

By Senator Hukill

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1 A bill to be entitled
2 An act relating to the district cost differential;
3 amending s. 1011.62, F.S., relating to funds for the
4 operation of schools; deleting the district cost
5 differential used in determining the annual allocation
6 to school districts from the Florida Education Finance
7 Program; conforming cross-references and provisions;
8 amending ss. 110.1228, 213.053, 218.67, 402.22,
9 985.686, 1001.215, 1002.37, 1002.385, 1002.39,
10 1002.45, 1002.71, 1003.03, 1003.52, 1003.621,
11 1004.935, 1010.20, 1011.02, 1011.71, 1011.84, 1012.44,
12 and 1012.64, F.S.; conforming cross-references;
13 conforming provisions relating to information received
14 by the Department of Revenue in connection with the
15 administration of taxes, the Florida Virtual School,
16 Florida personal learning scholarship accounts, the
17 John M. McKay Scholarships for Students with
18 Disabilities Program, the Voluntary Prekindergarten
19 Education Program, maximum class size, educational
20 services in Department of Juvenile Justice programs,
21 the Adults with Disabilities Workforce Education Pilot
22 Program, and the procedure for determining state
23 financial support and annual apportionment of state
24 funds to Florida College System institution districts;
25 providing an effective date.

26
27 Be It Enacted by the Legislature of the State of Florida:

28
29 Section 1. Subsections (2) and (3), paragraph (a) of
30 present subsection (4), paragraphs (b) and (d) of subsection
31 (6), and subsections (8), (10), and (13) of section 1011.62,
32 Florida Statutes, are amended to read:

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33 1011.62 Funds for operation of schools.—If the annual
34 allocation from the Florida Education Finance Program to each
35 district for operation of schools is not determined in the
36 annual appropriations act or the substantive bill implementing
37 the annual appropriations act, it shall be determined as
38 follows:

39 ~~(2) DETERMINATION OF DISTRICT COST DIFFERENTIALS.—The~~
40 ~~Commissioner of Education shall annually compute for each~~
41 ~~district the current year's district cost differential. The~~
42 ~~district cost differential shall be calculated by adding each~~
43 ~~district's price level index as published in the Florida Price~~
44 ~~Level Index for the most recent 3 years and dividing the~~
45 ~~resulting sum by 3. The result for each district shall be~~
46 ~~multiplied by 0.008 and to the resulting product shall be added~~
47 ~~0.200; the sum thus obtained shall be the cost differential for~~
48 ~~that district for that year.~~

49 (2)~~(3)~~ INSERVICE EDUCATIONAL PERSONNEL TRAINING
50 EXPENDITURE.—Of the amount computed in subsection ~~subsections~~
51 ~~(1) and (2)~~, a percentage of the base student allocation per
52 full-time equivalent student or other funds shall be expended
53 for educational training programs as determined by the district
54 school board as provided in s. 1012.98.

55 (3)~~(4)~~ COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The
56 Legislature shall prescribe the aggregate required local effort
57 for all school districts collectively as an item in the General
58 Appropriations Act for each fiscal year. The amount that each
59 district shall provide annually toward the cost of the Florida
60 Education Finance Program for kindergarten through grade 12
61 programs shall be calculated as follows:

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62 (a) *Estimated taxable value calculations.*—

63 1.a. Not later than 2 working days prior to July 19, the
64 Department of Revenue shall certify to the Commissioner of
65 Education its most recent estimate of the taxable value for
66 school purposes in each school district and the total for all
67 school districts in the state for the current calendar year
68 based on the latest available data obtained from the local
69 property appraisers. The value certified shall be the taxable
70 value for school purposes for that year, and no further
71 adjustments shall be made, except those made pursuant to
72 paragraphs (c) and (d), or an assessment roll change required by
73 final judicial decisions as specified in paragraph (13) (b)
74 ~~(14) (b)~~. Not later than July 19, the Commissioner of Education
75 shall compute a millage rate, rounded to the next highest one
76 one-thousandth of a mill, which, when applied to 96 percent of
77 the estimated state total taxable value for school purposes,
78 would generate the prescribed aggregate required local effort
79 for that year for all districts. The Commissioner of Education
80 shall certify to each district school board the millage rate,
81 computed as prescribed in this subparagraph, as the minimum
82 millage rate necessary to provide the district required local
83 effort for that year.

