

By Senator Passidomo

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1                   A bill to be entitled  
2       An act relating to K-12 education enhancements;  
3       amending s. 1011.62, F.S.; creating the mental health  
4       assistance allocation and providing the purpose of the  
5       allocation; providing for the allocation of funds;  
6       requiring each entity that receives funds to annually  
7       submit a plan for the use of such funds to the  
8       district school board or other governing body which  
9       must include certain elements; requiring districts to  
10      submit approved plans to the Commissioner of Education  
11      by a specified date; requiring an annual final report  
12      to the commissioner by a specified date; conforming  
13      cross-references; amending s. 1011.71, F.S.;  
14      increasing the amount that a school district may  
15      expend from a specified millage levy for certain  
16      expenses; amending s. 1013.62, F.S.; prohibiting a  
17      charter school from being eligible for capital outlay  
18      funds unless the chair of the governing board and the  
19      chief administrative officer of the charter school  
20      annually certify certain information; revising the  
21      Department of Education's calculation methodology for  
22      a school district's distribution of discretionary  
23      millage to its eligible charter schools; providing an  
24      effective date.

25  
26   Be It Enacted by the Legislature of the State of Florida:

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28       Section 1. Present subsections (16) and (17) of section  
29   1011.62, Florida Statutes, are redesignated as subsections (17)

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30 and (18), respectively, a new subsection (16) is added to that  
31 section, and subsection (14) of that section is amended, to  
32 read:

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 (14) QUALITY ASSURANCE GUARANTEE.—The Legislature may  
40 annually in the General Appropriations Act determine a  
41 percentage increase in funds per K-12 unweighted FTE as a  
42 minimum guarantee to each school district. The guarantee shall  
43 be calculated from prior year base funding per unweighted FTE  
44 student which shall include the adjusted FTE dollars as provided  
45 in subsection (17) ~~(16)~~, quality guarantee funds, and actual  
46 nonvoted discretionary local effort from taxes. From the base  
47 funding per unweighted FTE, the increase shall be calculated for  
48 the current year. The current year funds from which the  
49 guarantee shall be determined shall include the adjusted FTE  
50 dollars as provided in subsection (17) ~~(16)~~ and potential  
51 nonvoted discretionary local effort from taxes. A comparison of  
52 current year funds per unweighted FTE to prior year funds per  
53 unweighted FTE shall be computed. For those school districts  
54 which have less than the legislatively assigned percentage  
55 increase, funds shall be provided to guarantee the assigned  
56 percentage increase in funds per unweighted FTE student. Should  
57 appropriated funds be less than the sum of this calculated  
58 amount for all districts, the commissioner shall prorate each

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59 district's allocation. This provision shall be implemented to  
60 the extent specifically funded.

61 (16) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental health  
62 assistance allocation is created to provide supplemental funding  
63 to assist school districts in establishing or expanding  
64 comprehensive school-based mental health programs that increase  
65 awareness of mental health issues among children and school-age  
66 youth; train educators and other school staff in detecting and  
67 responding to mental health issues; and connect children, youth,  
68 and families who may experience behavioral health issues with  
69 appropriate services. These funds shall be allocated annually to  
70 each eligible school district and developmental research school  
71 based on each entity's proportionate share of Florida Education  
72 Finance Program base funding. The district funding allocation  
73 must include a minimum amount as specified in the General  
74 Appropriations Act. Upon submission and approval of a plan that  
75 includes the elements specified in paragraph (b), charter  
76 schools are also entitled to a proportionate share of district  
77 funding for this program. The allocated funds may not supplant  
78 funds that are provided from other operating funds for this  
79 purpose and may not be used to increase salaries or provide  
80 bonuses.

81 (a) To be eligible for the allocation:

82 1. The district must annually develop and submit a detailed  
83 plan outlining the local program and planned expenditures to the  
84 district school board for approval.

85 2. A charter school must annually develop and submit a  
86 detailed plan outlining the local program and planned  
87 expenditures of the funds in the plan to its governing body for

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88 approval. After the plan is approved by the governing body, it  
89 must be provided to its school district for submission to the  
90 commissioner.

91 (b) A plan required under paragraph (a) must include, at a  
92 minimum, all of the following elements:

93 1. A collaborative effort or partnership between the school  
94 district and at least one local community program or agency  
95 involved in mental health to provide or to improve prevention,  
96 diagnosis, and treatment services for students;

97 2. Programs to assist students in dealing with bullying,  
98 trauma, and violence;

99 3. Strategies or programs to reduce the likelihood of at-  
100 risk students developing social, emotional, or behavioral health  
101 problems or substance use disorders;

102 4. Strategies to improve the early identification of  
103 social, emotional, or behavioral problems or substance use  
104 disorders and to improve the provision of early intervention  
105 services;

106 5. Strategies to enhance the availability of school-based  
107 crisis intervention services and appropriate referrals for  
108 students in need of mental health services; and

109 6. Training opportunities for school personnel in the  
110 techniques and supports needed to identify students who have  
111 trauma histories and who have or are at risk of having a mental  
112 illness, and in the use of referral mechanisms that effectively  
113 link such students to appropriate treatment and intervention  
114 services in the school and in the community.

115 (c) The districts shall submit approved plans to the  
116 commissioner by August 1 of each fiscal year.

