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LEGISLATIVE ACTION

Senate

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House

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Senator Wise moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraphs (d) and (e) of subsection (6) of  
section 212.055, Florida Statutes, are amended to read:

212.055 Discretionary sales surtaxes; legislative intent;  
authorization and use of proceeds.—It is the legislative intent  
that any authorization for imposition of a discretionary sales  
surtax shall be published in the Florida Statutes as a  
subsection of this section, irrespective of the duration of the  
levy. Each enactment shall specify the types of counties  
authorized to levy; the rate or rates which may be imposed; the



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14 maximum length of time the surtax may be imposed, if any; the  
15 procedure which must be followed to secure voter approval, if  
16 required; the purpose for which the proceeds may be expended;  
17 and such other requirements as the Legislature may provide.  
18 Taxable transactions and administrative procedures shall be as  
19 provided in s. 212.054.

20 (6) SCHOOL CAPITAL OUTLAY SURTAX.—

21 ~~(d) Any school board imposing the surtax shall implement a~~  
22 ~~freeze on noncapital local school property taxes, at the millage~~  
23 ~~rate imposed in the year prior to the implementation of the~~  
24 ~~surtax, for a period of at least 3 years from the date of~~  
25 ~~imposition of the surtax. This provision shall not apply to~~  
26 ~~existing debt service or taxes authorized in the General~~  
27 ~~Appropriations Act.~~

28 (d) ~~(e)~~ Surtax revenues collected by the Department of  
29 Revenue pursuant to this subsection shall be distributed to the  
30 school board imposing the surtax in accordance with law.

31 Section 2. Paragraph (d) of subsection (2) of section  
32 216.292, Florida Statutes, is repealed.

33 Section 3. Subsection (3) of section 1001.395, Florida  
34 Statutes, is amended to read:

35 1001.395 District school board members; compensation.—

36 (3) Notwithstanding the provisions of this section and s.  
37 145.19, for the 2010-2011 ~~2009-2010~~ fiscal year, the salary of  
38 each district school board member shall be the amount calculated  
39 pursuant to subsection (1) or the district's beginning salary  
40 for teachers who hold baccalaureate degrees, whichever is less.

41 Section 4. Paragraph (c) of subsection (2) of section  
42 1001.451, Florida Statutes, is amended to read:



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43           1001.451 Regional consortium service organizations.—In  
44 order to provide a full range of programs to larger numbers of  
45 students, minimize duplication of services, and encourage the  
46 development of new programs and services:

47           (2)

48           (c) Notwithstanding paragraph (a), the appropriation for  
49 any the 2009-2010 fiscal year may be less than \$50,000 per  
50 school district and eligible member. If the amount appropriated  
51 is insufficient to provide \$50,000, the funds available must be  
52 prorated among all eligible districts and members. ~~This~~  
53 ~~paragraph expires July 1, 2010.~~

54           Section 5. Paragraph (d) of subsection (9) of section  
55 1002.32, Florida Statutes, is amended to read:

56           1002.32 Developmental research (laboratory) schools.—

57           (9) FUNDING.—Funding for a lab school, including a charter  
58 lab school, shall be provided as follows:

59           (d) Each lab school shall receive funds for operating  
60 purposes in an amount determined as follows: multiply the  
61 maximum allowable nonvoted discretionary millage for operations  
62 pursuant to s. 1011.71(1) and (3) by the value of 95 percent of  
63 the current year's taxable value for school purposes for the  
64 district in which each lab school is located; divide the result  
65 by the total full-time equivalent membership of the district;  
66 and multiply the result by the full-time equivalent membership  
67 of the lab school. The amount thus obtained shall be  
68 discretionary operating funds and shall be appropriated from  
69 state funds in the General Appropriations Act to the Lab School  
70 Trust Fund.

71           Section 6. Paragraph (a) of subsection (16), paragraph (d)



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72 of subsection (18), subsection (19), and paragraph (a) of  
73 subsection (20) of section 1002.33, Florida Statutes, are  
74 amended to read:

75 1002.33 Charter schools.—

76 (16) EXEMPTION FROM STATUTES.—

77 (a) A charter school shall operate in accordance with its  
78 charter and shall be exempt from all statutes in chapters 1000-  
79 1013. However, a charter school shall be in compliance with the  
80 following statutes in chapters 1000-1013:

81 1. Those statutes specifically applying to charter schools,  
82 including this section.

83 2. Those statutes pertaining to the student assessment  
84 program and school grading system.

85 3. Those statutes pertaining to the provision of services  
86 to students with disabilities.

87 4. Those statutes pertaining to civil rights, including s.  
88 1000.05, relating to discrimination.

89 5. Those statutes pertaining to student health, safety, and  
90 welfare.

91 6. Those statutes pertaining to maximum class size.

92 (18) FACILITIES.—

93 (d) Charter school facilities are exempt from assessments  
94 of fees for building permits, except as provided in s. 553.80;~~i~~  
95 fees for building and occupational licenses;~~i~~ impact fees or  
96 exactions;~~i~~ service availability fees;~~i~~ and assessments for  
97 special benefits.

98 (19) CAPITAL OUTLAY FUNDING.—Charter schools are eligible  
99 for capital outlay funds pursuant to s. 1013.62. Capital outlay  
100 funds authorized in s. 1011.71(2) which have been shared with a



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101 charter school-in-the-workplace prior to July 1, 2010, are  
102 deemed to have met the authorized expenditure requirements for  
103 such funds.

104 (20) SERVICES.—

105 (a)1. A sponsor shall provide certain administrative and  
106 educational services to charter schools. These services shall  
107 include contract management services; full-time equivalent and  
108 data reporting services; exceptional student education  
109 administration services; services related to eligibility and  
110 reporting duties required to ensure that school lunch services  
111 under the federal lunch program, consistent with the needs of  
112 the charter school, are provided by the school district at the  
113 request of the charter school, that any funds due to the charter  
114 school under the federal lunch program be paid to the charter  
115 school as soon as the charter school begins serving food under  
116 the federal lunch program, and that the charter school is paid  
117 at the same time and in the same manner under the federal lunch  
118 program as other public schools serviced by the sponsor or the  
119 school district; test administration services, including payment  
120 of the costs of state-required or district-required student  
121 assessments; processing of teacher certificate data services;  
122 and information services, including equal access to student  
123 information systems that are used by public schools in the  
124 district in which the charter school is located. Student  
125 performance data for each student in a charter school,  
126 including, but not limited to, FCAT scores, standardized test  
127 scores, previous public school student report cards, and student  
128 performance measures, shall be provided by the sponsor to a  
129 charter school in the same manner provided to other public



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130 schools in the district.

131 2. A total administrative fee for the provision of such  
132 services shall be calculated based upon up to 5 percent of the  
133 available funds defined in paragraph (17)(b) for all students.  
134 However, a sponsor may only withhold up to a 5 percent ~~5-percent~~  
135 administrative fee for enrollment for up to and including 250  
136 ~~500~~ students. For charter schools with a population of 251 ~~501~~  
137 or more students, the difference between the total  
138 administrative fee calculation and the amount of the  
139 administrative fee withheld may only be used for capital outlay  
140 purposes specified in s. 1013.62(2).

141 3. In addition, a sponsor may withhold only up to a 5  
142 percent administrative fee for enrollment for up to and  
143 including 500 students within the system for a system of charter  
144 schools which meets all of the following:

145 a. Includes both conversion charter schools and non-  
146 conversion charter schools;

147 b. All schools are located in the same municipality in the  
148 same county;

149 c. Has a total enrollment exceeding the total enrollment of  
150 at least one county school district in the state;

151 d. Has the same governing board; and

152 e. Does not contract with a for-profit service provider for  
153 management of school operations.

154 4. The difference between the total administrative fee  
155 calculation and the amount of the administrative fee withheld  
156 for such system of charter schools may be used for instructional  
157 and administrative purposes as well as for capital outlay  
158 purposes specified in s. 1013.62(2).



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159           5. Each charter school shall receive 100 percent of the  
160 funds awarded to that school pursuant to s. 1012.225. Sponsors  
161 shall not charge charter schools any additional fees or  
162 surcharges for administrative and educational services in  
163 addition to the maximum 5 percent ~~5-percent~~ administrative fee  
164 withheld pursuant to this paragraph.

165           Section 7. Paragraphs (a) and (f) of subsection (3) of  
166 section 1002.37, Florida Statutes, are amended to read:

167           1002.37 The Florida Virtual School.—

168           (3) Funding for the Florida Virtual School shall be  
169 provided as follows:

170           (a) A "full-time equivalent student" for the Florida  
171 Virtual School is one student who has successfully completed six  
172 credits that shall count toward the minimum number of credits  
173 required for high school graduation. A student who completes  
174 less than six credits shall be a fraction of a full-time  
175 equivalent student. Half-credit completions shall be included in  
176 determining a full-time equivalent student. Half-credits earned  
177 by a student 20 weeks or more after beginning the course, and  
178 credits earned by a student 40 weeks or more after beginning the  
179 course, are not eligible to be funded and may not be reported.  
180 Credit completed by a student in excess of the minimum required  
181 for that student for high school graduation is not eligible for  
182 funding.

183           (f) The Florida Virtual School shall receive funds for  
184 operating purposes in an amount determined as follows: multiply  
185 the maximum allowable nonvoted discretionary millage for  
186 operations pursuant to s. 1011.71(1) and (3) by the value of 95  
187 percent of the current year's taxable value for school purposes



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188 for the state; divide the result by the total full-time  
189 equivalent membership of the state; and multiply the result by  
190 the full-time equivalent membership of the school. The amount  
191 thus obtained shall be discretionary operating funds and shall  
192 be appropriated from state funds in the General Appropriations  
193 Act.

194 Section 8. Paragraphs (a) and (b) of subsection (1),  
195 paragraph (a) of subsection (2), and subsections (7) and (12) of  
196 section 1002.45, Florida Statutes, are amended to read:

197 1002.45 School district virtual instruction programs.—

198 (1) PROGRAM.—

199 (a) For purposes of this section, the term:

200 1. "Approved provider" means a provider that is approved by  
201 the Department of Education under subsection (2), the Florida  
202 Virtual School, ~~or~~ a franchise of the Florida Virtual School, or  
203 a public community college.

204 2. "Virtual instruction program" means a program of  
205 instruction provided in an interactive learning environment  
206 created through technology in which students are separated from  
207 their teachers by time or space, or both, and in which a  
208 Florida-certified teacher under chapter 1012 is responsible for  
209 at least:

210 a. Fifty percent of the direct instruction to students in  
211 kindergarten through grade 5; or

212 b. Eighty percent of the direct instruction to students in  
213 grades 6 through 12.

214 (b) Beginning with the 2009-2010 school year, each school  
215 district shall provide eligible students within its boundaries  
216 the option of participating in a virtual instruction program.





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217 The purpose of the program is to make instruction available to  
218 students using online and distance learning technology in the  
219 nontraditional classroom. The program shall be:

220 1. Full-time for students enrolled in kindergarten through  
221 grade 12.

222 2. Full-time or part-time for students in grades 9 through  
223 12 who are enrolled in dropout prevention and academic  
224 intervention programs under s. 1003.53, ~~or~~ Department of  
225 Juvenile Justice education programs under s. 1003.52, core-  
226 curricula courses to meet class size requirements, or community  
227 colleges in grades 9 through 12.

228 (2) PROVIDER QUALIFICATIONS.—

229 (a) The department shall annually provide school districts  
230 with a list of providers approved to offer virtual instruction  
231 programs. To be approved by the department, a provider must  
232 document that it:

233 1. Is nonsectarian in its programs, admission policies,  
234 employment practices, and operations;

235 2. Complies with the antidiscrimination provisions of s.  
236 1000.05;

237 3. Locates an administrative office or offices in this  
238 state, requires its administrative staff to be state residents,  
239 requires all instructional staff to be Florida-certified  
240 teachers under chapter 1012, and conducts background screenings  
241 for all employees or contracted personnel, as required by s.  
242 1012.32, using state and national criminal history records;

243 4. Possesses prior, successful experience offering online  
244 courses to elementary, middle, or high school students; ~~and~~

245 5. Is accredited by the Southern Association of Colleges



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246 and Schools Council on Accreditation and School Improvement, the  
247 North Central Association Commission on Accreditation and School  
248 Improvement, the Middle States Association of Colleges and  
249 Schools Commission on Elementary Schools and Commission on  
250 Secondary Schools, the New England Association of Schools and  
251 Colleges, the Northwest Association of Accredited Schools, the  
252 Western Association of Schools and Colleges, or the Commission  
253 on International and Trans-Regional Accreditation; ~~and-~~

254 6. If the provider is a community college, its instructors  
255 meet the certification requirements for instructional staff.