84 b. The General Appropriations Act shall direct the
85 computation of the statewide adjusted aggregate amount for
86 required local effort for all school districts collectively from
87 ad valorem taxes to ensure that no school district's revenue
88 from required local effort millage will produce more than 90
89 percent of the district's total Florida Education Finance
90 Program calculation as calculated and adopted by the

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91 Legislature, and the adjustment of the required local effort
92 millage rate of each district that produces more than 90 percent
93 of its total Florida Education Finance Program entitlement to a
94 level that will produce only 90 percent of its total Florida
95 Education Finance Program entitlement in the July calculation.

96 2. On the same date as the certification in sub-
97 subparagraph 1.a., the Department of Revenue shall certify to
98 the Commissioner of Education for each district:

99 a. Each year for which the property appraiser has certified
100 the taxable value pursuant to s. 193.122(2) or (3), if
101 applicable, since the prior certification under sub-subparagraph
102 1.a.

103 b. For each year identified in sub-subparagraph a., the
104 taxable value certified by the appraiser pursuant to s.
105 193.122(2) or (3), if applicable, since the prior certification
106 under sub-subparagraph 1.a. This is the certification that
107 reflects all final administrative actions of the value
108 adjustment board.

109 (5)~~(6)~~ CATEGORICAL FUNDS.—

110 (b) If a district school board finds and declares in a
111 resolution adopted at a regular meeting of the school board that
112 the funds received for any of the following categorical
113 appropriations are urgently needed to maintain school board
114 specified academic classroom instruction, the school board may
115 consider and approve an amendment to the school district
116 operating budget transferring the identified amount of the
117 categorical funds to the appropriate account for expenditure:

- 118 1. Funds for student transportation.
- 119 2. Funds for safe schools.

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120 3. Funds for supplemental academic instruction if the
121 required additional hour of instruction beyond the normal school
122 day for each day of the entire school year has been provided for
123 the students in each low-performing elementary school in the
124 district pursuant to paragraph (1)(f).

125 4. Funds for research-based reading instruction if the
126 required additional hour of instruction beyond the normal school
127 day for each day of the entire school year has been provided for
128 the students in each low-performing elementary school in the
129 district pursuant to paragraph (8)(a) ~~(9)(a)~~.

130 5. Funds for instructional materials if all instructional
131 material purchases necessary to provide updated materials that
132 are aligned with applicable state standards and course
133 descriptions and that meet statutory requirements of content and
134 learning have been completed for that fiscal year, but no sooner
135 than March 1. Funds available after March 1 may be used to
136 purchase hardware for student instruction.

137 (d) If a district school board transfers funds from its
138 research-based reading instruction allocation, the board must
139 also submit to the Department of Education an amendment
140 describing the changes that the district is making to its
141 reading plan approved pursuant to paragraph (8)(d) ~~(9)(d)~~.

142 (7) ~~(8)~~ DECLINE IN FULL-TIME EQUIVALENT STUDENTS.—In those
143 districts where there is a decline between prior year and
144 current year unweighted FTE students, a percentage of the
145 decline in the unweighted FTE students as determined by the
146 Legislature shall be multiplied by the prior year calculated
147 FEFP per unweighted FTE student and shall be added to the
148 allocation for that district. For this purpose, the calculated

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149 FEFP shall be computed by multiplying the weighted FTE students
150 by the base student allocation ~~and then by the district cost~~
151 ~~differential~~. If a district transfers a program to another
152 institution not under the authority of the district's school
153 board, including a charter technical career center, the decline
154 is to be multiplied by a factor of 0.15. However, if the funds
155 provided for the Florida Education Finance Program in the
156 General Appropriations Act for any fiscal year are reduced by a
157 subsequent appropriation for that fiscal year, the percent of
158 the decline in the unweighted FTE students to be funded shall be
159 determined by the Legislature and designated in the subsequent
160 appropriation.

161 (9) ~~(10)~~ CALCULATION OF SUPPLEMENTAL ALLOCATION FOR JUVENILE
162 JUSTICE EDUCATION PROGRAMS.—The total K-12 weighted full-time
163 equivalent student membership in juvenile justice education
164 programs in each school district shall be multiplied by the
165 amount of the state average class-size-reduction factor
166 ~~multiplied by the district's cost differential~~. An amount equal
167 to the sum of this calculation shall be allocated in the FEFP to
168 each school district to supplement other sources of funding for
169 students in juvenile justice education programs.

