

By Senator Diaz

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

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

25  
26       Section 1. Subsection (2) of section 1011.62, Florida  
27       Statutes, is amended to read:

28       1011.62 Funds for operation of schools.—If the annual  
29       allocation from the Florida Education Finance Program to each

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30 district for operation of schools is not determined in the  
31 annual appropriations act or the substantive bill implementing  
32 the annual appropriations act, it shall be determined as  
33 follows:

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

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

55 213.053 Confidentiality and information sharing.—

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

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

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

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

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

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

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

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

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

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

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

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

87 Section 3. For the purpose of incorporating the amendment

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88 made by this act to section 1011.62, Florida Statutes, in a  
89 reference thereto, subsection (6) of section 402.22, Florida  
90 Statutes, is reenacted to read:

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

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

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

108 1002.37 The Florida Virtual School.—

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

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

114 2. For a student in a home education program, funding shall  
115 be provided in accordance with this subsection upon course  
116 completion if the parent verifies, upon enrollment for each

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117 course, that the student is registered with the school district  
118 as a home education student pursuant to s. 1002.41(1)(a).

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

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

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

134 (e) The district cost differential as provided in s.  
135 1011.62(2) shall be established as 1.000.

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

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146 Act.

147 (g) The Florida Virtual School shall receive additional  
148 state funds as may be provided in the General Appropriations  
149 Act; however, such funds may not be provided for the purpose of  
150 fulfilling the class size requirements in ss. 1003.03 and  
151 1011.685.

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

155 Section 5. For the purpose of incorporating the amendment  
156 made by this act to section 1011.62, Florida Statutes, in a  
157 reference thereto, paragraph (b) of subsection (3) of section  
158 1002.71, Florida Statutes, is reenacted to read:

159 1002.71 Funding; financial and attendance reporting.-

160 (3)

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

169 Section 6. For the purpose of incorporating the amendment  
170 made by this act to section 1011.62, Florida Statutes, in a  
171 reference thereto, paragraph (a) of subsection (13) of section  
172 1003.52, Florida Statutes, is reenacted to read:

173 1003.52 Educational services in Department of Juvenile  
174 Justice programs.-

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

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

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

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

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

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

199 b. If the district does not levy the maximum discretionary  
200 local effort and the district's actual discretionary local  
201 effort per FTE is less than the state average potential  
202 discretionary local effort per FTE, the proportionate share  
203 shall be equal to the district's actual discretionary local

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

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

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