

1                                   A bill to be entitled  
 2           An act relating to the Florida Education Finance  
 3           Program; providing appropriations; providing for uses  
 4           of funds; providing an effective date.

5  
 6 Be It Enacted by the Legislature of the State of Florida:

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 8           Section 1. The recurring sums of \$197,655,678 from the  
 9 Educational Enhancement Trust Fund, \$60,138,902 from the State  
 10 School Trust Fund, and \$8,029,190,367 from the General Revenue  
 11 Fund, the nonrecurring sums of \$206,900,000 from the Educational  
 12 Enhancement Trust Fund and \$10,300,000 from the State School  
 13 Trust Fund, and a negative nonrecurring sum of \$63,240,813 from  
 14 the General Revenue Fund are appropriated for the 2017-2018  
 15 Fiscal Year to the Department of Education in the Aid to Local  
 16 Governments Grants and Aids - Florida Education Finance Program  
 17 category.

18           Section 2. The recurring sums of \$103,776,356 from the  
 19 Educational Enhancement Trust Fund, \$86,161,098 from the State  
 20 School Trust Fund, and \$2,907,797,252 from the General Revenue  
 21 Fund are appropriated for the 2017-2018 Fiscal Year to the  
 22 Department of Education in the Aid to Local Governments Grants  
 23 and Aids - Class Size Reduction category.

24           Section 3. The recurring sum of \$134,582,877 from the  
 25 Educational Enhancement Trust Fund is appropriated for the 2017-

26 2018 Fiscal Year to the Department of Education in the Aid to  
27 Local Governments Grants and Aids - District Lottery and School  
28 Recognition category.

29 Section 4. The calculations of the Florida Education  
30 Finance Program (FEFP) for the 2017-2018 fiscal year are  
31 incorporated by reference in this act. The calculations are the  
32 basis for the appropriations made in sections 1, 2, and 3 of  
33 this act.

34 Section 5. Notwithstanding sections 24.121, 1011.62,  
35 1011.67, 1011.685, 1011.71, and 1012.71, Florida Statutes,  
36 provisions of those sections which reference the General  
37 Appropriations Act or the annual appropriations act shall be  
38 governed by this act.

39 Section 6. (1) Funds provided in section 1 of this act  
40 shall be allocated using a base student allocation of \$4,203.95  
41 for the FEFP.

42 (2) (a) Funds provided in section 1 of this act for the  
43 supplemental allocation for juvenile justice education programs  
44 shall be allocated pursuant to the formula provided in section  
45 1011.62(10), Florida Statutes. The allocation factor shall be  
46 \$1,240.91.

47 (b) Juvenile justice education programs shall receive  
48 funds as provided in section 1003.52(13), Florida Statutes. Up  
49 to \$341 per student may be used for high school equivalency  
50 examination fees for juvenile justice students who pass the high

51 school equivalency exam in full, or in part, while in a juvenile  
52 justice education program and may be used for students in  
53 juvenile justice education programs to support equipment,  
54 specially designed curricula, and industry credentialing testing  
55 fees for students enrolled in career and technical education  
56 (CTE) courses that lead to industry recognized certifications.

57 (3) The Department of Education shall work with the  
58 Washington County School District and the Okeechobee County  
59 School District to determine, pursuant to section 1003.52(3),  
60 Florida Statutes, which district shall be the educational  
61 service provider for the full-time equivalent (FTE) students  
62 currently associated with Washington Special. Effective with the  
63 October 2017 FTE survey, the FTE associated with Washington  
64 Special in the FEFP will be reported by either the Washington  
65 County School District or the Okeechobee County School District.  
66 The FTE changes required shall be incorporated into the 2017-  
67 2018 third FEFP Calculation as determined by the FEFP Allocation  
68 Conference.

69 (4) The district cost differential for each district shall  
70 be calculated pursuant to the provisions of section 1011.62(2),  
71 Florida Statutes.

72 (5) From the funds provided in section 1 of this act,  
73 \$52,800,000 is provided for the Sparsity Supplement as defined  
74 in section 1011.62(7), Florida Statutes, for school districts of  
75 24,000 and fewer FTE in the 2017-2018 fiscal year.

76           (6) Total Required Local Effort for Fiscal Year 2017-2018  
 77 shall be \$7,603,850,013. The total amount shall include  
 78 adjustments made for the calculation required in section  
 79 1011.62(4)(a)-(c), Florida Statutes.