170 (12) ~~(13)~~ QUALITY ASSURANCE GUARANTEE.—The Legislature may
171 annually in the General Appropriations Act determine a
172 percentage increase in funds per K-12 unweighted FTE as a
173 minimum guarantee to each school district. The guarantee shall
174 be calculated from prior year base funding per unweighted FTE
175 student which shall include the adjusted FTE dollars as provided
176 in subsection (13) ~~(14)~~, quality guarantee funds, and actual
177 nonvoted discretionary local effort from taxes. From the base

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178 funding per unweighted FTE, the increase shall be calculated for
179 the current year. The current year funds from which the
180 guarantee shall be determined shall include the adjusted FTE
181 dollars as provided in subsection (13) ~~(14)~~ and potential
182 nonvoted discretionary local effort from taxes. A comparison of
183 current year funds per unweighted FTE to prior year funds per
184 unweighted FTE shall be computed. For those school districts
185 which have less than the legislatively assigned percentage
186 increase, funds shall be provided to guarantee the assigned
187 percentage increase in funds per unweighted FTE student. Should
188 appropriated funds be less than the sum of this calculated
189 amount for all districts, the commissioner shall prorate each
190 district's allocation. This provision shall be implemented to
191 the extent specifically funded.

192 Section 2. Paragraph (a) of subsection (1) of section
193 110.1228, Florida Statutes, is amended to read:

194 110.1228 Participation by small counties, small
195 municipalities, and district school boards located in small
196 counties.—

197 (1) As used in this section, the term:

198 (a) "District school board" means a district school board
199 located in a small county or a district school board that
200 receives funding pursuant to s. 1011.62(6) ~~1011.62(7)~~.

201 Section 3. Paragraphs (a) and (d) of subsection (7) of
202 section 213.053, Florida Statutes, are amended to read:

203 213.053 Confidentiality and information sharing.—

204 (7) (a) Any information received by the Department of
205 Revenue in connection with the administration of taxes,
206 including, but not limited to, information contained in returns,

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207 reports, accounts, or declarations filed by persons subject to
208 tax, shall be made available to the following in performance of
209 their official duties:

210 1. The Auditor General or his or her authorized agent;

211 2. The director of the Office of Program Policy Analysis
212 and Government Accountability or his or her authorized agent;

213 3. The Chief Financial Officer or his or her authorized
214 agent;

215 4. The Director of the Office of Insurance Regulation of
216 the Financial Services Commission or his or her authorized
217 agent;

218 5. A property appraiser or tax collector or their
219 authorized agents pursuant to s. 195.084(1);

220 ~~6. Designated employees of the Department of Education~~
221 ~~solely for determination of each school district's price level~~
222 ~~index pursuant to s. 1011.62(2); and~~

223 6.7. The executive director of the Department of Economic
224 Opportunity or his or her authorized agent.

225 ~~(d) For the purpose of this subsection, "designated~~
226 ~~employees of the Department of Education" means only those~~
227 ~~employees directly responsible for calculation of price level~~
228 ~~indices pursuant to s. 1011.62(2). It does not include the~~
229 ~~supervisors of such employees or any other employees or elected~~
230 ~~officials within the Department of Education.~~

231 Section 4. Subsections (1) and (3) of section 218.67,
232 Florida Statutes, are amended to read:

233 218.67 Distribution for fiscally constrained counties.—

234 (1) Each county that is entirely within a rural area of
235 opportunity as designated by the Governor pursuant to s.

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236 288.0656 or each county for which the value of a mill will raise
237 no more than \$5 million in revenue, based on the taxable value
238 certified pursuant to s. 1011.62(3)(a)1.a. ~~1011.62(4)(a)1.a.~~,
239 from the previous July 1, shall be considered a fiscally
240 constrained county.

241 (3) The amount to be distributed to each fiscally
242 constrained county shall be determined by the Department of
243 Revenue at the beginning of the fiscal year, using the prior
244 fiscal year's July 1 taxable value certified pursuant to s.
245 1011.62(3)(a)1.a. ~~1011.62(4)(a)1.a.~~, tax data, population as
246 defined in s. 218.21, and millage rate levied for the prior
247 fiscal year. The amount distributed shall be allocated based
248 upon the following factors:

249 (a) The relative revenue-raising-capacity factor shall be
250 the ability of the eligible county to generate ad valorem
251 revenues from 1 mill of taxation on a per capita basis. A county
252 that raises no more than \$25 per capita from 1 mill shall be
253 assigned a value of 1; a county that raises more than \$25 but no
254 more than \$30 per capita from 1 mill shall be assigned a value
255 of 0.75; and a county that raises more than \$30 but no more than
256 \$50 per capita from 1 mill shall be assigned a value of 0.5. No
257 value shall be assigned to counties that raise more than \$50 per
258 capita from 1 mill of ad valorem taxation.

