

HB 4141

2011

1                   A bill to be entitled  
 2           An act relating to public school class size maximums;  
 3           amending s. 1003.03, F.S.; deleting provisions which  
 4           impose financial penalties, and provide calculations  
 5           therefor, on school districts that do not meet maximum  
 6           class size requirements; providing an effective date.

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 8   Be It Enacted by the Legislature of the State of Florida:  
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10           Section 1. Subsection (5) of section 1003.03, Florida  
 11   Statutes, is renumbered as subsection (4) and present subsection  
 12   (4) of that section is amended to read:

13           1003.03   Maximum class size.—

14           ~~(4) ACCOUNTABILITY.—~~

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

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

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

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

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

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

39           (b) ~~The amount of funds reduced shall be the lesser of the~~  
 40 ~~amount calculated in paragraph (a) or the undistributed balance~~  
 41 ~~of the district's class size categorical allocation. The Florida~~  
 42 ~~Education Finance Program Appropriation Allocation Conference~~  
 43 ~~shall verify the department's calculation in paragraph (a). The~~  
 44 ~~commissioner may withhold distribution of the class size~~  
 45 ~~categorical allocation to the extent necessary to comply with~~  
 46 ~~paragraph (a).~~

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

55           (d) ~~Upon approval of the reduction calculation in~~  
 56 ~~paragraphs (a) - (c), the commissioner must prepare a reallocation~~

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57 ~~of the funds made available for the districts that have fully~~  
58 ~~met the class size requirements. The funds shall be reallocated~~  
59 ~~by calculating an amount of up to 5 percent of the base student~~  
60 ~~allocation multiplied by the total district FTE students. The~~  
61 ~~reallocation total may not exceed 25 percent of the total funds~~  
62 ~~reduced.~~

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

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

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