256 (7) FUNDING.—

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

260 (b) The school district in which the student resides shall  
261 report full-time equivalent students for the school district  
262 virtual instruction program to the department in a manner  
263 prescribed by the department, and funding shall be provided  
264 through the Florida Education Finance Program. Funds received by  
265 the school district of residence for a student in a virtual  
266 instruction program provided by another school district under  
267 this section shall be transferred to the school district  
268 providing the virtual instruction program.

269 (c) A community college provider may not report students  
270 who are served in a school district virtual instruction program  
271 for funding under the Community College Program Fund.

272 ~~(12) STUDY.—The department shall review the advisability of~~  
273 ~~legislatively authorizing school districts to contract with~~  
274 ~~approved private providers for the provision of part-time~~



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275 ~~virtual instruction programs for students in grades 9 through 12~~  
276 ~~who are not enrolled in programs under ss. 1003.52 and 1003.53.~~  
277 ~~The department shall report its findings and recommendations to~~  
278 ~~the presiding officers of the Legislature and the Governor by~~  
279 ~~January 15, 2010.~~

280 Section 9. Paragraphs (c) and (f) of subsection (3) of  
281 section 1002.55, Florida Statutes, are amended to read:

282 1002.55 School-year prekindergarten program delivered by  
283 private prekindergarten providers.—

284 (3) To be eligible to deliver the prekindergarten program,  
285 a private prekindergarten provider must meet each of the  
286 following requirements:

287 (c) The private prekindergarten provider must have, for  
288 each prekindergarten class composed of 12 children or fewer, at  
289 least one prekindergarten instructor who meets each of the  
290 following requirements:

291 1. The prekindergarten instructor must hold, at a minimum,  
292 one of the following credentials:

293 a. A child development associate credential issued by the  
294 National Credentialing Program of the Council for Professional  
295 Recognition; or

296 b. A credential approved by the Department of Children and  
297 Family Services as being equivalent to or greater than the  
298 credential described in sub-subparagraph a.

299  
300 The Department of Children and Family Services may adopt rules  
301 under ss. 120.536(1) and 120.54 which provide criteria and  
302 procedures for approving equivalent credentials under sub-  
303 subparagraph b.



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304           2. The prekindergarten instructor must successfully  
305 complete an emergent literacy training course approved by the  
306 department as meeting or exceeding the minimum standards adopted  
307 under s. 1002.59. This subparagraph does not apply to a  
308 prekindergarten instructor who successfully completes approved  
309 training in early literacy and language development under s.  
310 402.305(2)(d)5., s. 402.313(6), or s. 402.3131(5) before the  
311 establishment of one or more emergent literacy training courses  
312 under s. 1002.59 or April 1, 2005, whichever occurs later.

313           (f) Each of the private prekindergarten provider's  
314 prekindergarten classes must be composed of at least 4 students  
315 but may not exceed 24 ~~18~~ students. In order to protect the  
316 health and safety of students, each private prekindergarten  
317 provider must also provide appropriate adult supervision for  
318 students at all times and, for each prekindergarten class  
319 composed of 13 to 20 ~~11 or more~~ students, must have, in addition  
320 to a prekindergarten instructor who meets the requirements of  
321 paragraph (c), at least one adult prekindergarten instructor who  
322 is not required to meet those requirements but who must meet  
323 each requirement of paragraph (d). Each prekindergarten class  
324 composed of 21 to 24 students must have an additional  
325 prekindergarten instructor who meets the requirements of  
326 paragraph (c). This paragraph does not supersede any requirement  
327 imposed on a provider under ss. 402.301-402.319.

328           Section 10. Subsection (7) of section 1002.63, Florida  
329 Statutes, is amended to read:

330           1002.63 School-year prekindergarten program delivered by  
331 public schools.—

332           (7) Each prekindergarten class in a public school



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333 delivering the school-year prekindergarten program must be  
334 composed of at least 4 students but may not exceed 24 ~~18~~  
335 students. In order to protect the health and safety of students,  
336 each school must also provide appropriate adult supervision for  
337 students at all times and, for each prekindergarten class  
338 composed of 13 to 20 ~~11 or more~~ students, must have, in addition  
339 to a prekindergarten instructor who meets the requirements of s.  
340 1002.55(3)(c), at least one adult prekindergarten instructor who  
341 is not required to meet those requirements but who must meet  
342 each requirement of subsection (5). Each prekindergarten class  
343 composed of 21 to 24 students must have an additional  
344 prekindergarten instructor who meets the requirements of  
345 paragraph (c).

346 Section 11. Subsection (7) of section 1002.71, Florida  
347 Statutes, is amended to read:

348 1002.71 Funding; financial and attendance reporting.—

349 (7) The Agency for Workforce Innovation shall require that  
350 administrative expenditures be kept to the minimum necessary for  
351 efficient and effective administration of the Voluntary  
352 Prekindergarten Education Program. Administrative policies and  
353 procedures shall be revised, to the maximum extent practicable,  
354 to incorporate the use of automation and electronic submission  
355 of forms, including those required for child eligibility and  
356 enrollment, provider and class registration, and monthly  
357 certification of attendance for payment. A school district may  
358 use its automated daily attendance reporting system for the  
359 purpose of transmitting attendance records to the early learning  
360 coalition in a mutually agreed-upon format. In addition, actions  
361 shall be taken to reduce paperwork, eliminate the duplication of



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362 reports, and eliminate other duplicative activities. Beginning  
363 with the 2010-2011 ~~2008-2009~~ fiscal year, each early learning  
364 coalition may retain and expend no more than 4.5 ~~4.85~~ percent of  
365 the funds paid by the coalition to private prekindergarten  
366 providers and public schools under paragraph (5)(b). Funds  
367 retained by an early learning coalition under this subsection  
368 may be used only for administering the Voluntary Prekindergarten  
369 Education Program and may not be used for the school readiness  
370 program or other programs.

371 Section 12. Subsections (2), (3), and (4) of section  
372 1003.03, Florida Statutes, are amended to read:

373 1003.03 Maximum class size.—

374 (2) IMPLEMENTATION.—The Department of Education shall  
375 annually calculate class size measures defined in subsection (1)  
376 based upon the October student membership survey, except that  
377 the calculation for 2010-2011 shall be based on the February  
378 student membership survey.

379 ~~(a) Beginning with the 2003-2004 fiscal year, each school~~  
380 ~~district that is not in compliance with the maximums in~~  
381 ~~subsection (1) shall reduce the average number of students per~~  
382 ~~classroom in each of the following grade groupings:~~  
383 ~~prekindergarten through grade 3, grade 4 through grade 8, and~~  
384 ~~grade 9 through grade 12, by at least two students each year.~~

385 ~~(b) Determination of the number of students per classroom~~  
386 ~~in paragraph (a) shall be calculated as follows:~~

387 ~~1. For fiscal years 2003-2004 through 2005-2006, the~~  
388 ~~calculation for compliance for each of the 3 grade groupings~~  
389 ~~shall be the average at the district level.~~

390 ~~2. For fiscal years 2006-2007 through 2009-2010, the~~



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391 ~~calculation for compliance for each of the 3 grade groupings~~  
392 ~~shall be the average at the school level.~~

393 ~~3. For fiscal year 2010-2011 and thereafter, the~~  
394 ~~calculation for compliance shall be at the individual classroom~~  
395 ~~level.~~

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

399 ~~(c) The Department of Education shall annually calculate~~  
400 ~~each of the three average class size measures defined in~~  
401 ~~paragraphs (a) and (b) based upon the October student membership~~  
402 ~~survey. For purposes of determining the baseline from which each~~  
403 ~~district's average class size must be reduced for the 2003-2004~~  
404 ~~school year, the department shall use data from the February~~  
405 ~~2003 student membership survey updated to include classroom~~  
406 ~~identification numbers as required by the department.~~

407 ~~(d) Prior to the adoption of the district school budget for~~  
408 ~~2004-2005, each district school board shall hold public hearings~~  
409 ~~to review school attendance zones in order to ensure maximum use~~  
410 ~~of facilities while minimizing the additional use of~~  
411 ~~transportation in order to comply with the two-student-per-year~~  
412 ~~reduction required in paragraph (a). School districts that meet~~  
413 ~~the constitutional class size maximums described in subsection~~  
414 ~~(1) are exempt from this requirement.~~

415 (3) IMPLEMENTATION OPTIONS.-District school boards must  
416 consider, but are not limited to, implementing the following  
417 items in order to meet the constitutional class size maximums  
418 described in subsection (1) and the two-student-per-year  
419 reduction required in subsection (2):



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420 (a) Adopt policies to encourage qualified students to take  
421 dual enrollment courses.

422 (b) Adopt policies to encourage students to take courses  
423 from the Florida Virtual School and school district virtual  
424 instruction programs.

425 (c)1. Repeal district school board policies that require  
426 students to have more than 24 credits to graduate from high  
427 school.

428 2. Adopt policies to allow students to graduate from high  
429 school as soon as they pass the grade 10 FCAT and complete the  
430 courses required for high school graduation.

431 (d) Use methods to maximize use of instructional staff,  
432 such as changing required teaching loads and scheduling of  
433 planning periods, deploying district employees that have  
434 professional certification to the classroom, using adjunct  
435 educators, or any other method not prohibited by law.

436 (e) Use innovative methods to reduce the cost of school  
437 construction by using prototype school designs, using SMART  
438 Schools designs, participating in the School Infrastructure  
439 Thrift Program, or any other method not prohibited by law.

440 (f) Use joint-use facilities through partnerships with  
441 community colleges, state universities, and private colleges and  
442 universities. Joint-use facilities available for use as K-12  
443 classrooms that do not meet the K-12 State Regulations for  
444 Educational Facilities in the Florida Building Code may be used  
445 at the discretion of the district school board provided that  
446 such facilities meet all other health, life, safety, and fire  
447 codes.

448 (g) Adopt alternative methods of class scheduling, such as





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449 block scheduling.

450 (h) Redraw school attendance zones to maximize use of  
451 facilities while minimizing the additional use of  
452 transportation.

453 (i) Operate schools beyond the normal operating hours to  
454 provide classes in the evening or operate more than one session  
455 of school during the day.

456 (j) Use year-round schools and other nontraditional  
457 calendars that do not adversely impact annual assessment of  
458 student achievement.

459 (k) Review and consider amending any collective bargaining  
460 contracts that hinder the implementation of class size  
461 reduction.

462 (l) Use any other approach not prohibited by law.

463 (4) ACCOUNTABILITY.—

464 ~~(a) 1. Beginning in the 2003-2004 fiscal year, if the~~  
465 ~~department determines for any year that a school district has~~  
466 ~~not reduced average class size as required in subsection (2) at~~  
467 ~~the time of the third FEFP calculation, the department shall~~  
468 ~~calculate an amount from the class size reduction operating~~  
469 ~~categorical which is proportionate to the amount of class size~~  
470 ~~reduction not accomplished. Upon verification of the~~  
471 ~~department's calculation by the Florida Education Finance~~  
472 ~~Program Appropriation Allocation Conference and not later than~~  
473 ~~March 1 of each year, the Executive Office of the Governor shall~~  
474 ~~transfer undistributed funds equivalent to the calculated amount~~  
475 ~~from the district's class size reduction operating categorical~~  
476 ~~to an approved fixed capital outlay appropriation for class size~~  
477 ~~reduction in the affected district pursuant to s. 216.292(2)(d).~~



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478 ~~The amount of funds transferred shall be the lesser of the~~  
479 ~~amount verified by the Florida Education Finance Program~~  
480 ~~Appropriation Allocation Conference or the undistributed balance~~  
481 ~~of the district's class size reduction operating categorical.~~

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

494 ~~3. For the 2007-2008 fiscal year and thereafter, if in any~~  
495 ~~fiscal year funds from a district's class size operating~~  
496 ~~categorical are required to be transferred to its fixed capital~~  
497 ~~outlay fund and the district's class size operating categorical~~  
498 ~~allocation in the General Appropriations Act for that fiscal~~  
499 ~~year has been reduced by a subsequent appropriation, the~~  
500 ~~Commissioner of Education may recommend a 50-percent reduction~~  
501 ~~in the amount of the transfer.~~

502 ~~(a) (b) Beginning in the 2010-2011 fiscal year and each year~~  
503 ~~thereafter, If the department determines that the number of~~  
504 ~~students assigned to any individual class exceed ~~exceeds~~ the~~  
505 ~~class size maximum, as required in subsection (1) ~~(2)~~, at the~~  
506 ~~time of the third FEFP calculation, except in 2010-2011 at the~~



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507 time of the fourth calculation, the department shall:

508 1. Identify, for each grade group, the number of classes in  
509 ~~which the enrollment exceeds the maximum,~~ the number of students  
510 exceed ~~which exceeds~~ the maximum ~~for each class,~~ and the total  
511 number of students that exceed ~~which exceeds~~ the maximum for all  
512 classes.

