



448294

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/18/2015	.	
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Appropriations Subcommittee on Education (Montford) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (b) of subsection (16) of section
1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(16) EXEMPTION FROM STATUTES.—

(b) Additionally, a charter school shall be in compliance
with the following statutes:



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- 11 1. Section 286.011, relating to public meetings and
12 records, public inspection, and criminal and civil penalties.
13 2. Chapter 119, relating to public records.
14 3. Section 1003.03, relating to the maximum class size,
15 ~~except that the calculation for compliance pursuant to s.~~
16 ~~1003.03 shall be the average at the school level.~~
17 4. Section 1012.22(1)(c), relating to compensation and
18 salary schedules.
19 5. Section 1012.33(5), relating to workforce reductions.
20 6. Section 1012.335, relating to contracts with
21 instructional personnel hired on or after July 1, 2011.
22 7. Section 1012.34, relating to the substantive
23 requirements for performance evaluations for instructional
24 personnel and school administrators.
25 Section 2. Paragraph (a) of subsection (5) of section
26 1002.451, Florida Statutes, is amended to read:
27 1002.451 District innovation school of technology program.-
28 (5) EXEMPTION FROM STATUTES.-
29 (a) An innovation school of technology is exempt from
30 chapters 1000-1013. However, an innovation school of technology
31 shall comply with the following provisions of those chapters:
32 1. Laws pertaining to the following:
33 a. Schools of technology, including this section.
34 b. Student assessment program and school grading system.
35 c. Services to students who have disabilities.
36 d. Civil rights, including s. 1000.05, relating to
37 discrimination.
38 e. Student health, safety, and welfare.
39 2. Laws governing the election and compensation of district



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40 school board members and election or appointment and
41 compensation of district school superintendents.

42 3. Section 1003.03, governing maximum class size, ~~except~~
43 ~~that the calculation for compliance pursuant to s. 1003.03 is~~
44 ~~the average at the school level.~~

45 4. Sections 1012.22(1)(c) and 1012.27(2), relating to
46 compensation and salary schedules.

47 5. Section 1012.33(5), relating to workforce reductions,
48 for annual contracts for instructional personnel. This
49 subparagraph does not apply to at-will employees.

50 6. Section 1012.335, relating to contracts with
51 instructional personnel hired on or after July 1, 2011, for
52 annual contracts for instructional personnel. This subparagraph
53 does not apply to at-will employees.

54 7. Section 1012.34, relating to requirements for
55 performance evaluations of instructional personnel and school
56 administrators.

57 Section 3. Subsection (4) of section 1003.03, Florida
58 Statutes, is amended to read:

59 1003.03 Maximum class size.—

60 (4) ACCOUNTABILITY.—

61 (a) If the department determines that the number of
62 students assigned to any individual class exceeds the class size
63 maximum, as required in subsection (1) and as determined at the
64 school average, based upon the October student membership
65 survey, the department shall:

66 1. ~~Identify, for each grade group, the number of classes in~~
67 ~~which the number of students exceeds the maximum and the total~~
68 ~~number of students which exceeds the maximum for all classes.~~



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69 ~~2.~~ Determine the number of FTE students which exceeds the
70 maximum for each grade group calculated at the school average.

71 ~~2.3.~~ Multiply the total number of FTE students which
72 exceeds the maximum for each grade group calculated at the
73 school average by the district's FTE dollar amount of the class
74 size categorical allocation for that year and calculate the
75 total for all three grade groups.

76 ~~3.4.~~ Multiply the total number of FTE students which
77 exceeds the maximum for all classes calculated at the school
78 average by an amount equal to 50 percent of the base student
79 allocation adjusted by the district cost differential for ~~each~~
80 ~~of the 2010-2011 through 2013-2014 fiscal years and by an amount~~
81 ~~equal to the base student allocation adjusted by the district~~
82 ~~cost differential in~~ the 2014-2015 fiscal year and thereafter.

83 ~~4.5.~~ Reduce the district's class size categorical
84 allocation by an amount equal to the sum of the calculations in
85 subparagraphs 2. and 3. ~~and 4.~~

86 (b) The amount of funds reduced shall be the lesser of the
87 amount calculated in paragraph (a) or the undistributed balance
88 of the district's class size categorical allocation. The Florida
89 Education Finance Program Appropriation Allocation Conference
90 shall verify the department's calculation in paragraph (a). The
91 commissioner may withhold distribution of the class size
92 categorical allocation to the extent necessary to comply with
93 paragraph (a).

94 (c) In lieu of the reduction calculation in paragraph (a),
95 if the Commissioner of Education has evidence that a district
96 was unable to meet the class size requirements despite
97 appropriate efforts to do so or because of an extreme emergency,



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98 the commissioner may recommend by February 15, subject to
99 approval of the Legislative Budget Commission, the reduction of
100 an alternate amount of funds from the district's class size
101 categorical allocation.

102 (d) Upon approval of the reduction calculation in
103 paragraphs (a)-(c), each district shall expend an amount of
104 funds equal to the amount of the reduction calculation in the
105 noncompliant schools to comply with the requirements in
106 subsection (1) as determined at the school average ~~the~~
107 ~~commissioner must prepare a reallocation of the funds made~~
108 ~~available for the districts that have fully met the class size~~
109 ~~requirements. The funds shall be reallocated by calculating an~~
110 ~~amount of up to 5 percent of the base student allocation~~
111 ~~multiplied by the total district FTE students. The reallocation~~
112 ~~total may not exceed 25 percent of the total funds reduced.~~

113 (e) Each district that has not complied with the
114 requirements in subsection (1) as determined at the school
115 average shall submit to the commissioner by February 1 a plan
116 certified by the district school board that describes the
117 specific actions that the district will take in order to fully
118 comply with the requirements in subsection (1) by October of the
119 following school year. The plan shall be posted on the district
120 website and provided to the school advisory committee of all
121 noncompliant schools. A noncompliant school may post the plan on
122 its website ~~If a district submits the certified plan by the~~
123 ~~required deadline, the funds remaining after the reallocation~~
124 ~~calculation in paragraph (d) shall be added back to the~~
125 ~~district's class size categorical allocation based on each~~
126 ~~qualifying district's proportion of the total reduction for all~~



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127 ~~qualifying districts for which a reduction was calculated in~~
128 ~~paragraphs (a) - (c). However, no district shall have an amount~~
129 ~~added back that is greater than the amount that was reduced.~~

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

133 Section 4. This act shall take effect July 1, 2015.

134
135 ===== T I T L E A M E N D M E N T =====

136 And the title is amended as follows:

137 Delete everything before the enacting clause
138 and insert:

139 A bill to be entitled
140 An act relating to maximum class size; amending s.
141 1002.33, F.S.; revising requirements for charter
142 school compliance with maximum class size
143 requirements; amending s. 1002.451, F.S.; revising
144 requirements for district innovation school of
145 technology compliance with maximum class size
146 requirements; amending s. 1003.03, F.S.; calculating a
147 school district's class size categorical allocation
148 reduction at the school average when maximum class
149 size requirements are not met; revising the
150 calculation; providing for the expenditure of funds;
151 requiring a school district that exceeds class size
152 maximums to post its plan for compliance on the
153 district website and provide the plan to the school
154 advisory committee of each noncompliant school;
155 authorizing a noncompliant school to post the plan on



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its website; providing an effective date.