

HB 4135

2012

1 A bill to be entitled
 2 An act relating to public school maximum class size;
 3 amending s. 1003.03, F.S.; deleting provisions that
 4 provide for a reduction in funding for school
 5 districts that exceed the class size maximums;
 6 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. Subsections (5) and (6) of section 1003.03,
 11 Florida Statutes, are renumbered as subsections (4) and (5),
 12 respectively, and present subsection (4) of that section is
 13 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~~

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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. The Florida~~
43 ~~Education Finance Program Appropriation Allocation Conference~~
44 ~~shall verify the department's calculation in paragraph (a). The~~
45 ~~commissioner may withhold distribution of the class size~~
46 ~~categorical allocation to the extent necessary to comply with~~
47 ~~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~~

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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 ~~(c) 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)–(c).~~

81 Section 2. This act shall take effect July 1, 2012.