513 2. Determine the number of full-time equivalent students  
514 that exceed ~~which exceeds~~ the maximum ~~class size~~ for each grade  
515 group.

516 3. Multiply the total number of FTE students that exceed  
517 ~~which exceeds~~ the maximum ~~class size~~ for each grade group by the  
518 district's FTE dollar amount of the class-size-reduction  
519 allocation for that year and calculate the total for all three  
520 grade groups.

521 4. Multiply the total number of FTE students that exceed  
522 the maximum for all classes by the amount of the base student  
523 allocation adjusted by the district's district cost  
524 differential.

525 ~~5.4.~~ Reduce the district's class-size-reduction operating  
526 categorical allocation by an amount equal to the sum of the  
527 calculations calculation in subparagraphs subparagraph 3. and 4.  
528 The commissioner is authorized to withhold the distribution of  
529 class size allocation reduction funds to the extent necessary to  
530 comply with this section.

531 ~~(b)-(e)~~ Upon verification of the department's calculation by  
532 the Florida Education Finance Program Appropriation Allocation  
533 Conference and no later than March 1 of each year, the Executive  
534 Office of the Governor shall place these funds in reserve, and  
535 the undistributed funds shall revert to the General Revenue Fund



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536 unallocated at the end of the fiscal year. The amount of funds  
537 reduced shall be the lesser of the amount verified by the  
538 Florida Education Finance Program Appropriation Allocation  
539 Conference or the undistributed balance of the district's class-  
540 size-reduction operating categorical allocation.

541 (c) ~~(d)~~ In lieu of the reduction calculation in paragraph  
542 (a) ~~(b)~~, if the Commissioner of Education has evidence that a  
543 district was unable to meet the class size requirements despite  
544 appropriate efforts to do so or because of an extreme emergency,  
545 he or she may recommend a budget amendment, subject to approval  
546 of the Legislative Budget Commission, to reduce an alternative  
547 amount of funds from the district's class-size-reduction  
548 operating categorical allocation. The commissioner's budget  
549 amendment must be submitted to the Legislative Budget Commission  
550 by February 15 of each year.

551 (d) The March 1 and February 15 dates in paragraphs (b) and  
552 (c) do not apply for the 2010-2011 fiscal year.

553 ~~(c) In addition to the calculation required in paragraph~~  
554 ~~(a), at the time of the third FEFP calculation for the 2009-2010~~  
555 ~~fiscal year, the department shall also prepare a simulated~~  
556 ~~calculation based on the requirements in paragraphs (b) and (c).~~  
557 ~~This simulated calculation shall be provided to the school~~  
558 ~~districts and the Legislature.~~

559 Section 13. Effective upon approval by the electors of  
560 Senate Joint Resolution 2 or House Joint Resolution 7039 in the  
561 2010 General Election and retroactive to the beginning of the  
562 2010-2011 school year, section 1003.03, Florida Statutes, is  
563 amended to read:

564 1003.03 Maximum class size.-



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565 (1) CONSTITUTIONAL CLASS SIZE MAXIMUMS.—Pursuant to s. 1,  
566 Art. IX of the State Constitution, beginning in the 2010-2011  
567 school year:

568 (a) The average number of students at the school level  
569 assigned to each teacher who is teaching core-curricula courses  
570 in public school classrooms for prekindergarten through grade 3  
571 may not exceed 18 students and the maximum number of students  
572 assigned to a teacher in an individual class may not exceed 21  
573 students.

574 (b) The average number of students at the school level  
575 assigned to each teacher who is teaching core-curricula courses  
576 in public school classrooms for grades 4 through 8 may not  
577 exceed 22 students and the maximum number of students assigned  
578 to a teacher in an individual class may not exceed 27 students.

579 (c) The average number of students at the school level  
580 assigned to each teacher who is teaching core-curricula courses  
581 in public school classrooms for grades 9 through 12 may not  
582 exceed 25 students and the maximum number of students assigned  
583 to a teacher in an individual class may not exceed 30 students.

584 ~~(a) The maximum number of students assigned to each teacher~~  
585 ~~who is teaching core-curricula courses in public school~~  
586 ~~classrooms for prekindergarten through grade 3 may not exceed 18~~  
587 ~~students.~~

588 ~~(b) The maximum number of students assigned to each teacher~~  
589 ~~who is teaching core-curricula courses in public school~~  
590 ~~classrooms for grades 4 through 8 may not exceed 22 students.~~

591 ~~(c) The maximum number of students assigned to each teacher~~  
592 ~~who is teaching core-curricula courses in public school~~  
593 ~~classrooms for grades 9 through 12 may not exceed 25 students.~~



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594           (2) IMPLEMENTATION.—The Department of Education shall  
595 annually calculate class size as defined in subsection (1) based  
596 upon the October student membership survey, except that the  
597 calculation for the 2010-2011 school year shall be based on the  
598 February student membership survey. The calculation for  
599 compliance for each of the three grade groupings shall be the  
600 number of students assigned to each teacher in an individual  
601 class and the average number of students at the school level  
602 assigned to each teacher. Each teacher assigned to any classroom  
603 shall be included in the calculation for compliance.

604           ~~(a) Beginning with the 2003-2004 fiscal year, each school~~  
605 ~~district that is not in compliance with the maximums in~~  
606 ~~subsection (1) shall reduce the average number of students per~~  
607 ~~classroom in each of the following grade groupings:~~  
608 ~~prekindergarten through grade 3, grade 4 through grade 8, and~~  
609 ~~grade 9 through grade 12, by at least two students each year.~~

610           ~~(b) Determination of the number of students per classroom~~  
611 ~~in paragraph (a) shall be calculated as follows:~~

612           ~~1. For fiscal years 2003-2004 through 2005-2006, the~~  
613 ~~calculation for compliance for each of the 3 grade groupings~~  
614 ~~shall be the average at the district level.~~

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

618           ~~3. For fiscal year 2010-2011 and thereafter, the~~  
619 ~~calculation for compliance shall be at the individual classroom~~  
620 ~~level.~~

621           ~~4. For fiscal years 2006-2007 through 2009-2010 and~~  
622 ~~thereafter, each teacher assigned to any classroom shall be~~



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623 ~~included in the calculation for compliance.~~

624 ~~(c) The Department of Education shall annually calculate~~  
625 ~~each of the three average class size measures defined in~~  
626 ~~paragraphs (a) and (b) based upon the October student membership~~  
627 ~~survey. For purposes of determining the baseline from which each~~  
628 ~~district's average class size must be reduced for the 2003-2004~~  
629 ~~school year, the department shall use data from the February~~  
630 ~~2003 student membership survey updated to include classroom~~  
631 ~~identification numbers as required by the department.~~

632 ~~(d) Prior to the adoption of the district school budget for~~  
633 ~~2004-2005, each district school board shall hold public hearings~~  
634 ~~to review school attendance zones in order to ensure maximum use~~  
635 ~~of facilities while minimizing the additional use of~~  
636 ~~transportation in order to comply with the two-student-per-year~~  
637 ~~reduction required in paragraph (a). School districts that meet~~  
638 ~~the constitutional class size maximums described in subsection~~  
639 ~~(1) are exempt from this requirement.~~

640 (3) IMPLEMENTATION OPTIONS.—District school boards must  
641 consider, but are not limited to, implementing the following  
642 items in order to meet the constitutional class size maximums  
643 described in subsection (1) ~~and the two-student-per-year~~  
644 ~~reduction required in subsection (2):~~

645 (a) Adopt policies to encourage qualified students to take  
646 dual enrollment courses.

647 (b) Adopt policies to encourage students to take courses  
648 from the Florida Virtual School and school district virtual  
649 instruction programs.

650 (c)1. Repeal district school board policies that require  
651 students to have more than 24 credits to graduate from high



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652 school.

653 2. Adopt policies to allow students to graduate from high  
654 school as soon as they pass the grade 10 FCAT and complete the  
655 courses required for high school graduation.

656 (d) Use methods to maximize use of instructional staff,  
657 such as changing required teaching loads and scheduling of  
658 planning periods, deploying district employees that have  
659 professional certification to the classroom, using adjunct  
660 educators, or any other method not prohibited by law.

661 (e) Use innovative methods to reduce the cost of school  
662 construction by using prototype school designs, using SMART  
663 Schools designs, participating in the School Infrastructure  
664 Thrift Program, or any other method not prohibited by law.

665 (f) Use joint-use facilities through partnerships with  
666 community colleges, state universities, and private colleges and  
667 universities. Joint-use facilities available for use as K-12  
668 classrooms that do not meet the K-12 State Regulations for  
669 Educational Facilities in the Florida Building Code may be used  
670 at the discretion of the district school board provided that  
671 such facilities meet all other health, life, safety, and fire  
672 codes.

673 (g) Adopt alternative methods of class scheduling, such as  
674 block scheduling.

675 (h) Redraw school attendance zones to maximize use of  
676 facilities while minimizing the additional use of  
677 transportation.

678 (i) Operate schools beyond the normal operating hours to  
679 provide classes in the evening or operate more than one session  
680 of school during the day.





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681 (j) Use year-round schools and other nontraditional  
682 calendars that do not adversely impact annual assessment of  
683 student achievement.

684 (k) Review and consider amending any collective bargaining  
685 contracts that hinder the implementation of class size  
686 reduction.

687 (l) Use any other approach not prohibited by law.

688 (4) ACCOUNTABILITY.—

689 (a) If the department determines that the number of  
690 students assigned to any individual class exceeds the classroom  
691 maximum, or if the department determines that the school average  
692 is greater than the school level maximum, the department shall  
693 identify for each of three grade groups:

694 1. The number of FTE students in an individual classroom  
695 that are greater than the classroom maximum and the number of  
696 FTE students that are greater than the school level average, not  
697 including the number of FTE that are greater than the classroom  
698 maximum.

699 2. Multiply the total number of FTE students as calculated  
700 in subparagraph 1. which exceed the maximum class size for each  
701 grade group by the district's FTE dollar amount of the class-  
702 size-reduction allocation for that year and calculate the total  
703 dollar amount for all three grade groups.

704 3. Multiply the total number of FTE students as calculated  
705 in subparagraph 1. which exceed the maximum by the amount of the  
706 base student allocation adjusted by the district cost  
707 differential.

708 4. Reduce the district's class-size-reduction operating  
709 categorical allocation by an amount equal to the sum of the



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710 calculations in subparagraphs 2. and 3. The commissioner is  
711 authorized to withhold the distribution of class size reduction  
712 allocation funds to the extent necessary to comply with this  
713 section.

714 ~~(a)1. Beginning in the 2003-2004 fiscal year, if the~~  
715 ~~department determines for any year that a school district has~~  
716 ~~not reduced average class size as required in subsection (2) at~~  
717 ~~the time of the third FEFP calculation, the department shall~~  
718 ~~calculate an amount from the class size reduction operating~~  
719 ~~categorical which is proportionate to the amount of class size~~  
720 ~~reduction not accomplished. Upon verification of the~~  
721 ~~department's calculation by the Florida Education Finance~~  
722 ~~Program Appropriation Allocation Conference and not later than~~  
723 ~~March 1 of each year, the Executive Office of the Governor shall~~  
724 ~~transfer undistributed funds equivalent to the calculated amount~~  
725 ~~from the district's class size reduction operating categorical~~  
726 ~~to an approved fixed capital outlay appropriation for class size~~  
727 ~~reduction in the affected district pursuant to s. 216.292(2)(d).~~  
728 ~~The amount of funds transferred shall be the lesser of the~~  
729 ~~amount verified by the Florida Education Finance Program~~  
730 ~~Appropriation Allocation Conference or the undistributed balance~~  
731 ~~of the district's class size reduction operating categorical.~~

732 ~~2. In lieu of the transfer required by subparagraph 1., the~~  
733 ~~Commissioner of Education may recommend a budget amendment,~~  
734 ~~subject to approval by the Legislative Budget Commission, to~~  
735 ~~transfer an alternative amount of funds from the district's~~  
736 ~~class size reduction operating categorical to its approved fixed~~  
737 ~~capital outlay account for class size reduction if the~~  
738 ~~commissioner finds that the State Board of Education has~~



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739 ~~reviewed evidence indicating that a district has been unable to~~  
740 ~~meet class size reduction requirements despite appropriate~~  
741 ~~effort to do so. The commissioner's budget amendment must be~~  
742 ~~submitted to the Legislative Budget Commission by February 15 of~~  
743 ~~each year.~~

744 ~~3. For the 2007-2008 fiscal year and thereafter, if in any~~  
745 ~~fiscal year funds from a district's class size operating~~  
746 ~~categorical are required to be transferred to its fixed capital~~  
747 ~~outlay fund and the district's class size operating categorical~~  
748 ~~allocation in the General Appropriations Act for that fiscal~~  
749 ~~year has been reduced by a subsequent appropriation, the~~  
750 ~~Commissioner of Education may recommend a 50-percent reduction~~  
751 ~~in the amount of the transfer.~~

752 ~~(b)(e)~~ Upon verification of the department's calculation by  
753 the Florida Education Finance Program Appropriation Allocation  
754 Conference and no later than March 1 of each year, the Executive  
755 Office of the Governor shall place these funds in reserve, and  
756 the undistributed funds shall revert to the General Revenue Fund  
757 unallocated at the end of the fiscal year. The amount of funds  
758 reduced shall be the lesser of the amount verified by the  
759 Florida Education Finance Program Appropriation Allocation  
760 Conference or the undistributed balance of the district's class-  
761 size-reduction operating categorical allocation.