259 (b) The local-effort factor shall be a measure of the
260 relative level of local effort of the eligible county as
261 indicated by the millage rate levied for the prior fiscal year.
262 The local-effort factor shall be the most recently adopted
263 countywide operating millage rate for each eligible county
264 multiplied by 0.1.

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265 (c) Each eligible county's proportional allocation of the
266 total amount available to be distributed to all of the eligible
267 counties shall be in the same proportion as the sum of the
268 county's two factors is to the sum of the two factors for all
269 eligible counties. The counties that are eligible to receive an
270 allocation under this subsection and the amount available to be
271 distributed to such counties shall not include counties
272 participating in the phaseout period under subsection (4) or the
273 amounts they remain eligible to receive during the phaseout.

274 Section 5. Subsection (6) of section 402.22, Florida
275 Statutes, is amended to read:

276 402.22 Education program for students who reside in
277 residential care facilities operated by the Department of
278 Children and Families or the Agency for Persons with
279 Disabilities.—

280 (6) Notwithstanding the provisions of s. 1001.42(4)(n), the
281 educational program at the Marianna Sunland Center in Jackson
282 County shall be operated by the Department of Education, either
283 directly or through grants or contractual agreements with other
284 public educational agencies. The annual state allocation to any
285 such agency shall be computed pursuant to s. 1011.62(1), ~~(2)~~,
286 and (5) ~~(6)~~ and allocated in the amount that would have been
287 provided the local school district in which the residential
288 facility is located.

289 Section 6. Paragraph (b) of subsection (2) of section
290 985.686, Florida Statutes, is amended to read:

291 985.686 Shared county and state responsibility for juvenile
292 detention.—

293 (2) As used in this section, the term:

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294 (b) "Fiscally constrained county" means a county within a
 295 rural area of opportunity as designated by the Governor pursuant
 296 to s. 288.0656 or each county for which the value of a mill will
 297 raise no more than \$5 million in revenue, based on the certified
 298 school taxable value certified pursuant to s. 1011.62(3)(a)1.a.
 299 ~~1011.62(4)(a)1.a.~~, from the previous July 1.

300 Section 7. Subsections (5) and (6) of section 1001.215,
 301 Florida Statutes, are amended to read:

302 1001.215 Just Read, Florida! Office.—There is created in
 303 the Department of Education the Just Read, Florida! Office. The
 304 office shall be fully accountable to the Commissioner of
 305 Education and shall:

306 (5) Provide technical assistance to school districts in the
 307 development and implementation of district plans for use of the
 308 research-based reading instruction allocation provided in s.
 309 1011.62(8) ~~1011.62(9)~~ and annually review and approve such
 310 plans.

311 (6) Review, evaluate, and provide technical assistance to
 312 school districts' implementation of the K-12 comprehensive
 313 reading plan required in s. 1011.62(8) ~~1011.62(9)~~.

314 Section 8. Paragraph (e) of subsection (3) of section
 315 1002.37, Florida Statutes, is amended to read:

316 1002.37 The Florida Virtual School.—

317 (3) Funding for the Florida Virtual School shall be
 318 provided as follows:

319 ~~(e) The district cost differential as provided in s.~~
 320 ~~1011.62(2) shall be established as 1.000.~~

321 Section 9. Paragraph (a) of subsection (13) of section
 322 1002.385, Florida Statutes, is amended to read:

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323 1002.385 Florida personal learning scholarship accounts.—

324 (13) FUNDING AND PAYMENT.—

325 (a)1. The maximum funding amount granted for an eligible
326 student with a disability, pursuant to subsection (3), shall be
327 equivalent to the base student allocation in the Florida
328 Education Finance Program multiplied by the appropriate cost
329 factor for the educational program which would have been
330 provided for the student in the district school to which he or
331 she would have been assigned, ~~multiplied by the district cost~~
332 ~~differential.~~

333 2. In addition, an amount equivalent to a share of the
334 guaranteed allocation for exceptional students in the Florida
335 Education Finance Program shall be determined and added to the
336 amount in subparagraph 1. The calculation shall be based on the
337 methodology and the data used to calculate the guaranteed
338 allocation for exceptional students for each district in chapter
339 2000-166, Laws of Florida. Except as provided in subparagraph
340 3., the calculation shall be based on the student's grade, the
341 matrix level of services, and the difference between the 2000-
342 2001 basic program and the appropriate level of services cost
343 factor, multiplied by the 2000-2001 base student allocation ~~and~~
344 ~~the 2000-2001 district cost differential for the sending~~
345 ~~district.~~ The calculated amount must also include an amount
346 equivalent to the per-student share of supplemental academic
347 instruction funds, instructional materials funds, technology
348 funds, and other categorical funds as provided in the General
349 Appropriations Act.