80           (7) The maximum nonvoted discretionary millage which may  
 81 be levied pursuant to the provisions of section 1011.71(1),  
 82 Florida Statutes, by district school boards in Fiscal Year 2017-  
 83 2018 shall be 0.748 mills. This millage shall be used to  
 84 calculate the discretionary millage compression supplement as  
 85 provided in section 1011.62(5), Florida Statutes. To be eligible  
 86 for the supplement, a district must levy the maximum.

87           (8) Funds provided in section 1 of this act are based upon  
 88 program cost factors for Fiscal Year 2017-2018 as follows:

- 89           (a) Basic Programs
- 90           1. K-3 Basic.....1.107
  - 91           2. 4-8 Basic.....1.000
  - 92           3. 9-12 Basic.....1.001
- 93           (b) Programs for Exceptional Students
- 94           1. Support Level 4.....3.619
  - 95           2. Support Level 5.....5.526
- 96           (c) English for Speakers of Other Languages .....1.212
- 97           (d) Programs for Grades 9-12 Career Education.....1.001

98           (9)(a) From the funds in section 1 of this act,  
 99 \$1,060,770,374 is provided to school districts as an Exceptional  
 100 Student Education (ESE) Guaranteed Allocation as authorized by

101 law to provide educational programs and services for exceptional  
102 students. The ESE Guaranteed Allocation funds are provided in  
103 addition to the funds for each exceptional student in the per  
104 FTE student calculation. School districts that provided  
105 educational services in the 2016-2017 fiscal year for  
106 exceptional students who are residents of other districts shall  
107 not discontinue providing such services without the prior  
108 approval of the Department of Education. Expenditure  
109 requirements for the ESE Guaranteed Allocation shall be as  
110 prescribed in section 1010.20(3), Florida Statutes, for programs  
111 for exceptional students.

112 (b) The value of 43.35 weighted FTE students is provided  
113 to supplement the funding for severely handicapped students  
114 served in ESE programs 254 and 255 when a school district has  
115 less than 10,000 FTE student enrollment and less than three FTE  
116 eligible students per program. The Commissioner of Education  
117 shall allocate the value of the supplemental FTE based on  
118 documented evidence of the difference in the cost of the service  
119 and the amount of funds received in the district's FEFP  
120 allocations for the students being served. The supplemental  
121 value shall not exceed three FTE.

122 (10) The Declining Enrollment Supplement shall be  
123 calculated based on 25 percent of the decline between the prior  
124 year and current year unweighted FTE students pursuant to  
125 section 1011.62(8), Florida Statutes.

126        (11) From the funds in section 1 of this act, \$64,456,019  
127 is provided for Safe Schools activities and shall be allocated  
128 as follows: \$62,660 shall be distributed to each district, and  
129 the remaining balance shall be allocated as follows: two-thirds  
130 based on the latest official Florida Crime Index provided by the  
131 Department of Law Enforcement and one-third based on each  
132 district's share of the state's total unweighted student  
133 enrollment. Safe schools funds are to be used by school  
134 districts in their compliance with sections 1006.07-1006.148,  
135 Florida Statutes, with priority given to establishing a school  
136 resource officer program pursuant to section 1006.12, Florida  
137 Statutes.

138        (12) (a) From the funds in section 1 of this act,  
139 \$712,207,631 is for Supplemental Academic Instruction to be  
140 provided throughout the school year pursuant to section 1011.62  
141 (1) (f), Florida Statutes. From these funds, at least  
142 \$75,000,000, together with funds provided in the district's  
143 research-based reading instruction allocation and other  
144 available funds, shall be used by districts with one or more of  
145 the 300 lowest-performing elementary schools based on the  
146 statewide, standardized English Language Arts assessment to  
147 provide an additional hour of instruction beyond the normal  
148 school day for each day of the entire school year for intensive  
149 reading instruction for the students in each of these schools.  
150 This additional instruction must be provided by teachers or

151 reading specialists who are effective in teaching reading, or by  
152 a K-5 mentoring reading program that is supervised by a teacher  
153 who is effective at teaching reading. Students enrolled in these  
154 schools who have level 5 reading assessment scores may choose to  
155 participate in the program on an optional basis. ESE centers  
156 shall not be included in the 300 schools.

