district's operating budget during the remainder of
78 the fiscal year.

79 Section 2. Present subsection (25) of section 1001.42,
80 Florida Statutes, is renumbered as subsection (26), and a new
81 subsection (25) is added to that section, to read:

82 1001.42 Powers and duties of district school board.—The
83 district school board, acting as a board, shall exercise all
84 powers and perform all duties listed below:

85 (25) EMPLOYMENT CONTRACTS.—On or after February 1, 2009, a



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86 district school board may not enter into an employment contract
87 that is funded from state funds and that requires the district
88 to pay an employee an amount in excess of 1 year of the
89 employee's annual salary for termination, buy-out, or any other
90 type of contract settlement.

91 Section 3. Subsection (2) of section 1001.50, Florida
92 Statutes, is amended to read:

93 1001.50 Superintendents employed under Art. IX of the State
94 Constitution.—

95 (2) The district school board of each of such districts
96 shall enter into contracts of employment with the district
97 school superintendent and shall adopt rules relating to his or
98 her appointment; however, on or after February 1, 2009, the
99 district school board may not enter into an employment contract
100 that is funded from state funds and that requires the district
101 to pay a superintendent an amount in excess of 1 year of the
102 superintendent's annual salary for termination, buy-out, or any
103 other type of contract settlement.

104 Section 4. Paragraph (c) of subsection (3) of section
105 1002.53, Florida Statutes, is amended to read:

106 1002.53 Voluntary Prekindergarten Education Program;
107 eligibility and enrollment.—

108 (3) The parent of each child eligible under subsection (2)
109 may enroll the child in one of the following programs:

110 (c) A school-year prekindergarten program delivered by a
111 public school, ~~if offered by a school district that is eligible~~
112 ~~under s. 1002.63.~~

113
114 Except as provided in s. 1002.71(4), a child may not enroll in



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115 more than one of these programs.

116 Section 5. Subsections (4) and (7) of section 1002.61,
117 Florida Statutes, are amended to read:

118 1002.61 Summer prekindergarten program delivered by public
119 schools and private prekindergarten providers.-

120 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4)
121 ~~1002.63(5)~~, each public school and private prekindergarten
122 provider must have, for each prekindergarten class, at least one
123 prekindergarten instructor who:

124 (a) Is a certified teacher; or

125 (b) Holds one of the educational credentials specified in
126 s. 1002.55(4)(a) or (b).

127
128 As used in this subsection, the term "certified teacher" means a
129 teacher holding a valid Florida educator certificate under s.
130 1012.56 who has the qualifications required by the district
131 school board to instruct students in the summer prekindergarten
132 program. In selecting instructional staff for the summer
133 prekindergarten program, each school district shall give
134 priority to teachers who have experience or coursework in early
135 childhood education.

136 (7) Notwithstanding ss. 1002.55(3)(f) and 1002.63(7)
137 ~~1002.63(8)~~, each prekindergarten class in the summer
138 prekindergarten program, regardless of whether the class is a
139 public school's or private prekindergarten provider's class,
140 must be composed of at least 4 students but may not exceed 12 ~~10~~
141 students beginning with the 2009 summer session. In order to
142 protect the health and safety of students, each public school or
143 private prekindergarten provider must also provide appropriate



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144 adult supervision for students at all times. This subsection
145 does not supersede any requirement imposed on a provider under
146 ss. 402.301-402.319.

147 Section 6. Section 1002.63, Florida Statutes, is amended to
148 read:

149 1002.63 School-year prekindergarten program delivered by
150 public schools.-

151 (1) Each school district ~~eligible under subsection (4)~~ may
152 administer the Voluntary Prekindergarten Education Program at
153 the district level for students enrolled under s. 1002.53(3)(c)
154 in a school-year prekindergarten program delivered by a public
155 school.

156 (2) Each school-year prekindergarten program delivered by a
157 public school must comprise at least 540 instructional hours.

158 (3) The district school board of each school district
159 ~~eligible under subsection (4)~~ shall determine which public
160 schools in the district may ~~are eligible to~~ deliver the
161 prekindergarten program during the school year.