350 3. Except as otherwise provided, the calculation for all
351 students participating in the program shall be based on the

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352 matrix that assigns the student to support Level III of
353 services. If a parent chooses to request and receive a matrix of
354 services from the school district, when the school district
355 completes the matrix, the amount of the payment shall be
356 adjusted as needed.

357 Section 10. Paragraph (a) of subsection (10) of section
358 1002.39, Florida Statutes, is amended to read:

359 1002.39 The John M. McKay Scholarships for Students with
360 Disabilities Program.—There is established a program that is
361 separate and distinct from the Opportunity Scholarship Program
362 and is named the John M. McKay Scholarships for Students with
363 Disabilities Program.

364 (10) JOHN M. MCKAY SCHOLARSHIP FUNDING AND PAYMENT.—

365 (a)1. The maximum scholarship granted for an eligible
366 student with disabilities shall be equivalent to the base
367 student allocation in the Florida Education Finance Program
368 multiplied by the appropriate cost factor for the educational
369 program that would have been provided for the student in the
370 district school to which he or she was assigned, ~~multiplied by~~
371 ~~the district cost differential.~~

372 2. In addition, a share of the guaranteed allocation for
373 exceptional students shall be determined and added to the amount
374 in subparagraph 1. The calculation shall be based on the
375 methodology and the data used to calculate the guaranteed
376 allocation for exceptional students for each district in chapter
377 2000-166, Laws of Florida. Except as provided in subparagraphs
378 3. and 4., the calculation shall be based on the student's
379 grade, matrix level of services, and the difference between the
380 2000-2001 basic program and the appropriate level of services

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381 cost factor, multiplied by the 2000-2001 base student allocation
382 ~~and the 2000-2001 district cost differential for the sending~~
383 ~~district~~. The calculated amount shall include the per-student
384 share of supplemental academic instruction funds, instructional
385 materials funds, technology funds, and other categorical funds
386 as provided in the General Appropriations Act.

387 3. The scholarship amount for a student who is eligible
388 under sub-subparagraph (2)(a)2.b. shall be calculated as
389 provided in subparagraphs 1. and 2. However, the calculation
390 shall be based on the school district in which the parent
391 resides at the time of the scholarship request.

392 4. Until the school district completes the matrix required
393 by paragraph (5)(b), the calculation shall be based on the
394 matrix that assigns the student to support Level I of service as
395 it existed prior to the 2000-2001 school year. When the school
396 district completes the matrix, the amount of the payment shall
397 be adjusted as needed.

398 5. The scholarship amount for a student eligible under s.
399 504 of the Rehabilitation Act of 1973 shall be based on the
400 program cost factor the student currently generates through the
401 Florida Education Finance Program.

402 Section 11. Paragraph (b) of subsection (1) of section
403 1002.45, Florida Statutes, is amended to read:

404 1002.45 Virtual instruction programs.—

405 (1) PROGRAM.—

406 (b) Each school district that is eligible for the sparsity
407 supplement pursuant to s. 1011.62(6)(a) and (b) ~~1011.62(7)(a)~~
408 ~~and (b)~~ shall provide all enrolled public school students within
409 its boundaries the option of participating in part-time and

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410 full-time virtual instruction programs. Each school district
411 that is not eligible for the sparsity supplement pursuant to s.
412 1011.62(6)(a) and (b) ~~1011.62(7)(a) and (b)~~ shall provide at
413 least three options for part-time and full-time virtual
414 instruction. All school districts must provide parents with
415 timely written notification of at least one open enrollment
416 period for full-time students of 90 days or more which ends 30
417 days before the first day of the school year. The purpose of the
418 program is to make quality virtual instruction available to
419 students using online and distance learning technology in the
420 nontraditional classroom. A school district virtual instruction
421 program shall consist of the following:

422 1. Full-time and part-time virtual instruction for students
423 enrolled in kindergarten through grade 12.