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117 (d) Beginning September 30, 2019, and by each September 30  
118 thereafter, each entity that receives an allocation under this  
119 subsection shall submit to the commissioner a final report, in a  
120 format prescribed by the department, on its program outcomes and  
121 its expenditures for each element of the program.

122 Section 2. Subsection (5) of section 1011.71, Florida  
123 Statutes, is amended to read:

124 1011.71 District school tax.—

125 (5) ~~Effective July 1, 2008,~~ A school district may expend,  
126 subject to ~~the provisions of~~ s. 200.065, up to \$150 ~~\$100~~ per  
127 unweighted full-time equivalent student from the revenue  
128 generated by the millage levy authorized by subsection (2) to  
129 fund, in addition to expenditures authorized in paragraphs  
130 (2) (a)-(j), expenses for the following:

131 (a) The purchase, lease-purchase, or lease of driver's  
132 education vehicles; motor vehicles used for the maintenance or  
133 operation of plants and equipment; security vehicles; or  
134 vehicles used in storing or distributing materials and  
135 equipment.

136 (b) Payment of the cost of premiums, as defined in s.  
137 627.403, for property and casualty insurance necessary to insure  
138 school district educational and ancillary plants. As used in  
139 this paragraph, casualty insurance has the same meaning as in s.  
140 624.605(1) (d), (f), (g), (h), and (m). Operating revenues that  
141 are made available through the payment of property and casualty  
142 insurance premiums from revenues generated under this subsection  
143 may be expended only for nonrecurring operational expenditures  
144 of the school district.

145 Section 3. Paragraph (b) of subsection (1) and subsection

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146 (3) of section 1013.62, Florida Statutes, are amended to read:

147 1013.62 Charter schools capital outlay funding.—

148 (1) Charter school capital outlay funding shall consist of  
149 revenue resulting from the discretionary millage authorized in  
150 s. 1011.71(2) and state funds when such funds are appropriated  
151 in the General Appropriations Act.

152 (b) A charter school is not eligible to receive capital  
153 outlay funds if:

154 1. It was created by the conversion of a public school and  
155 operates in facilities provided by the charter school's sponsor  
156 for a nominal fee, or at no charge, or if it is directly or  
157 indirectly operated by the school district; ~~or.~~

158 2. The chair of the governing board and the chief  
159 administrative officer of the charter school do not annually  
160 certify under oath that the funds will be used solely and  
161 exclusively for constructing, renovating, or improving charter  
162 school facilities that are:

163 a. Owned by a school district, a political subdivision of  
164 the state, a municipality, a Florida College System institution,  
165 or a state university; or

166 b. Owned by an organization that is qualified as an exempt  
167 organization under s. 501(c)(3) of the Internal Revenue Code  
168 whose articles of incorporation specify that, upon the  
169 organization's dissolution, the subject property will be  
170 transferred to a school district, a political subdivision of the  
171 state, a municipality, a Florida College System institution, or  
172 a state university.

173 (3) If the school board levies the discretionary millage  
174 authorized in s. 1011.71(2), the department shall use the

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175 following calculation methodology to determine the amount of  
176 revenue that a school district must distribute to each eligible  
177 charter school:

178 (a) Reduce the total discretionary millage revenue by the  
179 school district's annual debt service obligation incurred as of  
180 March 1, 2017, and any amount of participation requirement  
181 pursuant to s. 1013.64(2)(a)8. that is being satisfied by  
182 revenues raised by the discretionary millage.

183 (b) Divide the school district's adjusted discretionary  
184 millage revenue by the district's total capital outlay full-time  
185 equivalent membership and the total number of unweighted full-  
186 time equivalent students of each eligible charter school to  
187 determine a capital outlay allocation per full-time equivalent  
188 student.

189 (c) Multiply the capital outlay allocation per full-time  
190 equivalent student by the total number of full-time equivalent  
191 students for all of each eligible charter schools within the  
192 district school to determine the total charter school capital  
193 outlay allocation for each district charter school.

194 (d) If applicable, reduce the capital outlay allocation  
195 identified in paragraph (c) by the total amount of state funds  
196 allocated pursuant to subsection (2) to all each eligible  
197 charter schools within a district school in subsection (2) to  
198 determine the net total maximum calculated capital outlay  
199 allocation from local funds. If state funds are not allocated  
200 pursuant to subsection (2), the amount determined in paragraph  
201 (c) is equal to the net total calculated capital outlay  
202 allocation from local funds for each district.

203 (e) For each charter school within each district, the net

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204 capital outlay amount from local funds shall be calculated in  
205 the same manner as the state funds in paragraphs (2) (a)-(d),  
206 except that the base charter school per weighted FTE allocation  
207 amount shall be determined by dividing the net total capital  
208 outlay amount from local funds by the total weighted FTE for all  
209 eligible charter schools within the district. The per weighted  
210 FTE allocation amount from local funds shall be multiplied by  
211 the weighted FTE for each charter school to determine each  
212 charter school's capital outlay allocation from local funds.

213 (f)~~(e)~~ School districts shall distribute capital outlay  
214 funds to charter schools no later than February 1 of each year,  
215 ~~beginning on February 1, 2018, for the 2017-2018 fiscal year.~~

216 Section 4. This act shall take effect July 1, 2018.