762 ~~(c)(d)~~ In lieu of the reduction calculation in paragraph  
763 (a) (b), if the Commissioner of Education has evidence that a  
764 district has been unable to meet the class size requirements  
765 despite appropriate efforts to do so or because of an extreme  
766 emergency, he or she may recommend a budget amendment, subject  
767 to approval of the Legislative Budget Commission, to reduce an



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768 alternative amount of funds from the district's class-size-  
769 reduction operating categorical allocation. The commissioner's  
770 budget amendment must be submitted to the Legislative Budget  
771 Commission by February 15 of each year.

772 (d) The March 1 and February 15 dates in paragraphs (b) and  
773 (c) do not apply for the 2010-2011 fiscal year.

774 ~~(e) In addition to the calculation required in paragraph~~  
775 ~~(a), at the time of the third FEFP calculation for the 2009-2010~~  
776 ~~fiscal year, the department shall also prepare a simulated~~  
777 ~~calculation based on the requirements in paragraphs (b) and (c).~~  
778 ~~This simulated calculation shall be provided to the school~~  
779 ~~districts and the Legislature.~~

780 (5) TEAM-TEACHING STRATEGIES.—

781 (a) School districts may use teaching strategies that  
782 include the assignment of more than one teacher to a classroom  
783 of students and that were implemented before July 1, 2005.  
784 Effective July 1, 2005, school districts may implement  
785 additional teaching strategies that include the assignment of  
786 more than one teacher to a classroom of students for the  
787 following purposes only:

788 1. Pairing teachers for the purpose of staff development.

789 2. Pairing new teachers with veteran teachers.

790 3. Reducing turnover among new teachers.

791 4. Pairing teachers who are teaching out-of-field with  
792 teachers who are in-field.

793 5. Providing for more flexibility and innovation in the  
794 classroom.

795 6. Improving learning opportunities for students, including  
796 students who have disabilities.



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797 (b) Teaching strategies, including team teaching, co-  
798 teaching, or inclusion teaching, implemented on or after July 1,  
799 2005, pursuant to paragraph (a) may be implemented subject to  
800 the following restrictions:

801 1. Reasonable limits shall be placed on the number of  
802 students in a classroom so that classrooms are not overcrowded.  
803 Teacher-to-student ratios within a curriculum area or grade  
804 level must not exceed constitutional limits.

805 2. At least one member of the team must have at least 3  
806 years of teaching experience.

807 3. At least one member of the team must be teaching in-  
808 field.

809 4. The teachers must be trained in team-teaching methods  
810 within 1 year after assignment.

811 (c) As used in this subsection, the term:

812 1. "Team teaching" or "co-teaching" means two or more  
813 teachers are assigned to a group of students and each teacher is  
814 responsible for all of the students during the entire class  
815 period. In order to be considered team teaching or co-teaching,  
816 each teacher is responsible for planning, delivering, and  
817 evaluating instruction for all students in the class or subject  
818 for the entire class period.

819 2. "Inclusion teaching" means two or more teachers are  
820 assigned to a group of students, but one of the teachers is  
821 responsible for only one student or a small group of students in  
822 the classroom.

823

824 The use of strategies implemented as outlined in this subsection  
825 meets the letter and intent of the Florida Constitution and the



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826 Florida Statutes which relate to implementing class size  
827 reduction, and this subsection applies retroactively. A school  
828 district may not be penalized financially or otherwise as a  
829 result of the use of any legal strategy, including, but not  
830 limited to, those set forth in subsection (3) and this  
831 subsection.

832 Section 14. Subsection (2) of section 1003.492, Florida  
833 Statutes, is amended to read:

834 1003.492 Industry-certified career education programs.—

835 (2) The State Board of Education shall use the expertise of  
836 Workforce Florida, Inc., and Enterprise Florida, Inc., to  
837 develop and adopt rules pursuant to ss. 120.536(1) and 120.54  
838 for implementing an industry certification process. Industry  
839 certification shall be defined by the Agency for Workforce  
840 Innovation, based upon the highest available national standards  
841 for specific industry certification, to ensure student skill  
842 proficiency and to address emerging labor market and industry  
843 trends. A regional workforce board or a career and professional  
844 academy may apply to Workforce Florida, Inc., to request  
845 additions to the approved list of industry certifications based  
846 on high-demand job requirements in the regional economy. The  
847 list of industry certifications approved by Workforce Florida,  
848 Inc., and the Department of Education shall be published and  
849 updated annually by a date certain, to be included in the  
850 adopted rule.

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

853 1006.28 Duties of district school board, district school  
854 superintendent; and school principal regarding K-12



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855 instructional materials.—

856 (1) DISTRICT SCHOOL BOARD.—The district school board has  
857 the duty to provide adequate instructional materials for all  
858 students in accordance with the requirements of this part. The  
859 term “adequate instructional materials” means a sufficient  
860 number of textbooks or sets of materials that are available in  
861 bound, unbound, kit, or package form and may consist of hard-  
862 backed or soft-backed textbooks, electronic content,  
863 consumables, learning laboratories, manipulatives, electronic  
864 media, and computer courseware or software that serve as the  
865 basis for instruction for each student in the core courses of  
866 mathematics, language arts, social studies, science, reading,  
867 and literature, except for instruction for which the school  
868 advisory council approves the use of a program that does not  
869 include a textbook as a major tool of instruction. The district  
870 school board has the following specific duties:

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

873 (b) *Textbooks.*—Provide for proper requisitioning,  
874 distribution, accounting, storage, care, and use of all  
875 instructional materials furnished by the state and furnish such  
876 other instructional materials as may be needed. The district  
877 school board shall assure that instructional materials used in  
878 the district are consistent with the district goals and  
879 objectives and the curriculum frameworks adopted by rule of the  
880 State Board of Education, as well as with the state and district  
881 performance standards provided for in s. 1001.03(1).

882 (c) *Other instructional materials.*—Provide such other  
883 teaching accessories and aids as are needed for the school



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884 district's educational program.

885 (d) *School library media services; establishment and*  
886 *maintenance.*—Establish and maintain a program of school library  
887 media services for all public schools in the district, including  
888 school library media centers, or school library media centers  
889 open to the public, and, in addition such traveling or  
890 circulating libraries as may be needed for the proper operation  
891 of the district school system.

892 Section 16. Section 1006.281, Florida Statutes, is created  
893 to read:

894 1006.281 Learning management systems.—

895 (1) To ensure that all school districts have equitable  
896 access to digitally rich instructional materials, districts are  
897 encouraged to provide access to an electronic learning  
898 management system that allows teachers, students, and parents to  
899 access, organize, and use electronically available instructional  
900 materials and teaching and learning tools and resources, and  
901 that enables teachers to manage, assess, and track student  
902 learning.

903 (2) To the extent fiscally and technologically feasible, a  
904 school district's electronic learning management system should  
905 allow for a single, authenticated sign-on and include the  
906 following functionality:

907 (a) Vertically searches for, gathers, and organizes  
908 specific standards-based instructional materials.

909 (b) Enables teachers to prepare lessons, individualize  
910 student instruction, and use best practices in providing  
911 instruction.

912 (c) Provides communication, including access to up-to-date





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913 student performance data, in order to help teachers and parents  
914 better serve the needs of students.

915 (d) Provides access for administrators to ensure quality of  
916 instruction within every classroom.

917 (e) Provides access to multiple content providers.

918 (3) The Department of Education shall provide assistance as  
919 requested by school districts in their deployment of a district  
920 electronic learning management system.

921 Section 17. Subsection (4) of section 1006.29, Florida  
922 Statutes, is amended to read:

923 1006.29 State instructional materials committees.-

924 (4) For purposes of state adoption, "instructional  
925 materials" means items having intellectual content that by  
926 design serve as a major tool for assisting in the instruction of  
927 a subject or course. These items may be available in bound,  
928 unbound, kit, or package form and may consist of hardbacked or  
929 softbacked textbooks, electronic content, consumables, learning  
930 laboratories, manipulatives, electronic media, and computer  
931 courseware or software. The term does not include electronic or  
932 computer hardware even if such hardware is bundled with software  
933 or other electronic media, nor does it include equipment or  
934 supplies. A publisher or manufacturer providing instructional  
935 materials as a single bundle shall also make the instructional  
936 materials available as separate and unbundled items, each priced  
937 individually. Any instructional materials adopted after 2012-  
938 2013 for students in grades 9 through 12 shall be provided  
939 primarily in an electronic format.

940 Section 18. Paragraph (b) of subsection (1) of section  
941 1006.33, Florida Statutes, is amended to read:



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942 1006.33 Bids or proposals; advertisement and its contents.-

943 (1)

944 (b) The advertisement shall state that, beginning in 2010-  
945 2011, each bidder shall furnish electronic specimen copies of  
946 all instructional materials submitted, at a time designated by  
947 the department, which specimen copies shall be identical with  
948 the copies approved and accepted by the members of the state  
949 instructional materials committee, as prescribed in this  
950 section, and with the copies furnished to the department and  
951 district school superintendents, as provided in this part. Any  
952 district school superintendent who requires samples in addition  
953 to the electronic format must request those samples through the  
954 department.

955 Section 19. Paragraph (a) of subsection (3) and subsection  
956 (4) of section 1006.40, Florida Statutes, are amended to read:

957 1006.40 Use of instructional materials allocation;  
958 instructional materials, library books, and reference books;  
959 repair of books.-

960 (3) (a) Each district school board shall use the annual  
961 allocation for the purchase of instructional materials included  
962 on the state-adopted list, except as otherwise authorized in  
963 paragraphs (b) and (c). No less than 50 percent of the annual  
964 allocation shall be used to purchase items which will be used to  
965 provide instruction to students at the level or levels for which  
966 the materials are designed. Beginning with the 2012-2013 fiscal  
967 year, not less than 10 percent of the annual allocation shall be  
968 used to purchase items for which the major tool of instruction  
969 is used electronically.

970 (4) The funds described in subsection (3) which district



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971 school boards may use to purchase materials not on the state-  
972 adopted list shall be used for the purchase of instructional  
973 materials or other items having intellectual content which  
974 assist in the instruction of a subject or course. These items  
975 may be available in bound, unbound, kit, or package form and may  
976 consist of hardbacked or softbacked textbooks, electronic  
977 content, replacements for items which were part of previously  
978 purchased instructional materials, consumables, learning  
979 laboratories, manipulatives, electronic media, computer  
980 courseware or software, and other commonly accepted  
981 instructional tools as prescribed by district school board rule.  
982 The funds available to district school boards for the purchase  
983 of materials not on the state-adopted list may not be used to  
984 purchase ~~electronic or computer~~ hardware even if such hardware  
985 is bundled with software or other electronic media, nor may such  
986 funds be used to purchase equipment or supplies. However, when  
987 authorized to do so in the General Appropriations Act, a school  
988 or district school board may use a portion of the funds  
989 available to it for the purchase of materials not on the state-  
990 adopted list to purchase science laboratory materials and  
991 supplies.

992 Section 20. Subsection (1) of section 1007.27, Florida  
993 Statutes, is amended to read:

994 1007.27 Articulated acceleration mechanisms.—

995 (1) It is the intent of the Legislature that a variety of  
996 articulated acceleration mechanisms be available for secondary  
997 and postsecondary students attending public educational  
998 institutions. It is intended that articulated acceleration serve  
999 to shorten the time necessary for a student to complete the



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1000 requirements associated with the conference of a high school  
1001 diploma and a postsecondary degree, broaden the scope of  
1002 curricular options available to students, or increase the depth  
1003 of study available for a particular subject. Articulated  
1004 acceleration mechanisms shall include, but not be limited to,  
1005 dual enrollment as provided for in s. 1007.271, early admission,  
1006 advanced placement, credit by examination, the International  
1007 Baccalaureate Program, and the Advanced International  
1008 Certificate of Education Program. Credit earned through the  
1009 Florida Virtual School shall provide additional opportunities  
1010 for early graduation and acceleration. Students of Florida  
1011 public secondary schools enrolled pursuant to this subsection  
1012 shall be deemed authorized users of the state-funded electronic  
1013 library resources that are licensed for public colleges and  
1014 universities by the Florida Center for Library Automation and  
1015 the College Center for Library Automation. Verification of  
1016 eligibility shall be in accordance with rules established by the  
1017 State Board of Education and the Board of Governors and  
1018 processes implemented by public colleges and universities.

