

1 A bill to be entitled
 2 An act relating to class size requirements; amending s.
 3 1003.03, F.S.; revising provisions relating to the amount
 4 of penalties calculated by the Department of Education
 5 when a school district fails to comply with the class size
 6 requirements; prohibiting the penalties from exceeding
 7 \$1,000 per school in each district; providing an effective
 8 date.

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

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 12 Section 1. Subsection (4) of section 1003.03, Florida
 13 Statutes, is amended to read:

14 1003.03 Maximum class size.—

15 (4) ACCOUNTABILITY.—

16 (a) If the department determines that the number of
 17 students assigned to any individual class exceeds the class size
 18 maximum, as required in subsection (1), based upon the October
 19 student membership survey, the department shall:

20 1. Identify, for each grade group, the number of classes
 21 in which the number of students exceeds the maximum and the
 22 total number of students which exceeds the maximum for all
 23 classes.

24 2. Determine the number of FTE students which exceeds the
 25 maximum for each grade group.

26 3. Multiply the total number of FTE students which exceeds
 27 the maximum for each grade group by the district's FTE dollar
 28 amount of the class size categorical allocation for that year

HB 1447

2011

29 and calculate the total for all three grade groups.

30 4. Multiply the total number of FTE students which exceeds
31 the maximum for all classes by an amount equal to 50 percent of
32 the base student allocation adjusted by the district cost
33 differential for the 2010-2011 fiscal year and by an amount
34 equal to the base student allocation adjusted by the district
35 cost differential beginning in the 2011-2012 fiscal year and
36 thereafter.

37 5. Reduce the district's class size categorical allocation
38 by an amount equal to the sum of the calculations in
39 subparagraphs 3. and 4.

40 (b) The amount of funds reduced shall be the lesser of the
41 amount calculated in paragraph (a) or the undistributed balance
42 of the district's class size categorical allocation, and may not
43 exceed \$1,000 per school. The Florida Education Finance Program
44 Appropriation Allocation Conference shall verify the
45 department's calculation in paragraph (a). The commissioner may
46 withhold distribution of the class size categorical allocation
47 to the extent necessary to comply with paragraph (a).

48 (c) In lieu of the reduction calculation in paragraph (a),
49 if the Commissioner of Education has evidence that a district
50 was unable to meet the class size requirements despite
51 appropriate efforts to do so or because of an extreme emergency,
52 the commissioner may recommend by February 15, subject to
53 approval of the Legislative Budget Commission, the reduction of
54 an alternate amount of funds from the district's class size
55 categorical allocation.

56 (d) Upon approval of the reduction calculation in

HB 1447

2011

57 paragraphs (a)-(c), the commissioner must prepare a reallocation
58 of the funds made available for the districts that have fully
59 met the class size requirements. The funds shall be reallocated
60 by calculating an amount of up to 5 percent of the base student
61 allocation multiplied by the total district FTE students. The
62 reallocation total may not exceed 25 percent of the total funds
63 reduced.

64 (e) Each district that has not complied with the
65 requirements in subsection (1) shall submit to the commissioner
66 by February 15 a plan certified by the district school board
67 that describes the specific actions the district will take in
68 order to fully comply with the requirements in subsection (1) by
69 October of the following school year. If a district submits the
70 certified plan by the required deadline, the funds remaining
71 after the reallocation calculation in paragraph (d) shall be
72 added back to the district's class size categorical allocation
73 based on each qualifying district's proportion of the total
74 reduction for all qualifying districts for which a reduction was
75 calculated in paragraphs (a)-(c). However, no district shall
76 have an amount added back that is greater than the amount that
77 was reduced.

78 (f) The department shall adjust school district class size
79 reduction categorical allocation distributions based on the
80 calculations in paragraphs (a)-(e).

81
82 Notwithstanding any other provision of law, the penalties for
83 noncompliance of class size requirements may not exceed \$1,000
84 per school in each district.

HB 1447

2011

85

Section 2. This act shall take effect July 1, 2011.