424 2. Full-time or part-time virtual instruction for students
425 enrolled in dropout prevention and academic intervention
426 programs under s. 1003.53, Department of Juvenile Justice
427 education programs under s. 1003.52, core-curricula courses to
428 meet class size requirements under s. 1003.03, or Florida
429 College System institutions under this section.

430 Section 12. Paragraph (b) of subsection (3) of section
431 1002.71, Florida Statutes, is amended to read:

432 1002.71 Funding; financial and attendance reporting.—

433 (3)

434 (b) Each county's allocation per full-time equivalent
435 student in the Voluntary Prekindergarten Education Program shall
436 be ~~calculated annually by multiplying~~ the base student
437 allocation provided in the General Appropriations Act ~~by the~~
438 ~~county's district cost differential provided in s. 1011.62(2).~~

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439 Each private prekindergarten provider and public school shall be
440 paid in accordance with the county's allocation per full-time
441 equivalent student.

442 Section 13. Paragraph (a) of subsection (4) of section
443 1003.03, Florida Statutes, is amended to read:

444 1003.03 Maximum class size.—

445 (4) ACCOUNTABILITY.—

446 (a) If the department determines that the number of
447 students assigned to any individual class exceeds the class size
448 maximum, as required in subsection (1), based upon the October
449 student membership survey, the department shall:

450 1. Identify, for each grade group, the number of classes in
451 which the number of students exceeds the maximum and the total
452 number of students which exceeds the maximum for all classes.

453 2. Determine the number of FTE students which exceeds the
454 maximum for each grade group.

455 3. Multiply the total number of FTE students which exceeds
456 the maximum for each grade group by the district's FTE dollar
457 amount of the class size categorical allocation for that year
458 and calculate the total for all three grade groups.

459 4. Multiply the total number of FTE students which exceeds
460 the maximum for all classes by an amount equal to 50 percent of
461 the base student allocation ~~adjusted by the district cost~~
462 ~~differential~~ for each of the 2010-2011 through 2013-2014 fiscal
463 years and by an amount equal to the base student allocation
464 ~~adjusted by the district cost differential~~ in the 2014-2015
465 fiscal year and thereafter.

466 5. Reduce the district's class size categorical allocation
467 by an amount equal to the sum of the calculations in

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468 subparagraphs 3. and 4.

469 Section 14. Paragraph (a) of subsection (13) of section
470 1003.52, Florida Statutes, is amended to read:

471 1003.52 Educational services in Department of Juvenile
472 Justice programs.—

473 (13) (a) Funding for eligible students enrolled in juvenile
474 justice education programs shall be provided through the Florida
475 Education Finance Program as provided in s. 1011.62 and the
476 General Appropriations Act. Funding shall include, at a minimum:

477 1. Weighted program funding or the basic amount for current
478 operation ~~multiplied by the district cost differential as~~
479 ~~provided in s. 1011.62(2);~~

480 2. The supplemental allocation for juvenile justice
481 education as provided in s. 1011.62(9) ~~1011.62(10)~~;

482 3. A proportionate share of the district's exceptional
483 student education guaranteed allocation, the supplemental
484 academic instruction allocation, and the instructional materials
485 allocation;

486 4. An amount equivalent to the proportionate share of the
487 state average potential discretionary local effort for
488 operations, which shall be determined as follows:

489 a. If the district levies the maximum discretionary local
490 effort and the district's discretionary local effort per FTE is
491 less than the state average potential discretionary local effort
492 per FTE, the proportionate share shall include both the
493 discretionary local effort and the compression supplement per
494 FTE. If the district's discretionary local effort per FTE is
495 greater than the state average per FTE, the proportionate share
496 shall be equal to the state average; or

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497 b. If the district does not levy the maximum discretionary
498 local effort and the district's actual discretionary local
499 effort per FTE is less than the state average potential
500 discretionary local effort per FTE, the proportionate share
501 shall be equal to the district's actual discretionary local
502 effort per FTE. If the district's actual discretionary local
503 effort per FTE is greater than the state average per FTE, the
504 proportionate share shall be equal to the state average
505 potential local effort per FTE; and

506 5. A proportionate share of the district's proration to
507 funds available, if necessary.