1019 Section 21. Paragraph (c) of subsection (3) of section  
1020 1008.34, Florida Statutes, is amended to read:

1021 1008.34 School grading system; school report cards;  
1022 district grade.—

1023 (3) DESIGNATION OF SCHOOL GRADES.—

1024 (c) Student assessment data used in determining school  
1025 grades shall include:

1026 1. The aggregate scores of all eligible students enrolled  
1027 in the school who have been assessed on the FCAT.

1028 2. The aggregate scores of all eligible students enrolled



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1029 in the school who have been assessed on the FCAT and who have  
1030 scored at or in the lowest 25th percentile of students in the  
1031 school in reading, mathematics, or writing, unless these  
1032 students are exhibiting satisfactory performance.

1033 3. Effective with the 2005-2006 school year, the  
1034 achievement scores and learning gains of eligible students  
1035 attending alternative schools that provide dropout prevention  
1036 and academic intervention services pursuant to s. 1003.53. The  
1037 term "eligible students" in this subparagraph does not include  
1038 students attending an alternative school who are subject to  
1039 district school board policies for expulsion for repeated or  
1040 serious offenses, who are in dropout retrieval programs serving  
1041 students who have officially been designated as dropouts, or who  
1042 are in programs operated or contracted by the Department of  
1043 Juvenile Justice. The student performance data for eligible  
1044 students identified in this subparagraph shall be included in  
1045 the calculation of the home school's grade. As used in this  
1046 section and s. 1008.341, the term "home school" means the school  
1047 to which the student would be assigned if the student were not  
1048 assigned to an alternative school. If an alternative school  
1049 chooses to be graded under this section, student performance  
1050 data for eligible students identified in this subparagraph shall  
1051 not be included in the home school's grade but shall be included  
1052 only in the calculation of the alternative school's grade. A  
1053 school district that fails to assign the FCAT scores of each of  
1054 its students to his or her home school or to the alternative  
1055 school that receives a grade shall forfeit Florida School  
1056 Recognition Program funds for 1 fiscal year. School districts  
1057 must require collaboration between the home school and the



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1058 alternative school in order to promote student success. This  
1059 collaboration must include an annual discussion between the  
1060 principal of the alternative school and the principal of each  
1061 student's home school concerning the most appropriate school  
1062 assignment of the student.

1063 4. Beginning with the 2009-2010 school year for schools  
1064 comprised of high school grades 9, 10, 11, and 12, or grades 10,  
1065 11, and 12, the data listed in subparagraphs 1.-3. and the  
1066 following data as the Department of Education determines such  
1067 data are valid and available:

1068 a. The high school graduation rate of the school as  
1069 calculated by the Department of Education;

1070 b. The successful completion ~~participation~~ rate of all  
1071 eligible students enrolled in the school and enrolled in College  
1072 Board Advanced Placement courses; International Baccalaureate  
1073 courses; dual enrollment courses; Advanced International  
1074 Certificate of Education courses; and courses or sequence of  
1075 courses leading to industry certification, as determined by the  
1076 Agency for Workforce Innovation under s. 1003.492(2) in a career  
1077 and professional academy, as described in s. 1003.493;

1078 c. The aggregate scores of all eligible students enrolled  
1079 in the school in College Board Advanced Placement courses,  
1080 International Baccalaureate courses, and Advanced International  
1081 Certificate of Education courses;

1082 d. Earning of college credit by all eligible students  
1083 enrolled in the school in dual enrollment programs under s.  
1084 1007.271;

1085 e. Earning of an industry certification, as determined by  
1086 the Agency for Workforce Innovation under s. 1003.492(2) in a



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1087 career and professional academy, as described in s. 1003.493;  
1088 f. The aggregate scores of all eligible students enrolled  
1089 in the school in reading, mathematics, and other subjects as  
1090 measured by the SAT, the ACT, and the common placement test for  
1091 postsecondary readiness;

1092 g. The high school graduation rate of all eligible at-risk  
1093 students enrolled in the school who scored at Level 2 or lower  
1094 on the grade 8 FCAT Reading and Mathematics examinations;

1095 h. The performance of the school's students on statewide  
1096 standardized end-of-course assessments administered under s.  
1097 1008.22; and

1098 i. The growth or decline in the data components listed in  
1099 sub-subparagraphs a.-h. from year to year.

1100  
1101 The State Board of Education shall adopt appropriate criteria  
1102 for each school grade. The criteria must also give added weight  
1103 to student achievement in reading. Schools designated with a  
1104 grade of "C," making satisfactory progress, shall be required to  
1105 demonstrate that adequate progress has been made by students in  
1106 the school who are in the lowest 25th percentile in reading,  
1107 mathematics, or writing on the FCAT, unless these students are  
1108 exhibiting satisfactory performance. Beginning with the 2009-  
1109 2010 school year for schools comprised of high school grades 9,  
1110 10, 11, and 12, or grades 10, 11, and 12, the criteria for  
1111 school grades must also give added weight to the graduation rate  
1112 of all eligible at-risk students, as defined in this paragraph.  
1113 Beginning in the 2009-2010 school year, in order for a high  
1114 school to be designated as having a grade of "A," making  
1115 excellent progress, the school must demonstrate that at-risk



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1116 students, as defined in this paragraph, in the school are making  
1117 adequate progress.

1118 Section 22. Section 1011.03, Florida Statutes, is amended  
1119 to read:

1120 1011.03 Public hearings; budget to be submitted to  
1121 Department of Education.—

1122 (1) Each district school board must cause a summary of its  
1123 tentative budget, including the proposed millage levies as  
1124 provided for by law, ~~and graphs illustrating a historical~~  
1125 ~~summary of financial and demographic data,~~ to be posted online  
1126 and advertised at least one time as a full-page advertisement in  
1127 a the newspaper of general with the largest circulation  
1128 published in the district or to be posted at the courthouse ~~door~~  
1129 if there be no such newspaper.

1130 ~~(2)(a) The advertisement must include a graph illustrating~~  
1131 ~~the historical summary of financial and demographic data for~~  
1132 ~~each of the following data values which shall be plotted along~~  
1133 ~~the vertical axis of each graph:~~

1134 ~~1. Total revenue provided to the school district from all~~  
1135 ~~sources for the corresponding fiscal year, including all~~  
1136 ~~federal, state, and local revenue.~~

1137 ~~2. Total revenue provided to the school district for the~~  
1138 ~~corresponding fiscal year for current operations.~~

1139 ~~3. Total revenue provided to the school district for the~~  
1140 ~~corresponding fiscal year for fixed capital outlay projects.~~

1141 ~~4. Total revenue provided to the school district for the~~  
1142 ~~corresponding fiscal year for debt service.~~

1143 ~~5. Total number of unweighted full-time equivalent~~  
1144 ~~students, inclusive of all programs listed in s. 1011.62.~~





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1145 ~~6. Total revenue provided to the school district for~~  
1146 ~~current operations divided by the number of unweighted full-time~~  
1147 ~~equivalent students for the corresponding fiscal year.~~

1148 ~~7. Total number of employees of the school district for the~~  
1149 ~~corresponding fiscal year.~~

1150 ~~8. Total number of employees of the school district~~  
1151 ~~classified as instructional personnel under s. 1012.01 for the~~  
1152 ~~corresponding fiscal year.~~

1153 ~~(b) Each graph must include a separate histogram~~  
1154 ~~corresponding to the financial and demographic data for each of~~  
1155 ~~the following fiscal years, which shall be plotted along the~~  
1156 ~~horizontal axis of each graph:~~

1157 ~~1. Current fiscal year.~~

1158 ~~2. Fiscal year that is 5 years before the current fiscal~~  
1159 ~~year.~~

1160 ~~3. Fiscal year that is 10 years before the current fiscal~~  
1161 ~~year.~~

1162 ~~(c) The numeric value of the financial and demographic data~~  
1163 ~~corresponding to each histogram must be included in each graph.~~

1164 ~~(2)-(3)~~ The advertisement of a district that has been  
1165 required by the Legislature to increase classroom expenditures  
1166 pursuant to s. 1011.64 must include the following statement:  
1167

1168 "This proposed budget reflects an increase in classroom  
1169 expenditures as a percent of total current operating  
1170 expenditures of XX percent over the (previous fiscal year)  
1171 fiscal year. This increase in classroom expenditures is required  
1172 by the Legislature because the district has performed below the  
1173 required performance standard on XX of XX student performance



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1174 standards for the (previous school year) school year. In order  
1175 to achieve the legislatively required level of classroom  
1176 expenditures as a percentage of total operating expenditures,  
1177 the proposed budget includes an increase in overall classroom  
1178 expenditures of \$XX,XXX,XXX above the amount spent for this same  
1179 purpose during the (previous fiscal year) fiscal year. In order  
1180 to achieve improved student academic performance, this proposed  
1181 increase is being budgeted for the following activities:  
1182 ... (list activities and amount budgeted) ...."

1183 (3)~~(4)~~ The advertisement shall appear adjacent to the  
1184 advertisement required pursuant to s. 200.065. The State Board  
1185 of Education may adopt rules necessary to provide specific  
1186 requirements for the format of the advertisement.

1187 (4)~~(5)~~ The board shall hold public hearings to adopt  
1188 tentative and final budgets pursuant to s. 200.065. The hearings  
1189 shall be primarily for the purpose of hearing requests and  
1190 complaints from the public regarding the budgets and the  
1191 proposed tax levies and for explaining the budget and proposed  
1192 or adopted amendments thereto, if any. The district school board  
1193 shall then require the superintendent to transmit forthwith two  
1194 copies of the adopted budget to the Department of Education for  
1195 approval as prescribed by law and rules of the State Board of  
1196 Education.

1197 Section 23. Subsection (2) of section 1011.60, Florida  
1198 Statutes, is amended to read:

1199 1011.60 Minimum requirements of the Florida Education  
1200 Finance Program.—Each district which participates in the state  
1201 appropriations for the Florida Education Finance Program shall  
1202 provide evidence of its effort to maintain an adequate school



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1203 program throughout the district and shall meet at least the  
1204 following requirements:

1205 (2) MINIMUM TERM.—Operate all schools for a term of 180  
1206 actual teaching days or the equivalent on an hourly basis ~~as~~  
1207 ~~specified by rules of the State Board of Education~~ each school  
1208 year. The State Board of Education may prescribe procedures for  
1209 altering, and, upon written application, may alter, this  
1210 requirement during a national, state, or local emergency as it  
1211 may apply to an individual school or schools in any district or  
1212 districts if, in the opinion of the board, it is not feasible to  
1213 make up lost days or hours, and the apportionment may, at the  
1214 discretion of the Commissioner of Education and if the board  
1215 determines that the reduction of school days or hours is caused  
1216 by the existence of a bona fide emergency, be reduced for such  
1217 district or districts in proportion to the decrease in the  
1218 length of term in any such school or schools. A strike, as  
1219 defined in s. 447.203(6), by employees of the school district  
1220 may not be considered an emergency.

1221 Section 24. Paragraphs (m), (n), (o), (p), and (q) of  
1222 subsection (1), paragraph (b) of subsection (6), paragraph (d)  
1223 of subsection (7), and paragraph (a) of subsection (12) of  
1224 section 1011.62, Florida Statutes, are amended to read:

1225 1011.62 Funds for operation of schools.—If the annual  
1226 allocation from the Florida Education Finance Program to each  
1227 district for operation of schools is not determined in the  
1228 annual appropriations act or the substantive bill implementing  
1229 the annual appropriations act, it shall be determined as  
1230 follows:

1231 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR



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1232 OPERATION.—The following procedure shall be followed in  
1233 determining the annual allocation to each district for  
1234 operation:

1235 (m) *Calculation of additional full-time equivalent*  
1236 *membership based on international baccalaureate examination*  
1237 *scores of students.*—A value of 0.1 ~~0.16~~ full-time equivalent  
1238 student membership shall be calculated for each student enrolled  
1239 in an international baccalaureate course who receives a score of  
1240 4 or higher on a subject examination. A value of 0.3 full-time  
1241 equivalent student membership shall be calculated for each  
1242 student who receives an international baccalaureate diploma.  
1243 Such value shall be added to the total full-time equivalent  
1244 student membership in basic programs for grades 9 through 12 in  
1245 the subsequent fiscal year. The school district shall distribute  
1246 to each classroom teacher who provided international  
1247 baccalaureate instruction:

1248 1. A bonus in the amount of \$25 ~~\$50~~ for each student taught  
1249 by the International Baccalaureate teacher in each international  
1250 baccalaureate course who receives a score of 4 or higher on the  
1251 international baccalaureate examination.