157 (b) The Department of Education shall provide guidance to  
158 school districts for documentation of the expenditures for this  
159 additional instruction to ensure that all local, state, and  
160 federal funds are maximized for the total instructional program  
161 and that the funds used in these schools do not supplant federal  
162 funds. School districts shall submit a report to the Department  
163 of Education in a format prepared by the department that  
164 includes summary information, including funding sources,  
165 expenditures, and student outcomes for each of the participating  
166 schools that shall be submitted to the Speaker of the House of  
167 Representatives, President of the Senate, and Governor by  
168 September 30, 2017. Pursuant to section 1008.32, Florida  
169 Statutes, the State Board of Education shall withhold funds from  
170 a school district that fails to comply with this requirement.

171 (c) The funds provided for the Supplemental Academic  
172 Instruction allocation shall consist of a base amount that shall  
173 have a workload adjustment based on changes in FTE. In addition,  
174 an additional amount is provided for districts with schools on  
175 the list of the 300 lowest-performing elementary schools.

176 District allocations from these additional funds shall be based  
177 on each district's level of per student funding in the reading  
178 instruction allocation and the supplemental academic instruction  
179 categorical fund, and on the total FTE for each of the schools.  
180 The categorical funding shall be recalculated during the fiscal  
181 year following an updated designation of the 300 lowest-  
182 performing elementary schools and shall be based on actual  
183 student membership from the FTE surveys. If the recalculated  
184 total allocation is greater than the amount provided in this  
185 act, the allocation shall be prorated to the level of the  
186 appropriation, based on each district's share of the total.

187 (13) From the funds in section 1 of this act, \$130,000,000  
188 is provided for a K-12 comprehensive, district-wide system of  
189 research-based reading instruction. The amount of \$115,000 shall  
190 be allocated to each district and the remaining balance shall be  
191 allocated based on each district's proportion of the total K-12  
192 base funding. From these funds, at least \$15,000,000 shall be  
193 used to provide an additional hour of intensive reading  
194 instruction beyond the normal school day for each day of the  
195 entire school year for the students in the 300 lowest-performing  
196 elementary schools based on the statewide, standardized English  
197 Language Arts assessment pursuant to sections 1008.22(3) and  
198 1011.62(9), Florida Statutes. This additional instruction must  
199 be provided by teachers or reading specialists who are effective  
200 in teaching reading. Students enrolled in these schools who have



201 level 5 reading assessment scores may choose to participate in  
202 the program on an optional basis. ESE centers shall not be  
203 included in the 300 schools. Pursuant to section 1008.32,  
204 Florida Statutes, the State Board of Education shall withhold  
205 funds from a school district that fails to comply with this  
206 requirement.

207 (14) (a) From the funds provided in section 1 of this act,  
208 \$230,743,258 is provided for Instructional Materials including  
209 \$12,184,490 for Library Media Materials, \$3,330,427 for the  
210 purchase of science lab materials and supplies, \$10,329,494 for  
211 dual enrollment instructional materials, and \$3,114,988 for the  
212 purchase of digital instructional materials for students with  
213 disabilities. The growth allocation per FTE shall be \$303.69 for  
214 the 2017-2018 fiscal year. School districts shall pay for  
215 instructional materials used for the instruction of public high  
216 school students who are earning credit toward high school  
217 graduation under the dual enrollment program as provided in  
218 section 1011.62(1)(i), Florida Statutes.

219 (b) From the funds provided for Instructional Materials,  
220 \$165,000,000 shall be available to school districts to purchase  
221 instructional content, as well as electronic devices and  
222 technology equipment, and infrastructure. The purchases made in  
223 the 2017-2018 fiscal year must comply with the minimum or  
224 recommended requirements for instructional content, hardware,  
225 software, networking, security and bandwidth, and the number of

226 students per device as developed and published by the Department  
227 of Education. Prior to release of the funds by the department to  
228 the school districts, each school district shall certify to the  
229 Commissioner of Education an expenditure plan for the purchase  
230 of instructional content and technology. If the district intends  
231 to use any portion of the funds for technology, the district  
232 must certify that it has the instructional content necessary to  
233 provide instruction aligned to the adopted statewide benchmarks  
234 and standards. If the district intends to use the funds for  
235 technology, the district must include an expenditure plan for  
236 the purchase of electronic devices and technology equipment, and  
237 infrastructure that demonstrates the alignment of devices and  
238 equipment with the minimum or recommended requirements. The  
239 department shall provide a report to the Legislature on or  
240 before March 1, 2018, that summarizes the district expenditures  
241 for these funds.

