

By Senator Braynon

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1                   A bill to be entitled  
2           An act relating to the allocation and expenditure of  
3           state lottery revenues; amending s. 24.121, F.S.;  
4           requiring that certain unencumbered funds of the  
5           Educational Enhancement Trust Fund be allocated to  
6           voluntary prekindergarten education programs;  
7           providing for the use of funds; providing an effective  
8           date.

9  
10 Be It Enacted by the Legislature of the State of Florida:

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12           Section 1. Subsection (5) of section 24.121, Florida  
13 Statutes, is amended to read:

14           24.121 Allocation of revenues and expenditure of funds for  
15 public education.—

16           (5) (a) Public educational programs and purposes funded by  
17 the Educational Enhancement Trust Fund may include, but are not  
18 limited to, endowment, scholarship, matching funds, direct  
19 grants, research and economic development related to education,  
20 salary enhancement, contracts with independent institutions to  
21 conduct programs consistent with the state master plan for  
22 postsecondary education, or any other educational program or  
23 purpose deemed desirable by the Legislature. Prior to the  
24 expenditure of these funds, each school district shall establish  
25 policies and procedures that define enhancement and the types of  
26 expenditures consistent with that definition.

27           (b) Except as provided in paragraphs (c), (d), ~~and~~ (e), and  
28 (f), the Legislature shall equitably apportion moneys in the  
29 trust fund among public schools, community colleges, and

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30 universities.

31 (c) A portion of such net revenues, as determined annually  
32 by the Legislature, shall be distributed to each school district  
33 and shall be made available to each public school in the  
34 district for enhancing school performance through development  
35 and implementation of a school improvement plan pursuant to s.  
36 1001.42(18). A portion of these moneys, as determined annually  
37 in the General Appropriations Act, must be allocated to each  
38 school in an equal amount for each student enrolled. These  
39 moneys may be expended only on programs or projects selected by  
40 the school advisory council or by a parent advisory committee  
41 created pursuant to this paragraph. If a school does not have a  
42 school advisory council, the district advisory council must  
43 appoint a parent advisory committee composed of parents of  
44 students enrolled in that school, which is representative of the  
45 ethnic, racial, and economic community served by the school, to  
46 advise the school's principal on the programs or projects to be  
47 funded. Neither school district staff nor principals may  
48 override the recommendations of the school advisory council or  
49 the parent advisory committee. These moneys may not be used for  
50 capital improvements or for any project or program that has a  
51 duration of more than 1 year; however, a school advisory council  
52 or parent advisory committee may independently determine that a  
53 program or project formerly funded under this paragraph should  
54 receive funds in a subsequent year.

55 (d) No funds shall be released for any purpose from the  
56 Educational Enhancement Trust Fund to any school district in  
57 which one or more schools do not have an approved school  
58 improvement plan pursuant to s. 1001.42(18) or do not comply

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59 with school advisory council membership composition requirements  
60 pursuant to s. 1001.452(1). The Commissioner of Education shall  
61 withhold disbursements from the trust fund to any school  
62 district that fails to adopt the performance-based salary  
63 schedule required by s. 1012.22(1).

64 (e) All components of the Florida Bright Futures  
65 Scholarship Program shall be funded annually from the  
66 Educational Enhancement Trust Fund. Funds shall be allocated to  
67 this program prior to application of the formula for equitable  
68 distribution to public schools, community colleges, and state  
69 universities. If shortages require reductions in estimated  
70 distributions from the Educational Enhancement Trust Fund, funds  
71 for the Florida Bright Futures Scholarship Program shall be  
72 reduced only after reductions in all other distributions are  
73 made.

74 (f) Fifty percent of unencumbered funds not spent in the  
75 previous fiscal year shall be allocated to enhance voluntary  
76 prekindergarten education programs pursuant to a final audit of  
77 those funds. Such unencumbered funds shall be allocated to each  
78 voluntary prekindergarten education program in an equal amount  
79 for each student enrolled. Such funds must be used for direct  
80 classroom expenditures and may not be used for administrative  
81 costs.

82 (g)~~(f)~~ Each school district shall, on a quarterly basis,  
83 make available to the public and distribute, in an easy to  
84 understand format, the expenditures of lottery funds allocated  
85 to the school district.

86 Section 2. This act shall take effect October 1, 2012.