162 ~~(4) To be eligible to deliver the prekindergarten program~~
163 ~~during the school year, each school district must meet both of~~
164 ~~the following requirements:~~

165 ~~(a) The district school board must certify to the State~~
166 ~~Board of Education that the school district:~~

167 ~~1. Has reduced the average class size in each classroom in~~
168 ~~accordance with s. 1003.03 and the schedule in s. 1(a), Art. IX~~
169 ~~of the State Constitution; and~~

170 ~~2. Has sufficient satisfactory educational facilities and~~
171 ~~capital outlay funds to continue reducing the average class size~~
172 ~~in each classroom in the district's elementary schools for each~~



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173 ~~year in accordance with the schedule for class size reduction~~
174 ~~and to achieve full compliance with the maximum class sizes in~~
175 ~~s. 1(a), Art. IX of the State Constitution by the beginning of~~
176 ~~the 2010-2011 school year.~~

177 ~~(b) The Commissioner of Education must certify to the State~~
178 ~~Board of Education that the department has reviewed the school~~
179 ~~district's educational facilities, capital outlay funds, and~~
180 ~~projected student enrollment and concurs with the district~~
181 ~~school board's certification under paragraph (a).~~

182 ~~(4)(5)~~ Each public school must have, for each
183 prekindergarten class, at least one prekindergarten instructor
184 who meets each requirement in s. 1002.55(3)(c) for a
185 prekindergarten instructor of a private prekindergarten
186 provider.

187 ~~(5)(6)~~ Each prekindergarten instructor employed by a public
188 school delivering the school-year prekindergarten program must
189 be of good moral character, must be screened using the level 2
190 screening standards in s. 435.04 before employment and
191 rescreened at least once every 5 years, must be denied
192 employment or terminated if required under s. 435.06, and must
193 not be ineligible to teach in a public school because his or her
194 educator certificate is suspended or revoked. This subsection
195 does not supersede employment requirements for instructional
196 personnel in public schools which are more stringent than the
197 requirements of this subsection.

198 ~~(6)(7)~~ A public school prekindergarten provider may assign
199 a substitute instructor to temporarily replace a credentialed
200 instructor if the credentialed instructor assigned to a
201 prekindergarten class is absent, as long as the substitute



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202 instructor is of good moral character and has been screened
203 before employment in accordance with level 2 background
204 screening requirements in chapter 435. This subsection does not
205 supersede employment requirements for instructional personnel in
206 public schools which are more stringent than the requirements of
207 this subsection. The Agency for Workforce Innovation shall adopt
208 rules to implement this subsection which shall include required
209 qualifications of substitute instructors and the circumstances
210 and time limits for which a public school prekindergarten
211 provider may assign a substitute instructor.

212 (7)~~(8)~~ Each prekindergarten class in a public school
213 delivering the school-year prekindergarten program must be
214 composed of at least 4 students but may not exceed 18 students.
215 In order to protect the health and safety of students, each
216 school must also provide appropriate adult supervision for
217 students at all times and, for each prekindergarten class
218 composed of 11 or more students, must have, in addition to a
219 prekindergarten instructor who meets the requirements of s.
220 1002.55(3)(c), at least one adult prekindergarten instructor who
221 is not required to meet those requirements but who must meet
222 each requirement of subsection (5) ~~(6)~~.

223 (8)~~(9)~~ Each public school delivering the school-year
224 prekindergarten program must:

225 (a) Register with the early learning coalition on forms
226 prescribed by the Agency for Workforce Innovation; and

227 (b) Deliver the Voluntary Prekindergarten Education Program
228 in accordance with this part.

229 Section 7. Subsections (3) and (4), paragraph (d) of
230 subsection (6), and subsection (7) of section 1002.71, Florida



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231 Statutes, are amended to read:

232 1002.71 Funding; financial and attendance reporting.-

233 (3) (a) A separate ~~The~~ base student allocation per full-time
234 equivalent student in the Voluntary Prekindergarten Education
235 Program shall be provided in the General Appropriations Act for
236 a school-year prekindergarten program and for a summer
237 prekindergarten program. The base student allocation for a
238 school-year program ~~and~~ shall be equal for each student,
239 regardless of whether the student is enrolled in a school-year
240 prekindergarten program delivered by a private prekindergarten
241 provider or a public school. The base student allocation for, a
242 summer prekindergarten program shall be equal for each student,
243 regardless of whether the student is enrolled in a summer
244 prekindergarten program delivered by a public school or private
245 prekindergarten provider, ~~or a school-year prekindergarten~~
246 ~~program delivered by a public school.~~

247 (b) Each county's allocation per full-time equivalent
248 student in the Voluntary Prekindergarten Education Program shall
249 be calculated annually by multiplying the base student
250 allocation provided in the General Appropriations Act by the
251 county's district cost differential provided in s. 1011.62(2).
252 Each private prekindergarten provider and public school shall be
253 paid in accordance with the county's allocation per full-time
254 equivalent student.

255 (c) The initial allocation shall be based on estimated
256 student enrollment in each coalition service area. The Agency
257 for Workforce Innovation shall reallocate funds among the
258 coalitions based on actual full-time equivalent student
259 enrollment in each coalition service area.