1252 2. An additional bonus of \$250 ~~\$500~~ to each International  
1253 Baccalaureate teacher in a school designated with a grade of "D"  
1254 or "F" who has at least one student scoring 4 or higher on the  
1255 international baccalaureate examination, regardless of the  
1256 number of classes taught or of the number of students scoring a  
1257 4 or higher on the international baccalaureate examination.

1258  
1259 Bonuses awarded to a teacher according to this paragraph shall  
1260 not exceed \$1,000 ~~\$2,000~~ in any given school year and shall be



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1261 in addition to any regular wage or other bonus the teacher  
1262 received or is scheduled to receive.

1263 (n) *Calculation of additional full-time equivalent*  
1264 *membership based on Advanced International Certificate of*  
1265 *Education examination scores of students.*—A value of 0.1 ~~0.16~~  
1266 full-time equivalent student membership shall be calculated for  
1267 each student enrolled in a full-credit Advanced International  
1268 Certificate of Education course who receives a score of E or  
1269 higher on a subject examination. A value of 0.05 ~~0.08~~ full-time  
1270 equivalent student membership shall be calculated for each  
1271 student enrolled in a half-credit Advanced International  
1272 Certificate of Education course who receives a score of E or  
1273 higher on a subject examination. A value of 0.3 full-time  
1274 equivalent student membership shall be calculated for each  
1275 student who receives an Advanced International Certificate of  
1276 Education diploma. Such value shall be added to the total full-  
1277 time equivalent student membership in basic programs for grades  
1278 9 through 12 in the subsequent fiscal year. The school district  
1279 shall distribute to each classroom teacher who provided Advanced  
1280 International Certificate of Education instruction:

1281 1. A bonus in the amount of \$25 ~~\$50~~ for each student taught  
1282 by the Advanced International Certificate of Education teacher  
1283 in each full-credit Advanced International Certificate of  
1284 Education course who receives a score of E or higher on the  
1285 Advanced International Certificate of Education examination. A  
1286 bonus in the amount of \$12.50 ~~\$25~~ for each student taught by the  
1287 Advanced International Certificate of Education teacher in each  
1288 half-credit Advanced International Certificate of Education  
1289 course who receives a score of E or higher on the Advanced



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1290 International Certificate of Education examination.

1291 2. An additional bonus of \$250 ~~\$500~~ to each Advanced  
1292 International Certificate of Education teacher in a school  
1293 designated with a grade of "D" or "F" who has at least one  
1294 student scoring E or higher on the full-credit Advanced  
1295 International Certificate of Education examination, regardless  
1296 of the number of classes taught or of the number of students  
1297 scoring an E or higher on the full-credit Advanced International  
1298 Certificate of Education examination.

1299 3. Additional bonuses of \$125 ~~\$250~~ each to teachers of  
1300 half-credit Advanced International Certificate of Education  
1301 classes in a school designated with a grade of "D" or "F" which  
1302 has at least one student scoring an E or higher on the half-  
1303 credit Advanced International Certificate of Education  
1304 examination in that class. The maximum additional bonus for a  
1305 teacher awarded in accordance with this subparagraph shall not  
1306 exceed \$250 ~~\$500~~ in any given school year. Teachers receiving an  
1307 award under subparagraph 2. are not eligible for a bonus under  
1308 this subparagraph.

1309  
1310 Bonuses awarded to a teacher according to this paragraph shall  
1311 not exceed \$1,000 ~~\$2,000~~ in any given school year and shall be  
1312 in addition to any regular wage or other bonus the teacher  
1313 received or is scheduled to receive.

1314 (o) *Calculation of additional full-time equivalent*  
1315 *membership based on college board advanced placement scores of*  
1316 *students.*—A value of 0.1 ~~0.16~~ full-time equivalent student  
1317 membership shall be calculated for each student in each advanced  
1318 placement course who receives a score of 3 or higher on the



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1319 College Board Advanced Placement Examination for the prior year  
1320 and added to the total full-time equivalent student membership  
1321 in basic programs for grades 9 through 12 in the subsequent  
1322 fiscal year. A student who receives a score of 3 or higher and  
1323 did not take the advanced placement course is not eligible for  
1324 the 0.1 FTE membership. Each district must allocate at least 80  
1325 percent of the funds provided to the district for advanced  
1326 placement instruction, in accordance with this paragraph, to the  
1327 high school that generates the funds. The school district shall  
1328 distribute to each classroom teacher who provided advanced  
1329 placement instruction:

1330       1. A bonus in the amount of \$25 ~~\$50~~ for each student taught  
1331 by the Advanced Placement teacher in each advanced placement  
1332 course who receives a score of 3 or higher on the College Board  
1333 Advanced Placement Examination.

1334       2. An additional bonus of \$250 ~~\$500~~ to each Advanced  
1335 Placement teacher in a school designated with a grade of "D" or  
1336 "F" who has at least one student scoring 3 or higher on the  
1337 College Board Advanced Placement Examination, regardless of the  
1338 number of classes taught or of the number of students scoring a  
1339 3 or higher on the College Board Advanced Placement Examination.

1340  
1341 Bonuses awarded to a teacher according to this paragraph shall  
1342 not exceed \$1,000 ~~\$2,000~~ in any given school year and shall be  
1343 in addition to any regular wage or other bonus the teacher  
1344 received or is scheduled to receive.

1345       (p) *Calculation of additional full-time equivalent*  
1346 *membership based on certification of successful completion of*  
1347 *industry-certified career and professional academy programs*



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1348 *pursuant to ss. 1003.491, 1003.492, and 1003.493 and identified*  
1349 *in the Industry Certified Funding List pursuant to rules adopted*  
1350 *by the State Board of Education.—A value of 0.3 full-time*  
1351 *equivalent student membership shall be calculated for each*  
1352 *student who completes an industry-certified career and*  
1353 *professional academy program under ss. 1003.491, 1003.492, and*  
1354 *1003.493 and who is issued the highest level of industry*  
1355 *certification identified annually in the Industry Certification*  
1356 *Funding List approved under rules adopted by the State Board of*  
1357 *Education and a high school diploma. Such value shall be added*  
1358 *to the total full-time equivalent student membership in*  
1359 *secondary career education programs for grades 9 through 12 in*  
1360 *the subsequent year for courses that were not funded through*  
1361 *dual enrollment. The additional full-time equivalent membership*  
1362 *authorized under this paragraph may not exceed 0.3 per student.*  
1363 *Each district must allocate at least 80 percent of the funds*  
1364 *provided for industry certification, in accordance with this*  
1365 *paragraph, to the program that generated the funds. Unless a*  
1366 *different amount is specified in the General Appropriations Act,*  
1367 *the appropriation for this calculation is limited to \$15 million*  
1368 *annually. If the appropriation is insufficient to fully fund the*  
1369 *total calculation, the appropriation shall be prorated.*

1370 ~~*(q) Calculation of additional full-time equivalent*~~  
1371 ~~*membership for the Florida Virtual School.—The reported full-*~~  
1372 ~~*time equivalent student membership for the Florida Virtual*~~  
1373 ~~*School for students who are also enrolled in a school district*~~  
1374 ~~*shall be multiplied by 0.114, and such value shall be added to*~~  
1375 ~~*the total full-time equivalent student membership.*~~

1376 (6) CATEGORICAL FUNDS.—





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1377 (b) If a district school board finds and declares in a  
1378 resolution adopted at a regular meeting of the school board that  
1379 the funds received for any of the following categorical  
1380 appropriations are urgently needed to maintain school board  
1381 specified academic classroom instruction, the school board may  
1382 consider and approve an amendment to the school district  
1383 operating budget transferring the identified amount of the  
1384 categorical funds to the appropriate account for expenditure:

- 1385 1. Funds for student transportation.  
1386 2. Funds for safe schools.  
1387 3. Funds for supplemental academic instruction.  
1388 4. Funds for research-based reading instruction.  
1389 5. Funds for instructional materials if all instructional  
1390 material purchases necessary to provide updated materials  
1391 aligned to Next Generation Sunshine State Standards and  
1392 benchmarks and that meet statutory requirements of content and  
1393 learning have been completed for that fiscal year, but no sooner  
1394 than March 1, 2011 2010. Funds available after March 1 may be  
1395 used to purchase hardware used to provide student instruction.

1396 (7) DETERMINATION OF SPARSITY SUPPLEMENT.—

1397 (d) Each district's allocation of sparsity supplement funds  
1398 shall be adjusted in the following manner:

- 1399 1. A maximum discretionary levy per FTE value for each  
1400 district shall be calculated by dividing the value of each  
1401 district's maximum discretionary levy by its FTE student count.  
1402 2. A state average discretionary levy value per FTE shall  
1403 be calculated by dividing the total maximum discretionary levy  
1404 value for all districts by the state total FTE student count.  
1405 3. A total potential funds per FTE for each district shall



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1406 be calculated by dividing the total potential funds, not  
1407 including Florida School Recognition Program funds, Merit Award  
1408 Program funds, and the minimum guarantee funds, for each  
1409 district by its FTE student count.

1410 4. A state average total potential funds per FTE shall be  
1411 calculated by dividing the total potential funds, not including  
1412 Florida School Recognition Program funds, Merit Award Program  
1413 funds, and the minimum guarantee funds, for all districts by the  
1414 state total FTE student count.

1415 5. For districts that have a levy value per FTE as  
1416 calculated in subparagraph 1. higher than the state average  
1417 calculated in subparagraph 2., a sparsity wealth adjustment  
1418 shall be calculated as the product of the difference between the  
1419 state average levy value per FTE calculated in subparagraph 2.  
1420 and the district's levy value per FTE calculated in subparagraph  
1421 1. and the district's FTE student count and -1. However, no  
1422 district shall have a sparsity wealth adjustment that, when  
1423 applied to the total potential funds calculated in subparagraph  
1424 3., would cause the district's total potential funds per FTE to  
1425 be less than the state average calculated in subparagraph 4.

1426 6. Each district's sparsity supplement allocation shall be  
1427 calculated by adding the amount calculated as specified in  
1428 paragraphs (a) and (b) and the wealth adjustment amount  
1429 calculated in this paragraph.

1430 (12) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR  
1431 CURRENT OPERATION.—The total annual state allocation to each  
1432 district for current operation for the FEFP shall be distributed  
1433 periodically in the manner prescribed in the General  
1434 Appropriations Act.



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1435 (a) If the funds appropriated for current operation of the  
1436 FEFP are not sufficient to pay the state requirement in full,  
1437 the department shall prorate the available state funds to each  
1438 district in the following manner:

1439 1. Determine the percentage of proration by dividing the  
1440 sum of the total amount for current operation, as provided in  
1441 this paragraph for all districts collectively, and the total  
1442 district required local effort into the sum of the state funds  
1443 available for current operation and the total district required  
1444 local effort.

1445 2. Multiply the percentage so determined by the sum of the  
1446 total amount for current operation as provided in this paragraph  
1447 and the required local effort for each individual district.

1448 3. From the product of such multiplication, subtract the  
1449 required local effort of each district; and the remainder shall  
1450 be the amount of state funds allocated to the district for  
1451 current operation; however, no calculation subsequent to the  
1452 appropriation shall result in negative state funds for any  
1453 district.

1454 Section 25. Paragraph (a) of subsection (4) of section  
1455 1011.64, Florida Statutes, is amended to read:

1456 1011.64 School district minimum classroom expenditure  
1457 requirements.—

1458 (4) In order for the Department of Education to monitor the  
1459 implementation of this section, each school district which is  
1460 required to increase emphasis on classroom activities from  
1461 operating funds pursuant to subsection (1) shall submit to the  
1462 department the following two reports in a format determined by  
1463 the department:



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1464 (a) An initial report, which shall include the proposed  
1465 budget actions identified for increased classroom expenditures,  
1466 a description of how such actions are designed to improve  
1467 student achievement, and a copy of the published statement  
1468 required by s. 1011.03(2) ~~s. 1011.03(3)~~. This report shall be  
1469 submitted within 30 days after final budget approval as provided  
1470 in s. 200.065.