508 Section 15. Paragraph (g) of subsection (2) of section
509 1003.621, Florida Statutes, is amended to read:

510 1003.621 Academically high-performing school districts.—It
511 is the intent of the Legislature to recognize and reward school
512 districts that demonstrate the ability to consistently maintain
513 or improve their high-performing status. The purpose of this
514 section is to provide high-performing school districts with
515 flexibility in meeting the specific requirements in statute and
516 rules of the State Board of Education.

517 (2) COMPLIANCE WITH STATUTES AND RULES.—Each academically
518 high-performing school district shall comply with all of the
519 provisions in chapters 1000-1013, and rules of the State Board
520 of Education which implement these provisions, pertaining to the
521 following:

522 (g) Those statutes pertaining to planning and budgeting,
523 including chapter 1011, except s. 1011.62(8)(d) ~~1011.62(9)(d)~~,
524 relating to the requirement for a comprehensive reading plan. A
525 district that is exempt from submitting this plan shall be

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526 deemed approved to receive the research-based reading
527 instruction allocation.

528 Section 16. Subsection (7) of section 1004.935, Florida
529 Statutes, is amended to read:

530 1004.935 Adults with Disabilities Workforce Education Pilot
531 Program.—

532 (7) Funds for the scholarship shall be provided from the
533 appropriation from the school district's Workforce Development
534 Fund in the General Appropriations Act for students who reside
535 in the Hardee County School District, the DeSoto County School
536 District, the Manatee County School District, or the Sarasota
537 County School District. During the pilot program, the
538 scholarship amount granted for an eligible student with a
539 disability shall be equal to the cost per unit of a full-time
540 equivalent adult general education student, multiplied by the
541 adult general education funding factor, ~~and multiplied by the~~
542 ~~district cost differential pursuant to the formula required by~~
543 ~~s. 1011.80(6)(a) for the district in which the student resides.~~

544 Section 17. Paragraph (a) of subsection (2) and paragraph
545 (b) of subsection (3) of section 1010.20, Florida Statutes, are
546 amended to read:

547 1010.20 Cost accounting and reporting for school
548 districts.—

549 (2) COST REPORTING.—

550 (a) Each district shall report on a district-aggregate
551 basis expenditures for inservice training pursuant to s.
552 1011.62(2) ~~1011.62(3)~~ and for categorical programs as provided
553 in s. 1011.62(5) ~~1011.62(6)~~.

554 (3) PROGRAM EXPENDITURE REQUIREMENTS.—

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555 (b) Funds for inservice training established in s.
556 1011.62(2) ~~1011.62(3)~~ and for categorical programs established
557 in s. 1011.62(5) ~~1011.62(6)~~ shall be expended for the costs of
558 the identified programs as provided by law and in accordance
559 with the rules of the State Board of Education.

560 Section 18. Subsection (3) of section 1011.02, Florida
561 Statutes, is amended to read:

562 1011.02 District school boards to adopt tentative budget.-

563 (3) The proposed budget shall include an amount for local
564 required effort for current operation, in accordance with the
565 requirements of s. 1011.62(3) ~~1011.62(4)~~.

566 Section 19. Subsections (1), (3), and (8) of section
567 1011.71, Florida Statutes, are amended to read:

568 1011.71 District school tax.-

569 (1) If the district school tax is not provided in the
570 General Appropriations Act or the substantive bill implementing
571 the General Appropriations Act, each district school board
572 desiring to participate in the state allocation of funds for
573 current operation as prescribed by s. 1011.62(13) ~~1011.62(14)~~
574 shall levy on the taxable value for school purposes of the
575 district, exclusive of millage voted under the provisions of s.
576 9(b) or s. 12, Art. VII of the State Constitution, a millage
577 rate not to exceed the amount certified by the commissioner as
578 the minimum millage rate necessary to provide the district
579 required local effort for the current year, pursuant to s.
580 1011.62(3)(a)1 ~~1011.62(4)(a)1~~. In addition to the required local
581 effort millage levy, each district school board may levy a
582 nonvoted current operating discretionary millage. The
583 Legislature shall prescribe annually in the appropriations act

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584 the maximum amount of millage a district may levy.