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260 (d) For programs offered by school districts pursuant to s.
261 1002.61 and beginning with the 2009 summer program, each
262 district's funding shall be based on a full-time equivalent
263 student enrollment that is evenly divisible by 12 ~~10~~. If the
264 result of dividing a district's full-time equivalent student
265 enrollment by 12 ~~10~~ is not a whole number, the district's
266 enrollment calculation shall be adjusted by adding the minimum
267 number of full-time equivalent students to produce a full-time
268 equivalent student enrollment calculation that is evenly
269 divisible by 12 ~~10~~.

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

271 (a) A child who, for any of the prekindergarten programs
272 listed in s. 1002.53(3), has not completed more than 10 percent
273 of the hours authorized to be reported for funding under
274 subsection (2) may withdraw from the program for good cause,
275 reenroll in one of the programs, and be reported for funding
276 purposes as a full-time equivalent student in the program for
277 which the child is reenrolled. The total funding for a child who
278 reenrolls in the same program shall not exceed one full-time
279 equivalent student.

280 (b) A child who has not substantially completed any of the
281 prekindergarten programs listed in s. 1002.53(3) may withdraw
282 from the program due to an extreme hardship that is beyond the
283 child's or parent's control, reenroll in one of the summer
284 programs, and be reported for funding purposes as a full-time
285 equivalent student in the summer program for which the child is
286 reenrolled.

287
288 A child may reenroll only once in a prekindergarten program



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289 under this section. A child who reenrolls in a prekindergarten
290 program under this subsection may not subsequently withdraw from
291 the program and reenroll. The Agency for Workforce Innovation
292 shall establish criteria specifying whether a good cause exists
293 for a child to withdraw from a program under paragraph (a),
294 whether a child has substantially completed a program under
295 paragraph (b), and whether an extreme hardship exists which is
296 beyond the child's or parent's control under paragraph (b).

297 (6)

298 (d) The Agency for Workforce Innovation shall adopt, for
299 funding purposes, a uniform attendance policy for the Voluntary
300 Prekindergarten Education Program. The attendance policy must
301 apply statewide and apply equally to all private prekindergarten
302 providers and public schools. The attendance policy must
303 establish a minimum requirement for student attendance and
304 include the following provisions:

305 1. Beginning with the 2009-2010 fiscal year for school-year
306 programs and the 2009 summer program, a student who meets the
307 minimum requirement of 80 percent of the total number of hours
308 for the program may be reported as a full-time equivalent
309 student for funding purposes.

310 2. A student who does not meet the minimum requirement may
311 be reported only as a fractional part of a full-time equivalent
312 student, reduced pro rata based on the student's attendance.

313 3. A student who does not meet the minimum requirement may
314 be reported as a full-time equivalent student if the student is
315 absent for good cause in accordance with exceptions specified in
316 the uniform attendance policy.

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318 The uniform attendance policy shall be used only for funding
319 purposes and does not prohibit a private prekindergarten
320 provider or public school from adopting and enforcing its
321 attendance policy under paragraphs (a) and (c).

322 (7) The Agency for Workforce Innovation shall require that
323 administrative expenditures be kept to the minimum necessary for
324 efficient and effective administration of the Voluntary
325 Prekindergarten Education Program. Administrative policies and
326 procedures shall be revised, to the maximum extent practicable,
327 to incorporate the use of automation and electronic submission
328 of forms, including those required for child eligibility and
329 enrollment, provider and class registration, and monthly
330 certification of attendance for payment. Beginning with the
331 2008-2009 fiscal year, each early learning coalition may retain
332 and expend no more than 4.85 5 percent of the funds paid by the
333 coalition to private prekindergarten providers and public
334 schools under paragraph (5) (b). Funds retained by an early
335 learning coalition under this subsection may be used only for
336 administering the Voluntary Prekindergarten Education Program
337 and may not be used for the school readiness program or other
338 programs.

339 Section 8. Paragraphs (c) and (d) of subsection (2) of
340 section 1002.73, Florida Statutes, are amended to read:

341 1002.73 Department of Education; powers and duties;
342 accountability requirements.-

343 (2) The department shall adopt procedures for the
344 department's:

345 ~~(c) Certification of school districts that are eligible to~~
346 ~~deliver the school-year prekindergarten program under s.~~



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347 ~~1002.63.~~

348 (c) ~~(d)~~ Administration of the statewide kindergarten
349 screening and calculation of kindergarten readiness rates under
350 s. 1002.69.

