

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 a percentage of unencumbered funds to be
5 allocated to the Voluntary Prekindergarten Education
6 Program; providing for use of the funds; providing an
7 effective date.

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

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

13 24.121 Allocation of revenues and expenditure of funds for
14 public education.—

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

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

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

55 (d) ~~No~~ Funds may not ~~shall~~ be released for any purpose from
56 the 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 before ~~prior to~~ application of the formula for
68 equitable distribution to public schools, community colleges,
69 and state universities. If shortages require reductions in
70 estimated distributions from the Educational Enhancement Trust
71 Fund, funds for the Florida Bright Futures Scholarship Program
72 shall be reduced only after reductions in all other
73 distributions are made.

74 (f) Fifty percent of unencumbered funds not spent in the
75 previous fiscal year shall be allocated to enhance the Voluntary
76 Prekindergarten Education Program pursuant to a final audit of
77 those funds. Such unencumbered funds shall be allocated to each
78 school-year or summer prekindergarten program in an equal amount
79 for each student enrolled. These funds shall 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, 2013.