

1 A bill to be entitled

2 An act relating to the district cost differential;  
3 amending s. 1011.62, F.S.; revising the district cost  
4 differential used in determining the annual allocation  
5 to school districts from the Florida Education Finance  
6 Program; requiring the Department of Education to  
7 consult with specified individuals and entities during  
8 the development of the wage level index; amending s.  
9 213.053, F.S.; conforming provisions to changes made  
10 by the act; reenacting ss. 402.22(6), 1002.37(3),  
11 1002.71(3)(b), 1003.52(13)(a), F.S., relating to the  
12 education program for students who reside in  
13 residential care facilities operated by the Department  
14 of Children and Families or the Agency for Persons  
15 with Disabilities; The Florida Virtual School; funding  
16 and financial and attendance reporting relating to the  
17 Voluntary Prekindergarten Education Program; and  
18 educational services in Department of Juvenile Justice  
19 programs, respectively, to incorporate the amendment  
20 made to s. 1011.62, F.S., in references thereto;  
21 providing an effective date.

22  
23 Be It Enacted by the Legislature of the State of Florida:

24  
25 Section 1. Subsection (2) of section 1011.62, Florida

26 Statutes, is amended to read:

27       1011.62 Funds for operation of schools.—If the annual  
28 allocation from the Florida Education Finance Program to each  
29 district for operation of schools is not determined in the  
30 annual appropriations act or the substantive bill implementing  
31 the annual appropriations act, it shall be determined as  
32 follows:

33       (2) DETERMINATION OF DISTRICT COST DIFFERENTIALS.—~~The~~  
34 ~~Commissioner of Education shall annually compute for each~~  
35 ~~district the current year's district cost differential.~~ The  
36 district cost differential shall be calculated by multiplying  
37 the most recent 3-year average wage level index for each school  
38 district by 0.008 and then adding 0.200 to the product. The data  
39 for the most recent 3 years must include, but is not limited to,  
40 county-level wage index data and occupational-level wage index  
41 data. During the development of the wage level index, the  
42 Department of Education shall consult with informed  
43 stakeholders, including school districts, industry  
44 representatives, the Department of Economic Opportunity, and  
45 academic and private sector experts in econometric modeling and  
46 data ~~adding each district's price level index as published in~~  
47 ~~the Florida Price Level Index for the most recent 3 years and~~  
48 ~~dividing the resulting sum by 3.~~ The result for each district  
49 shall be multiplied by 0.008 and to the resulting product shall  
50 be added 0.200; ~~the sum thus obtained shall be the cost~~

51 ~~differential for that district for that year.~~

52 Section 2. Paragraphs (a) and (d) of subsection (7) of  
 53 section 213.053, Florida Statutes, are amended to read:

54 213.053 Confidentiality and information sharing.—

55 (7) (a) Any information received by the Department of  
 56 Revenue in connection with the administration of taxes,  
 57 including, but not limited to, information contained in returns,  
 58 reports, accounts, or declarations filed by persons subject to  
 59 tax, shall be made available to the following in performance of  
 60 their official duties:

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

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

64 3. The Chief Financial Officer or his or her authorized  
 65 agent;

66 4. The Director of the Office of Insurance Regulation of  
 67 the Financial Services Commission or his or her authorized  
 68 agent;

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

71 ~~6. Designated employees of the Department of Education~~  
 72 ~~solely for determination of each school district's price level~~  
 73 ~~index pursuant to s. 1011.62(2);~~

74 6.7. The executive director of the Department of Economic  
 75 Opportunity or his or her authorized agent;

76        7.8. The taxpayers' rights advocate or his or her  
 77 authorized agent pursuant to s. 20.21(3); and

78        8.9. The coordinator of the Office of Economic and  
 79 Demographic Research or his or her authorized agent.

80        ~~(d) For the purpose of this subsection, "designated~~  
 81 ~~employees of the Department of Education" means only those~~  
 82 ~~employees directly responsible for calculation of price level~~  
 83 ~~indices pursuant to s. 1011.62(2). It does not include the~~  
 84 ~~supervisors of such employees or any other employees or elected~~  
 85 ~~officials within the Department of Education.~~

86        Section 3. For the purpose of incorporating the amendment  
 87 made by this act to section 1011.62, Florida Statutes, in a  
 88 reference thereto, subsection (6) of section 402.22, Florida  
 89 Statutes, is reenacted to read:

90        402.22 Education program for students who reside in  
 91 residential care facilities operated by the Department of  
 92 Children and Families or the Agency for Persons with  
 93 Disabilities.—

94        (6) Notwithstanding the provisions of s. 1001.42(4)(n),  
 95 the educational program at the Marianna Sunland Center in  
 96 Jackson County shall be operated by the Department of Education,  
 97 either directly or through grants or contractual agreements with  
 98 other public educational agencies. The annual state allocation  
 99 to any such agency shall be computed pursuant to s. 1011.62(1),  
 100 (2), and (6) and allocated in the amount that would have been

101 provided the local school district in which the residential  
 102 facility is located.