242 (15) From funds provided in section 1 of this act,  
243 \$438,875,286 is provided for Student Transportation as provided  
244 in section 1011.68, Florida Statutes.

245 (16) From funds provided in section 1 of this act,  
246 \$45,286,750 is provided for the Teachers Classroom Supply  
247 Assistance Program and shall be given to teachers pursuant to  
248 section 1012.71, Florida Statutes. The allocation shall not be  
249 recalculated during the school year.

250 (17) From the funds provided in section 1 of this act,

251 \$12,883,871 is provided for a Federally Connected Student  
252 Supplement to be calculated to support the education of students  
253 connected with federally owned military installations, National  
254 Aeronautics and Space Administration (NASA) property, and Indian  
255 lands pursuant to section 1011.62(13), Florida Statutes. The  
256 supplement shall be the sum of a student allocation and an  
257 exempt property allocation. To participate, districts must be  
258 eligible for federal Impact Aid funding under Section 8003,  
259 Title VIII of the Elementary and Secondary Education Act of  
260 1965. The amount allocated for each eligible school district  
261 shall be recalculated during the year, using actual student  
262 membership, as amended, from the most recent February survey and  
263 the tax-exempt valuation from the most recent assessment roll.  
264 Upon recalculation, if the total allocation is greater than the  
265 amount provided in this act, it must be prorated to the level of  
266 the appropriation based on each district's share of the total  
267 recalculated amount.

268 (18) Funds provided in section 1 of this act for the  
269 Virtual Education Contribution shall be allocated pursuant to  
270 the formula provided in section 1011.62(11), Florida Statutes.  
271 The contribution shall be based on \$5,230 per FTE.

272 (19) Districts may charge a fee for grades K-12 voluntary,  
273 non-credit summer school enrollment in basic program courses.  
274 The amount of any student's fee shall be based on the student's  
275 ability to pay and the student's financial need as determined by

276 district school board policy.

277 (20) From the funds in section 1 of this act, \$80,000,000  
278 is provided for the Digital Classrooms allocation as provided in  
279 section 1011.62(12), Florida Statutes. The minimum amount to be  
280 allocated to each district is \$500,000. Twenty percent of the  
281 funds provided may be used for professional development,  
282 including in-state conference attendance or online coursework,  
283 to enhance the use of technology for digital instructional  
284 strategies.

285 Section 7. Funds appropriated in section 2 of this act are  
286 provided to implement the requirements of sections 1003.03 and  
287 1011.685, Florida Statutes. The class size reduction allocation  
288 factor for grades prekindergarten to grade 3 shall be \$1,317.03,  
289 for grades 4 to 8 shall be \$898.36, and for grades 9 to 12 shall  
290 be \$900.53. The class size reduction allocation shall be  
291 recalculated based on enrollment through the October 2017 FTE  
292 survey except as provided in section 1003.03(4), Florida  
293 Statutes. If the total class size reduction allocation is  
294 greater than the appropriation in section 2 of this act, funds  
295 shall be prorated to the level of the appropriation based on  
296 each district's calculated amount. The Commissioner of Education  
297 may withhold disbursement of these funds until a district is in  
298 compliance with reporting information required for class size  
299 reduction implementation.

300 Section 8. Funds appropriated in section 3 of this act are

301 provided for the Florida School Recognition Program to be  
302 allocated as awards of up to \$100 per student to qualified  
303 schools pursuant to section 1008.36, Florida Statutes. If there  
304 are funds remaining after payment to qualified schools, the  
305 balance shall be allocated as discretionary lottery funds to all  
306 school districts based on each district's K-12 base funding.  
307 From these funds, school districts shall allocate up to \$5 per  
308 unweighted student to be used at the discretion of the school  
309 advisory council pursuant to section 24.121(5), Florida  
310 Statutes. If funds are insufficient to provide \$5 per student,  
311 the available funds shall be prorated.

312 Section 9. This act shall take effect July 1, 2017.