351 Section 9. Paragraph (a) of subsection (2) of section
352 1006.40, Florida Statutes, is amended to read:

353 1006.40 Use of instructional materials allocation;
354 instructional materials, library books, and reference books;
355 repair of books.—

356 (2) (a) Each district school board must purchase current
357 instructional materials to provide each student with a textbook
358 or other instructional materials as a major tool of instruction
359 in core courses of the appropriate subject areas of mathematics,
360 language arts, science, social studies, reading, and literature
361 for kindergarten through grade 12. Such purchase must be made
362 within the first 2 years after ~~of~~ the effective date of the
363 adoption cycle; however, this requirement is waived for the
364 adoption cycle occurring in the 2008-2009 academic year. Unless
365 specifically provided for in the General Appropriations Act, the
366 cost of instructional materials purchases required by this
367 paragraph shall not exceed the amount of the district's
368 allocation for instructional materials, pursuant to s. 1011.67,
369 for the previous 2 years.

370 Section 10. Section 1011.051, Florida Statutes, is created
371 to read:

372 1011.051 Guidelines for general funds.—The district school
373 board shall maintain an unreserved general fund balance that is
374 sufficient to address normal contingencies.

375 (1) If at any time the unreserved general fund in the



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376 district's approved operating budget is projected to fall during
377 the current fiscal year below 5 percent of projected general
378 fund revenues, the superintendent shall provide written
379 notification to the district school board and the Commissioner
380 of Education.

381 (a) With respect to a collective bargaining agreement
382 executed on or after the effective date of this act, if the
383 unreserved general fund in the district's approved operating
384 budget is projected to fall during the current fiscal year below
385 2 percent of projected general fund revenues, the provisions of
386 s. 447.4095 shall be followed for the purpose of modifying the
387 agreement as necessary to avoid a financial emergency within the
388 school district as provided under part V of chapter 218. If the
389 parties fail to reach agreement and proceed to implement the
390 provisions of s. 447.403, the superintendent shall provide
391 written notification to the Commissioner of Education, the
392 dispute shall be resolved through an expedited impasse hearing,
393 and the timelines prescribed in s. 447.403(2)(c) shall apply.

394 (b) With respect to a collective bargaining agreement
395 executed before the effective date of this act, if the
396 unreserved general fund in the district's approved operating
397 budget is projected to fall during the current fiscal year below
398 projected general fund revenues, the provisions of s. 447.4095
399 shall be followed for the purpose of modifying the agreement as
400 necessary to avoid a financial emergency within the school
401 district as provided under part V of chapter 218. If the parties
402 fail to reach agreement and proceed to implement the provisions
403 of s. 447.403, the superintendent shall provide written
404 notification to the Commissioner of Education, the dispute shall



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405 be resolved through an expedited impasse hearing, and the
406 timelines prescribed in s. 447.403(2)(c) shall apply.

407 (2)(a) Each collective bargaining agreement entered into by
408 a school board on or after the effective date of this act must
409 make adequate provision to allow the school board to maintain an
410 unreserved general fund balance as required by this section.

411 (b) Any collective bargaining agreement entered into by a
412 school board on or after the effective date of this act which
413 does not meet the requirements of this section is void, is
414 contrary to public policy, and may not be enforced.

415 (c) Any collective bargaining agreement entered into by a
416 school board before the effective date of this act is subject to
417 the provisions of s. 447.4095 if the school district projects
418 that, at any point in the fiscal year, it will have insufficient
419 funds to continue normal operations and address normal
420 contingencies. Projection of such conditions by the school board
421 constitutes "financial urgency" for purposes of s. 447.4095, but
422 this paragraph does not limit the meaning of "financial urgency"
423 to such projection.

424 Section 11. Subsection (4) of section 1011.71, Florida
425 Statutes, as amended by chapters 2007-328, 2008-2, 2008-142, and
426 2008-213, Laws of Florida, is amended to read:

427 1011.71 District school tax.-

428 (4) A school district ~~that has met the reduction~~
429 ~~requirements regarding class size for the 2008-2009 fiscal year~~
430 ~~pursuant to s. 1003.03 for K-12 students for whom the school~~
431 ~~district provides the educational facilities and governs~~
432 ~~operations and certifies to the Commissioner of Education that~~
433 ~~the district does not need all of its discretionary 1.75-mill~~