1471 Section 26. Subsection (1) of section 1011.67, Florida  
1472 Statutes, is amended to read:

1473 1011.67 Funds for instructional materials.-

1474 (1) The department is authorized to allocate and distribute  
1475 to each district an amount as prescribed annually by the  
1476 Legislature for instructional materials for student membership  
1477 in basic and special programs in grades K-12, which will provide  
1478 for growth and maintenance needs. For purposes of this  
1479 subsection, unweighted full-time equivalent students enrolled in  
1480 the lab schools in state universities are to be included as  
1481 school district students and reported as such to the department.  
1482 ~~These funds shall be distributed to school districts as follows:~~  
1483 ~~50 percent on or about July 10; 35 percent on or about October~~  
1484 ~~10; 10 percent on or about January 10; and 5 percent on or about~~  
1485 ~~June 10.~~ The annual allocation shall be determined as follows:

1486 (a) The growth allocation for each school district shall be  
1487 calculated as follows:

1488 1. Subtract from that district's projected full-time  
1489 equivalent membership of students in basic and special programs  
1490 in grades K-12 used in determining the initial allocation of the  
1491 Florida Education Finance Program, the prior year's full-time  
1492 equivalent membership of students in basic and special programs



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1493 in grades K-12 for that district.

1494 2. Multiply any such increase in full-time equivalent  
1495 student membership by the allocation for a set of instructional  
1496 materials, as determined by the department, or as provided for  
1497 in the General Appropriations Act.

1498 3. The amount thus determined shall be that district's  
1499 initial allocation for growth for the school year. However, the  
1500 department shall recompute and adjust the initial allocation  
1501 based on actual full-time equivalent student membership data for  
1502 that year.

1503 (b) The maintenance of the instructional materials  
1504 allocation for each school district shall be calculated by  
1505 multiplying each district's prior year full-time equivalent  
1506 membership of students in basic and special programs in grades  
1507 K-12 by the allocation for maintenance of a set of instructional  
1508 materials as provided for in the General Appropriations Act. The  
1509 amount thus determined shall be that district's initial  
1510 allocation for maintenance for the school year; however, the  
1511 department shall recompute and adjust the initial allocation  
1512 based on such actual full-time equivalent student membership  
1513 data for that year.

1514 (c) In the event the funds appropriated are not sufficient  
1515 for the purpose of implementing this subsection in full, the  
1516 department shall prorate the funds available for instructional  
1517 materials after first funding in full each district's growth  
1518 allocation.

1519 Section 27. Section 1011.66, Florida Statutes, is amended  
1520 to read:

1521 1011.66 Distribution of FEFP funds.—The distribution of



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1522 FEFP funds shall be made in payments on or about the 10th and  
1523 26th of each month. ~~Upon the request of any school district~~  
1524 ~~whose net state FEFP funding is less than 60 percent of its~~  
1525 ~~gross state and local FEFP funding, the Department of Education~~  
1526 ~~shall distribute to that school district in the first quarter of~~  
1527 ~~the fiscal year an amount from the funds appropriated for the~~  
1528 ~~FEFP in the General Appropriations Act up to a maximum of 15~~  
1529 ~~percent of that school district's gross state and local FEFP~~  
1530 ~~funding or that school district's net state FEFP funding,~~  
1531 ~~whichever is less.~~

1532 Section 28. Subsection (2) of section 1011.68, Florida  
1533 Statutes, is amended to read:

1534 1011.68 Funds for student transportation.—The annual  
1535 allocation to each district for transportation to public school  
1536 programs, including charter schools as provided in s.  
1537 1002.33(17)(b), of students in membership in kindergarten  
1538 through grade 12 and in migrant and exceptional student programs  
1539 below kindergarten shall be determined as follows:

1540 (2) The allocation for each district shall be calculated  
1541 annually in accordance with the following formula:

1542  $T = B + EX$ . The elements of this formula are defined as  
1543 follows: T is the total dollar allocation for transportation. B  
1544 is the base transportation dollar allocation prorated by an  
1545 adjusted student membership count. The adjusted membership count  
1546 shall be derived from a multiplicative index function in which  
1547 the base student membership is adjusted by multiplying it by  
1548 index numbers that individually account for the impact of the  
1549 price level index, average bus occupancy, and the extent of  
1550 rural population in the district. EX is the base transportation



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1551 dollar allocation for disabled students prorated by an adjusted  
1552 disabled student membership count. The base transportation  
1553 dollar allocation for disabled students is the total state base  
1554 disabled student membership count weighted for increased costs  
1555 associated with transporting disabled students and multiplying  
1556 it by an ~~the prior year's~~ average per student cost for  
1557 transportation as determined by the Legislature. The adjusted  
1558 disabled student membership count shall be derived from a  
1559 multiplicative index function in which the weighted base  
1560 disabled student membership is adjusted by multiplying it by  
1561 index numbers that individually account for the impact of the  
1562 price level index, average bus occupancy, and the extent of  
1563 rural population in the district. Each adjustment factor shall  
1564 be designed to affect the base allocation by no more or less  
1565 than 10 percent.

1566 Section 29. Paragraph (b) of subsection (3) of section  
1567 1011.71, Florida Statutes, is amended to read:

1568 1011.71 District school tax.—

1569 (3)

1570 (b) In addition to the millage authorized in this section,  
1571 each district school board may, by a super majority vote, levy  
1572 an additional 0.25 mills for critical capital outlay needs or  
1573 for critical operating needs. If levied for capital outlay,  
1574 expenditures shall be subject to the requirements of this  
1575 section. If levied for operations, expenditures shall be  
1576 consistent with the requirements for operating funds received  
1577 pursuant to s. 1011.62. If the district levies this additional  
1578 0.25 mills for operations, the compression adjustment pursuant  
1579 to s. 1011.62(5) shall be calculated and added to the district's



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1580 FEFP allocation. ~~Millage levied pursuant to this paragraph is~~  
1581 ~~subject to the provisions of s. 200.065. In order to be~~  
1582 ~~continued, millage levied pursuant to this paragraph must be~~  
1583 ~~approved by the voters of the district at the next general~~  
1584 ~~election.~~

1585 Section 30. Subsection (2) of section 1011.73, Florida  
1586 Statutes, is amended to read:

1587 1011.73 District millage elections.—

1588 (2) MILLAGE AUTHORIZED NOT TO EXCEED 4 YEARS.—The district  
1589 school board, pursuant to resolution adopted at a regular  
1590 meeting, shall direct the county commissioners to call an  
1591 election at which the electors within the school district may  
1592 approve an ad valorem tax millage as authorized under s.  
1593 1011.71(9) ~~s. 1011.71(8)~~. Such election may be held at any time,  
1594 except that not more than one such election shall be held during  
1595 any 12-month period. Any millage so authorized shall be levied  
1596 for a period not in excess of 4 years or until changed by  
1597 another millage election, whichever is earlier. If any such  
1598 election is invalidated by a court of competent jurisdiction,  
1599 such invalidated election shall be considered not to have been  
1600 held.

1601 Section 31. Paragraph (g) of subsection (3) of section  
1602 1012.33, Florida Statutes, is amended to read:

1603 1012.33 Contracts with instructional staff, supervisors,  
1604 and school principals.—

1605 (3)

1606 (g) Beginning July 1, 2001, for each employee who enters  
1607 into a written contract, pursuant to this section, in a school  
1608 district in which the employee was not employed as of June 30,





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1609 2001, or was employed as of June 30, 2001, but has since broken  
1610 employment with that district for 1 school year or more, for  
1611 purposes of pay, a district school board must recognize and  
1612 accept each year of full-time public school teaching service  
1613 earned in the State of Florida for which the employee received a  
1614 satisfactory performance evaluation; however, an employee may  
1615 voluntarily waive this provision. Instructional personnel  
1616 employed pursuant to s. 121.091(9) (b) and (c) are exempt from  
1617 the provisions of this paragraph.

1618 Section 32. Paragraph (a) of subsection (7) of section  
1619 1012.467, Florida Statutes, is amended to read:

1620 1012.467 Noninstructional contractors who are permitted  
1621 access to school grounds when students are present; background  
1622 screening requirements.—

1623 (7) (a) The Department of Law Enforcement shall implement a  
1624 system that allows for the results of a criminal history check  
1625 provided to a school district to be shared with other school  
1626 districts through a secure Internet website or other secure  
1627 electronic means. The Department of Law Enforcement may adopt  
1628 rules under ss. 120.536(1) and 120.54 to implement this  
1629 paragraph. School districts must accept reciprocity of level 2  
1630 screenings for Florida High School Athletic Association  
1631 Officials.

1632 Section 33. Subsection (1) of section 1012.55, Florida  
1633 Statutes, is amended to read:

1634 1012.55 Positions for which certificates required.—

1635 (1) The State Board of Education shall classify school  
1636 services, designate the certification subject areas, establish  
1637 competencies, including the use of technology to enhance student



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1638 learning, and certification requirements for all school-based  
1639 personnel, and adopt rules in accordance with which the  
1640 professional, temporary, and part-time certificates shall be  
1641 issued by the Department of Education to applicants who meet the  
1642 standards prescribed by such rules for their class of service.  
1643 Each person employed or occupying a position as school  
1644 supervisor, school principal, teacher, library media specialist,  
1645 school counselor, athletic coach, or other position in which the  
1646 employee serves in an instructional capacity, in any public  
1647 school of any district of this state shall hold the certificate  
1648 required by law and by rules of the State Board of Education in  
1649 fulfilling the requirements of the law for the type of service  
1650 rendered. Such positions include personnel providing direct  
1651 instruction to students through a virtual environment or through  
1652 a blended virtual and physical environment. The Department of  
1653 Education shall identify appropriate educator certification for  
1654 the instruction of specified courses in an annual publication of  
1655 a directory of course code numbers for all programs and courses  
1656 that are funded through the Florida Education Finance Program.  
1657 However, the state board shall adopt rules authorizing district  
1658 school boards to employ selected noncertificated personnel to  
1659 provide instructional services in the individuals' fields of  
1660 specialty or to assist instructional staff members as education  
1661 paraprofessionals.

1662 Section 34. Paragraph (a) of subsection (1) of section  
1663 1013.62, Florida Statutes, is amended to read:

1664 1013.62 Charter schools capital outlay funding.—

1665 (1) In each year in which funds are appropriated for  
1666 charter school capital outlay purposes, the Commissioner of



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1667 Education shall allocate the funds among eligible charter  
1668 schools.  
1669 (a) To be eligible for a funding allocation, a charter  
1670 school must:  
1671 1.a. Have been in operation for 3 or more years;  
1672 b. Be governed by a governing board established in the  
1673 state for 3 or more years which operates both charter schools  
1674 and conversion charter schools within the state;  
1675 c. Be an expanded feeder chain of a charter school within  
1676 the same school district that is currently receiving charter  
1677 school capital outlay funds; or  
1678 d. Have been accredited by the Commission on Schools of the  
1679 Southern Association of Colleges and Schools.  
1680 2. Have financial stability for future operation as a  
1681 charter school.  
1682 3. Have satisfactory student achievement based on state  
1683 accountability standards applicable to the charter school.  
1684 4. Have received final approval from its sponsor pursuant  
1685 to s. 1002.33 for operation during that fiscal year.  
1686 5. Serve students in facilities that are not provided by  
1687 the charter school's sponsor.  
1688 6. Serve students in facilities that are provided by a  
1689 business partner for a charter school-in-the-workplace pursuant  
1690 to s. 1002.33(15)(b).  
1691 Section 35. Paragraph (a) of subsection (2) of section  
1692 1013.64, Florida Statutes, is amended to read:  
1693 1013.64 Funds for comprehensive educational plant needs;  
1694 construction cost maximums for school district capital  
1695 projects.—Allocations from the Public Education Capital Outlay



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1696 and Debt Service Trust Fund to the various boards for capital  
1697 outlay projects shall be determined as follows:

1698 (2) (a) The department shall establish, as a part of the  
1699 Public Education Capital Outlay and Debt Service Trust Fund, a  
1700 separate account, in an amount determined by the Legislature, to  
1701 be known as the "Special Facility Construction Account." The  
1702 Special Facility Construction Account shall be used to provide  
1703 necessary construction funds to school districts which have  
1704 urgent construction needs but which lack sufficient resources at  
1705 present, and cannot reasonably anticipate sufficient resources  
1706 within the period of the next 3 years, for these purposes from  
1707 currently authorized sources of capital outlay revenue. A school  
1708 district requesting funding from the Special Facility  
1709 Construction Account shall submit one specific construction  
1710 project, not to exceed one complete educational plant, to the  
1711 Special Facility Construction Committee. No district shall  
1712 receive funding for more than one approved project in any 5-year  
1713 ~~3-year~~ period. The first year of the 5-year ~~3-year~~ period shall  
1714 be the first year a district receives an appropriation. The  
1715 department shall encourage a construction program that reduces  
1716 the average size of schools in the district. The request must  
1717 meet the following criteria to be considered by the committee:

1718 1. The project must be deemed a critical need and must be  
1719 recommended for funding by the Special Facility Construction  
1720 Committee. Prior to developing plans for the proposed facility,  
1721 the district school board must request a preapplication review  
1722 by the Special Facility Construction Committee or a project  
1723 review subcommittee convened by the committee to include two  
1724 representatives of the department and two staff from school



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1725 districts not eligible to participate in the program. Within 60  
1726 days after receiving the preapplication review request, the  
1727 committee or subcommittee must meet in the school district to  
1728 review the project proposal and existing facilities. To  
1729 determine whether the proposed project is a critical need, the  
1730 committee or subcommittee shall consider, at a minimum, the  
1731 capacity of all existing facilities within the district as  
1732 determined by the Florida Inventory of School Houses; the  
1733 district's pattern of student growth; the district's existing  
1734 and projected capital outlay full-time equivalent student  
1735 enrollment as determined by the department; the district's  
1736 existing satisfactory student stations; the use of all existing  
1737 district property and facilities; grade level configurations;  
1738 and any other information that may affect the need for the  
1739 proposed project.