585 (3) Notwithstanding subsection (2), if the revenue from 1.5
586 mills is insufficient to meet the payments due under a lease-
587 purchase agreement entered into before June 30, 2009, by a
588 district school board pursuant to paragraph (2) (e), or to meet
589 other critical district fixed capital outlay needs, the board,
590 in addition to the 1.5 mills, may levy up to 0.25 mills for
591 fixed capital outlay in lieu of levying an equivalent amount of
592 the discretionary mills for operations as provided in the
593 General Appropriations Act. Millage levied pursuant to this
594 subsection is subject to the provisions of s. 200.065 and,
595 combined with the 1.5 mills authorized in subsection (2), may
596 not exceed 1.75 mills. If the district chooses to use up to 0.25
597 mills for fixed capital outlay, the compression adjustment
598 pursuant to s. 1011.62(4) ~~1011.62(5)~~ shall be calculated for the
599 standard discretionary millage that is not eligible for transfer
600 to capital outlay.

601 (8) Nothing in s. 1011.62(3)(a)1. ~~1011.62(4)(a)1.~~ shall in
602 any way be construed to increase the maximum school millage
603 levies as provided for in subsection (1).

604 Section 20. Paragraph (b) of subsection (3) of section
605 1011.84, Florida Statutes, is amended to read:

606 1011.84 Procedure for determining state financial support
607 and annual apportionment of state funds to each Florida College
608 System institution district.—The procedure for determining state
609 financial support and the annual apportionment to each Florida
610 College System institution district authorized to operate a
611 Florida College System institution under the provisions of s.
612 1001.61 shall be as follows:

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613 (3) DETERMINING THE APPORTIONMENT FROM STATE FUNDS.—

614 (b) The apportionment to each Florida College System
615 institution from the Florida College System Program Fund shall
616 be determined annually in the General Appropriations Act. In
617 determining each college's apportionment, the Legislature shall
618 consider the following components:

619 1. Base budget, which includes the state appropriation to
620 the Florida College System Program Fund in the current year plus
621 the related student tuition and out-of-state fees assigned in
622 the current General Appropriations Act.

623 2. The cost-to-continue allocation, which consists of
624 incremental changes to the base budget, including salaries,
625 price levels, and other related costs allocated through a
626 funding model approved by the Legislature which may recognize
627 differing economic factors arising from the individual
628 educational approaches of the various Florida College System
629 institutions, including, but not limited to:

630 a. Direct Instructional Funding, including class size,
631 faculty productivity factors, average faculty salary, ratio of
632 full-time to part-time faculty, costs of programs, and
633 enrollment factors.

634 b. Academic Support, including small colleges factor,
635 multicampus factor, and enrollment factor.

636 c. Student Services Support, including headcount of
637 students as well as FTE count and enrollment factors.

638 d. Library Support, including volume and other
639 materials/audiovisual requirements.

640 e. Special Projects.

641 f. Operations and Maintenance of Plant, including square

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642 footage and utilization factors.

643 ~~g. District Cost Differential.~~

644 3. Students enrolled in a recreation and leisure program
645 and students enrolled in a lifelong learning program who may not
646 be counted as full-time equivalent enrollments for purposes of
647 enrollment workload adjustments.

648 4. Operating costs of new facilities adjustments, which
649 shall be provided, from funds available, for each new facility
650 that is owned by the college and is recommended in accordance
651 with s. 1013.31.

652 5. New and improved program enhancements, which shall be
653 determined by the Legislature.

654
655 Student fees in the base budget plus student fee revenues
656 generated by increases in fee rates shall be deducted from the
657 sum of the components determined in subparagraphs 1.-5. The
658 amount remaining shall be the net annual state apportionment to
659 each college.

660 Section 21. Section 1012.44, Florida Statutes, is amended
661 to read:

662 1012.44 Qualifications for certain persons providing
663 speech-language services.—The State Board of Education shall
664 adopt rules for speech-language services to school districts
665 that qualify for the sparsity supplement as described in s.
666 1011.62 (6) ~~1011.62 (7)~~. These services may be provided by
667 baccalaureate degree level persons for a period of 3 years. The
668 rules shall authorize the delivery of speech-language services
669 by baccalaureate degree level persons under the direction of a
670 certified speech-language pathologist with a master's degree or

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671 higher.

672 Section 22. Subsection (2) of section 1012.64, Florida
673 Statutes, is amended to read:

674 1012.64 Sabbatical leave.—

675 (2) Funds, not to exceed 25 percent, of the district's
676 allocation for inservice training under s. 1011.62(2) ~~1011.62(3)~~
677 or other district funds may be expended in order to fulfill the
678 provisions of this section, provided that the district allocates
679 \$5 of district funds for each \$1 of state inservice training
680 funds expended under this subsection.

681 Section 23. This act shall take effect July 1, 2016.