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434 ~~capital improvement revenue for capital outlay purposes and all~~
435 ~~of the district's instructional space needs for the next 5 years~~
436 ~~can be met from capital outlay sources that the district~~
437 ~~reasonably expects to receive during the next 5 years from local~~
438 ~~revenues and from currently appropriated state facilities~~
439 ~~funding or from alternative scheduling or construction, leasing,~~
440 ~~rezoning, or technological methodologies that exhibit sound~~
441 ~~management~~ may expend, subject to the provisions of s. 200.065,
442 up to \$65 per unweighted full-time equivalent student from the
443 revenue generated by the 2008-2009 millage levy authorized by
444 subsection (2) to fund, in addition to expenditures authorized
445 in paragraphs (2) (a)-(j), 2008-2009 expenses for the following:

446 (a) The purchase, lease-purchase, or lease of driver's
447 education vehicles; motor vehicles used for the maintenance or
448 operation of plants and equipment; security vehicles; or
449 vehicles used in storing or distributing materials and
450 equipment.

451 (b) Payment of the cost of premiums for property and
452 casualty insurance necessary to insure school district
453 educational and ancillary plants. Operating revenues that are
454 made available through the payment of property and casualty
455 insurance premiums from revenues generated under this subsection
456 may be expended only for nonrecurring operational expenditures
457 of the school district.

458 Section 12. The amendments made by this act to subsection
459 (4) of section 1011.71, Florida Statutes, as carried forward by
460 this act from chapters 2007-328, 2008-2, 2008-142, and 2008-213,
461 Laws of Florida, shall expire July 1, 2009, and the text of that
462 subsection shall revert to that in existence on the day before



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463 the effective date of chapter 2007-328, Laws of Florida, except
464 that any amendments to such text enacted other than by this act
465 and chapters 2007-328, 2008-2, 2008-142, and 2008-213, Laws of
466 Florida, shall be preserved and continue to operate to the
467 extent that the amendments are not dependent upon the portions
468 of such text which expire pursuant to this section.

469 Section 13. Paragraph (b) of subsection (6) of section
470 1013.64, Florida Statutes, is amended to read:

471 1013.64 Funds for comprehensive educational plant needs;
472 construction cost maximums for school district capital
473 projects.—Allocations from the Public Education Capital Outlay
474 and Debt Service Trust Fund to the various boards for capital
475 outlay projects shall be determined as follows:

476 (6)

477 (b)1. A district school board, including a district school
478 board of an academic performance-based charter school district,
479 must not use funds from the following sources: Public Education
480 Capital Outlay and Debt Service Trust Fund; School District and
481 Community College District Capital Outlay and Debt Service Trust
482 Fund; Classrooms First Program funds provided in s. 1013.68;
483 effort index grant funds provided in s. 1013.73; nonvoted 1.75-
484 mill ~~2-mill~~ levy of ad valorem property taxes provided in s.
485 1011.71(2); Classrooms for Kids Program funds provided in s.
486 1013.735; District Effort Recognition Program funds provided in
487 s. 1013.736; or High Growth District Capital Outlay Assistance
488 Grant Program funds provided in s. 1013.738 for any new
489 construction of educational plant space with a total cost per
490 student station, including change orders, that equals more than:

491 a. \$17,952 for an elementary school,



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492 b. \$19,386 for a middle school, or

493 c. \$25,181 for a high school,

494
495 (January 2006) as adjusted annually to reflect increases or
496 decreases in the Consumer Price Index.

497 2. A district school board must not use funds from the
498 Public Education Capital Outlay and Debt Service Trust Fund or
499 the School District and Community College District Capital
500 Outlay and Debt Service Trust Fund for any new construction of
501 an ancillary plant that exceeds 70 percent of the average cost
502 per square foot of new construction for all schools.

503 Section 14. Implementation of the provisions of section
504 1012.225, Florida Statutes, the Merit Award Program for
505 Instructional Personnel and School-Based Administrators shall be
506 held in abeyance during the 2008-2009 fiscal year.

507 Section 15. In order to implement Specific Appropriations
508 2, 3, and 41 through 44 of the Special Appropriations Act for
509 the 2008-2009 fiscal year, the calculations of the Florida
510 Education Finance Program for the 2008-2009 fiscal year in the
511 document entitled "Public School Funding - The Florida Education
512 Finance Program," dated January 8, 2009, and filed with the
513 Secretary of the Senate are incorporated by reference for the
514 purpose of displaying the calculations used by the Legislature,
515 consistent with requirements of the Florida Statutes, in making
516 appropriations and reductions in appropriations for the Florida
517 Education Finance Program.

518 Section 16. This act shall take effect February 1, 2009, or
519 upon becoming a law, whichever occurs later; however, if this
520 act becomes a law after February 1, 2009, the provisions of s.



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521 1002.71, Florida Statutes, as amended by this act, shall operate
522 retroactively to February 1, 2009.

523