1740         2. The construction project must be recommended in the most  
1741 recent survey or surveys conducted and approved by the Office of  
1742 Educational Facilities, in cooperation with ~~by~~ the district,  
1743 under the rules of the State Board of Education.

1744         3. The construction project must appear on the district's  
1745 approved project priority list under the rules of the State  
1746 Board of Education.

1747         4. The district must have selected and had approved a site  
1748 for the construction project in compliance with s. 1013.36 and  
1749 the rules of the State Board of Education.

1750         5. The district shall have developed a district school  
1751 board adopted list of facilities that do not exceed the norm for  
1752 net square feet occupancy requirements under the State  
1753 Requirements for Educational Facilities, using all possible



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1754 programmatic combinations for multiple use of space to obtain  
1755 maximum daily use of all spaces within the facility under  
1756 consideration.

1757 6. Upon construction, the total cost per student station,  
1758 including change orders, must not exceed the cost per student  
1759 station as provided in subsection (6).

1760 7. There shall be an agreement signed by the district  
1761 school board stating that it will advertise for bids within 30  
1762 days of receipt of its encumbrance authorization from the  
1763 department.

1764 8. The district must have levied during the prior 5 years  
1765 and shall, at the time of the request and for a continuing  
1766 period of 3 years, levy the maximum millage against their  
1767 nonexempt assessed property value as allowed in s. 1011.71(2) or  
1768 shall raise an equivalent amount of revenue from the school  
1769 capital outlay surtax authorized under s. 212.055(6). Any  
1770 district with a new or active project, funded under the  
1771 provisions of this subsection, shall be required to budget no  
1772 more than the value of 1.5 mills per year to the project to  
1773 satisfy the annual participation requirement in the Special  
1774 Facility Construction Account.

1775 9. If a contract has not been signed 90 days after the  
1776 advertising of bids, the funding for the specific project shall  
1777 revert to the Special Facility New Construction Account to be  
1778 reallocated to other projects on the list. However, an  
1779 additional 90 days may be granted by the commissioner.

1780 10. The department shall certify the inability of the  
1781 district to fund the survey-recommended project over a  
1782 continuous 3-year period using projected capital outlay revenue



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1783 derived from s. 9(d), Art. XII of the State Constitution, as  
1784 amended, paragraph (3)(a) of this section, and s. 1011.71(2).

1785 11. The district shall have on file with the department an  
1786 adopted resolution acknowledging its 3-year commitment of all  
1787 unencumbered and future revenue acquired from s. 9(d), Art. XII  
1788 of the State Constitution, as amended, paragraph (3)(a) of this  
1789 section, and s. 1011.71(2).

1790 12. Final phase III plans must be certified by the board as  
1791 complete and in compliance with the building and life safety  
1792 codes, and must be reviewed and approved by the Office of  
1793 Educational Facilities, prior to August 1.

1794 Section 36. In order to implement Specific Appropriations  
1795 6, 7, 8, 78, and 79 of the General Appropriations Act for the  
1796 2010-2011 fiscal year, the calculations of the Florida Education  
1797 Finance Program for the 2010-2011 fiscal year in the document  
1798 entitled "Public School Funding - The Florida Education Finance  
1799 Program," dated March 31, 2010, and filed with the Secretary of  
1800 the Senate are incorporated by reference for the purpose of  
1801 displaying the calculations used by the Legislature, consistent  
1802 with requirements of the Florida Statutes, in making  
1803 appropriations for the Florida Education Finance Program.

1804 Section 37. Except as otherwise expressly provided in this  
1805 act, this act shall take effect July 1, 2010.

1806  
1807 ===== T I T L E A M E N D M E N T =====

1808 And the title is amended as follows:

1809 Delete everything before the enacting clause  
1810 and insert:

1811 A bill to be entitled



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1812 An act relating to public school funding; amending s.  
1813 212.055, F.S.; deleting a requirement that school  
1814 boards imposing the school capital outlay surtax  
1815 freeze noncapital local school property taxes for at  
1816 least 3 years; repealing s. 216.292(2)(d), F.S.,  
1817 relating to the transfer of funds for class size  
1818 reduction; conforming provisions to changes made by  
1819 the act; amending s. 1001.395, F.S.; extending the  
1820 duration of a provision specifying methods to  
1821 calculate the salary of a school board member;  
1822 amending s. 1001.451, F.S.; removing the repeal of  
1823 provisions authorizing a reduction in the incentive  
1824 grants that are awarded to consortium service  
1825 organizations; amending s. 1002.32, F.S.; including  
1826 the millage levied for fixed capital outlay in  
1827 determining the amount provided to lab schools for  
1828 operating expenses; amending s. 1002.33, F.S.;  
1829 requiring that a charter school comply with statutes  
1830 pertaining to maximum class size; revising provisions  
1831 that exempt charter school facilities from certain  
1832 fees; providing that certain capital outlay funds  
1833 shared with a charter school-in-the-workplace before  
1834 July 1, 2010, are deemed to meet certain expenditure  
1835 requirements; revising requirements for calculating  
1836 the administrative fee that the sponsor of a charter  
1837 school may withhold and use for capital outlay  
1838 purposes; amending s. 1002.37, F.S.; providing certain  
1839 limitations on reporting credits earned by a student  
1840 through the Florida Virtual School for purposes of





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1841 funding; including the millage levied for fixed  
1842 capital outlay in determining the amount provided to  
1843 the Florida Virtual School for operating expenses;  
1844 amending s. 1002.45, F.S.; providing for school  
1845 district virtual instruction programs to include  
1846 programs offered by community colleges; requiring that  
1847 community college instructors meet certification  
1848 requirements; prohibiting a community college from  
1849 reporting students served in a school district virtual  
1850 instruction program for funding under the Community  
1851 College Program Fund; removing obsolete provisions  
1852 requiring a report; amending ss. 1002.55 and 1002.63,  
1853 F.S.; revising the requirements for private  
1854 prekindergarten providers and public school-year  
1855 prekindergarten programs with respect to the number of  
1856 students for each class; requiring an instructor for  
1857 certain classes who holds specified credentials;  
1858 amending s. 1002.71, F.S.; reducing the amount of  
1859 funds that an early learning coalition may retain for  
1860 administrative purposes from funds paid to private  
1861 prekindergarten providers and public schools; amending  
1862 s. 1003.03, F.S.; revising requirements for the  
1863 Department of Education with respect to calculating  
1864 the maximum class size based on student membership;  
1865 deleting obsolete provisions; providing for reductions  
1866 in a district's class-size-reduction operating  
1867 categorical allocation under certain circumstances;  
1868 providing for a budget amendment in the case of an  
1869 extreme emergency and subject to approval of the



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1870 Legislative Budget Commission; providing for  
1871 alternative measures to take effect upon approval of  
1872 an amendment to the State Constitution by the electors  
1873 of the state; providing for virtual instruction  
1874 courses to be included in implementing the class size  
1875 maximums; amending s. 1003.492, F.S.; clarifying the  
1876 duties of the Department of Education in approving the  
1877 list of industry certifications for career education  
1878 programs; amending s. 1006.28, F.S.; redefining the  
1879 term "adequate instructional materials" to include  
1880 electronic content; creating s. 1006.281, F.S.;  
1881 encouraging school districts to provide access for  
1882 teachers, students, and parents to an electronic  
1883 learning management system; specifying the required  
1884 functionality of such a system; requiring the  
1885 Department of Education to assist school districts in  
1886 deploying an electronic learning management system;  
1887 amending s. 1006.29, F.S.; providing that  
1888 instructional materials include electronic content;  
1889 requiring that a publisher or manufacturer providing  
1890 instructional materials as a single bundle make the  
1891 materials available separately and priced  
1892 individually; requiring that instructional materials  
1893 adopted after a specified date for students in grades  
1894 9 through 12 be provided primarily in an electronic  
1895 format; amending s. 1006.33, F.S.; requiring that an  
1896 advertisement for bids for instructional materials  
1897 require the bidder to furnish electronic specimen  
1898 copies of the materials; requiring that district



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1899 school superintendents request samples in a format  
1900 other than an electronic format through the  
1901 department; amending s. 1006.40, F.S.; requiring that  
1902 a specified percentage of a district's annual  
1903 allocation for instructional materials be used for  
1904 electronic materials beginning with the 2012-2013  
1905 fiscal year; including electronic content as an  
1906 approved item of instruction; amending s. 1007.27,  
1907 F.S.; providing that secondary school students are  
1908 authorized users of the state-funded electronic  
1909 library resources licensed for public colleges and  
1910 universities; providing for verification of  
1911 eligibility according to rules established by the  
1912 State Board of Education and the Board of Governors of  
1913 the State University System; amending s. 1008.34,  
1914 F.S.; providing for the calculation of certain school  
1915 grades to include student completion of specified  
1916 courses; amending s. 1011.03, F.S.; requiring that a  
1917 district school board post its proposed millage levies  
1918 on the district's website; revising the requirements  
1919 for publishing the proposed levies in a newspaper;  
1920 amending s. 1011.60, F.S.; deleting a requirement that  
1921 the State Board of Education adopt rules governing the  
1922 school term; amending s. 1011.62, F.S.; revising the  
1923 requirements for calculating full-time equivalent  
1924 student membership; reducing the amount authorized for  
1925 teacher bonuses; requiring that a district allocate a  
1926 specified percentage of funds for industry  
1927 certification to the center or program that generated



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1928 the funds; authorizing a district school board to use  
1929 categorical funds for materials that meet the Next  
1930 Generation Sunshine State Standards and for certain  
1931 hardware; providing for adjusting a district's  
1932 sparsity supplement based on Merit Award Program  
1933 funds; clarifying that a calculation subsequent to an  
1934 appropriation does not result in negative state funds  
1935 for any district; amending s. 1011.64, F.S., relating  
1936 to minimum classroom expenditure requirements;  
1937 conforming a cross-reference; amending s. 1011.67,  
1938 F.S.; removing requirements for the staggered  
1939 distribution of funds to districts for instructional  
1940 materials; amending s. 1011.66, F.S.; removing a  
1941 provision authorizing the distribution of 60 percent  
1942 of FEFP funds to a district during the first quarter  
1943 of a fiscal year; amending s. 1011.68, F.S.; requiring  
1944 that the allocation for student transportation be  
1945 determined by the Legislature rather than based on the  
1946 prior year's average student cost for transportation;  
1947 amending s. 1011.71, F.S.; removing certain  
1948 requirements for the additional millage levied by a  
1949 district for critical capital outlay needs or critical  
1950 operating needs; amending s. 1011.73, F.S., relating  
1951 to district millage elections; correcting a cross-  
1952 reference; amending s. 1012.33, F.S.; exempting  
1953 specified reemployed instructional personnel from  
1954 certain requirements for determining pay; amending s.  
1955 1012.467, F.S.; requiring school districts to accept  
1956 reciprocity of level 2 screening for Florida High



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1957 School Athletic Association Officials; amending s.  
1958 1012.55, F.S.; requiring that instructional personnel  
1959 providing instruction through a virtual environment  
1960 hold certification as otherwise required by law and  
1961 rule; amending s. 1013.62, F.S.; providing that a  
1962 charter school must serve students in facilities that  
1963 are provided by a business partner for a charter  
1964 school-in-the-workplace to be eligible for an  
1965 allocation of funds for capital outlay purposes;  
1966 amending s. 1013.64, F.S.; revising provisions  
1967 relating to funding for educational facilities  
1968 projects; providing for the incorporation by reference  
1969 of certain calculations used by the Legislature for  
1970 the 2010-2011 fiscal year; providing effective dates.