103 Section 4. For the purpose of incorporating the amendment  
 104 made by this act to section 1011.62, Florida Statutes, in a  
 105 reference thereto, subsection (3) of section 1002.37, Florida  
 106 Statutes, is reenacted to read:

107 1002.37 The Florida Virtual School.—

108 (3) Funding for the Florida Virtual School shall be  
 109 provided as follows:

110 (a)1. The calculation of "full-time equivalent student"  
 111 shall be as prescribed in s. 1011.61(1)(c)1.b.(V) and is subject  
 112 to s. 1011.61(4).

113 2. For a student in a home education program, funding  
 114 shall be provided in accordance with this subsection upon course  
 115 completion if the parent verifies, upon enrollment for each  
 116 course, that the student is registered with the school district  
 117 as a home education student pursuant to s. 1002.41(1)(a).

118 (b) Full-time equivalent student credit completed through  
 119 the Florida Virtual School, including credits completed during  
 120 the summer, shall be reported to the Department of Education in  
 121 the manner prescribed by the department and shall be funded  
 122 through the Florida Education Finance Program.

123 (c) School districts may not limit student access to  
 124 courses offered through the Florida Virtual School.

125 (d) Full-time equivalent student credit completion for

126 | courses offered through the Florida Virtual School shall be  
127 | reported only by the Florida Virtual School. School districts  
128 | shall report full-time equivalent student membership only for  
129 | courses for which the district provides the instruction. Courses  
130 | delivered by the Florida Virtual School on a public school  
131 | campus shall be reported only by the school district in which  
132 | the student is enrolled.

133 |       (e) The district cost differential as provided in s.  
134 | 1011.62(2) shall be established as 1.000.

135 |       (f) The Florida Virtual School shall receive funds for  
136 | operating purposes in an amount determined as follows: multiply  
137 | the maximum allowable nonvoted discretionary millage for  
138 | operations pursuant to s. 1011.71(1) and (3) by the value of 96  
139 | percent of the current year's taxable value for school purposes  
140 | for the state; divide the result by the total full-time  
141 | equivalent membership of the state; and multiply the result by  
142 | the full-time equivalent membership of the school. The amount  
143 | thus obtained shall be discretionary operating funds and shall  
144 | be appropriated from state funds in the General Appropriations  
145 | Act.

146 |       (g) The Florida Virtual School shall receive additional  
147 | state funds as may be provided in the General Appropriations  
148 | Act; however, such funds may not be provided for the purpose of  
149 | fulfilling the class size requirements in ss. 1003.03 and  
150 | 1011.685.

151 (h) In addition to the funds provided in the General  
 152 Appropriations Act, the Florida Virtual School may receive other  
 153 funds from grants and donations.

154 Section 5. For the purpose of incorporating the amendment  
 155 made by this act to section 1011.62, Florida Statutes, in a  
 156 reference thereto, paragraph (b) of subsection (3) of section  
 157 1002.71, Florida Statutes, is reenacted to read:

158 1002.71 Funding; financial and attendance reporting.—

159 (3)

160 (b) Each county's allocation per full-time equivalent  
 161 student in the Voluntary Prekindergarten Education Program shall  
 162 be calculated annually by multiplying the base student  
 163 allocation provided in the General Appropriations Act by the  
 164 county's district cost differential provided in s. 1011.62(2).  
 165 Each private prekindergarten provider and public school shall be  
 166 paid in accordance with the county's allocation per full-time  
 167 equivalent student.

168 Section 6. For the purpose of incorporating the amendment  
 169 made by this act to section 1011.62, Florida Statutes, in a  
 170 reference thereto, paragraph (a) of subsection (13) of section  
 171 1003.52, Florida Statutes, is reenacted to read:

172 1003.52 Educational services in Department of Juvenile  
 173 Justice programs.—

174 (13)(a) Funding for eligible students enrolled in juvenile  
 175 justice education programs shall be provided through the Florida

176 Education Finance Program as provided in s. 1011.62 and the  
177 General Appropriations Act. Funding shall include, at a minimum:

178 1. Weighted program funding or the basic amount for  
179 current operation multiplied by the district cost differential  
180 as provided in s. 1011.62(2);

181 2. The supplemental allocation for juvenile justice  
182 education as provided in s. 1011.62(10);

183 3. A proportionate share of the district's exceptional  
184 student education guaranteed allocation, the supplemental  
185 academic instruction allocation, and the instructional materials  
186 allocation;

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

190 a. If the district levies the maximum discretionary local  
191 effort and the district's discretionary local effort per FTE is  
192 less than the state average potential discretionary local effort  
193 per FTE, the proportionate share shall include both the  
194 discretionary local effort and the compression supplement per  
195 FTE. If the district's discretionary local effort per FTE is  
196 greater than the state average per FTE, the proportionate share  
197 shall be equal to the state average; or

198 b. If the district does not levy the maximum discretionary  
199 local effort and the district's actual discretionary local  
200 effort per FTE is less than the state average potential

HB 1031

2019

201 discretionary local effort per FTE, the proportionate share  
202 shall be equal to the district's actual discretionary local  
203 effort per FTE. If the district's actual discretionary local  
204 effort per FTE is greater than the state average per FTE, the  
205 proportionate share shall be equal to the state average  
206 potential local effort per FTE; and

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

209 Section 7. This act shall take effect July 1, 2019.