

By the Committee on Education; and Senators Diaz, Rodriguez, Taddeo, Pizzo, Braynon, Flores, and Farmer

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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 beginning
7 in a specified school year; requiring the Department
8 of Education to consult with specified individuals and
9 entities during the development of the wage level
10 index; requiring the department to complete the
11 development and calculation of the wage level index by
12 a specified date for application beginning in the
13 2020-2021 fiscal year; amending s. 213.053, F.S.;
14 conforming provisions to changes made by the act;
15 reenacting ss. 402.22(6), 1002.37(3), 1002.71(3)(b),
16 1003.52(13)(a), F.S., relating to the education
17 program for students who reside in residential care
18 facilities operated by the Department of Children and
19 Families or the Agency for Persons with Disabilities;
20 the Florida Virtual School; funding and financial and
21 attendance reporting relating to the Voluntary
22 Prekindergarten Education Program; and educational
23 services in Department of Juvenile Justice programs,
24 respectively, to incorporate the amendment made to s.
25 1011.62, F.S., in references thereto; providing an
26 effective date.

27
28 Be It Enacted by the Legislature of the State of Florida:
29

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30 Section 1. Subsection (2) of section 1011.62, Florida
31 Statutes, is amended to read:

32 1011.62 Funds for operation of schools.—If the annual
33 allocation from the Florida Education Finance Program to each
34 district for operation of schools is not determined in the
35 annual appropriations act or the substantive bill implementing
36 the annual appropriations act, it shall be determined as
37 follows:

38 (2) DETERMINATION OF DISTRICT COST DIFFERENTIALS.—

39 (a) Through the 2019-2020 fiscal year, the Commissioner of
40 Education shall annually compute for each district the current
41 year's district cost differential. The district cost
42 differential shall be calculated by adding each district's price
43 level index as published in the Florida Price Level Index for
44 the most recent 3 years and dividing the resulting sum by 3. The
45 result for each district shall be multiplied by 0.008 and to the
46 resulting product shall be added 0.200; the sum thus obtained
47 shall be the cost differential for that district for that year.

48 (b) Beginning in the 2020-2021 fiscal year, the district
49 cost differential shall be calculated by multiplying the most
50 recent 3-year average wage level index for each school district
51 by 0.008 and then adding 0.200 to the product. The data for the
52 most recent 3 years must include, but is not limited to, county-
53 level wage index data and occupational-level wage index data.
54 During the development of the wage level index, the Department
55 of Education shall consult with informed stakeholders, including
56 school districts, industry representatives, the Department of
57 Economic Opportunity, and academic and private sector experts in
58 econometric modeling and data. The Department of Education shall

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59 develop and calculate the wage level index by January 1, 2020.

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

62 213.053 Confidentiality and information sharing.—

63 (7) (a) Any information received by the Department of
64 Revenue in connection with the administration of taxes,
65 including, but not limited to, information contained in returns,
66 reports, accounts, or declarations filed by persons subject to
67 tax, shall be made available to the following in performance of
68 their official duties:

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

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

72 3. The Chief Financial Officer or his or her authorized
73 agent;

74 4. The Director of the Office of Insurance Regulation of
75 the Financial Services Commission or his or her authorized
76 agent;

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

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

82 ~~6.7.~~ The executive director of the Department of Economic
83 Opportunity or his or her authorized agent;

84 ~~7.8.~~ The taxpayers' rights advocate or his or her
85 authorized agent pursuant to s. 20.21(3); and

86 ~~8.9.~~ The coordinator of the Office of Economic and
87 Demographic Research or his or her authorized agent.

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88 ~~(d) For the purpose of this subsection, "designated~~
89 ~~employees of the Department of Education" means only those~~
90 ~~employees directly responsible for calculation of price level~~
91 ~~indices pursuant to s. 1011.62(2). It does not include the~~
92 ~~supervisors of such employees or any other employees or elected~~
93 ~~officials within the Department of Education.~~

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

98 402.22 Education program for students who reside in
99 residential care facilities operated by the Department of
100 Children and Families or the Agency for Persons with
101 Disabilities.—

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

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

115 1002.37 The Florida Virtual School.—

116 (3) Funding for the Florida Virtual School shall be

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117 provided as follows:

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

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

126 (b) Full-time equivalent student credit completed through
127 the Florida Virtual School, including credits completed during
128 the summer, shall be reported to the Department of Education in
129 the manner prescribed by the department and shall be funded
130 through the Florida Education Finance Program.

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

133 (d) Full-time equivalent student credit completion for
134 courses offered through the Florida Virtual School shall be
135 reported only by the Florida Virtual School. School districts
136 shall report full-time equivalent student membership only for
137 courses for which the district provides the instruction. Courses
138 delivered by the Florida Virtual School on a public school
139 campus shall be reported only by the school district in which
140 the student is enrolled.

141 (e) The district cost differential as provided in s.
142 1011.62(2) shall be established as 1.000.

143 (f) The Florida Virtual School shall receive funds for
144 operating purposes in an amount determined as follows: multiply
145 the maximum allowable nonvoted discretionary millage for

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146 operations pursuant to s. 1011.71(1) and (3) by the value of 96
147 percent of the current year's taxable value for school purposes
148 for the state; divide the result by the total full-time
149 equivalent membership of the state; and multiply the result by
150 the full-time equivalent membership of the school. The amount
151 thus obtained shall be discretionary operating funds and shall
152 be appropriated from state funds in the General Appropriations
153 Act.

154 (g) The Florida Virtual School shall receive additional
155 state funds as may be provided in the General Appropriations
156 Act; however, such funds may not be provided for the purpose of
157 fulfilling the class size requirements in ss. 1003.03 and
158 1011.685.

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

162 Section 5. For the purpose of incorporating the amendment
163 made by this act to section 1011.62, Florida Statutes, in a
164 reference thereto, paragraph (b) of subsection (3) of section
165 1002.71, Florida Statutes, is reenacted to read:

166 1002.71 Funding; financial and attendance reporting.-

167 (3)

168 (b) Each county's allocation per full-time equivalent
169 student in the Voluntary Prekindergarten Education Program shall
170 be calculated annually by multiplying the base student
171 allocation provided in the General Appropriations Act by the
172 county's district cost differential provided in s. 1011.62(2).
173 Each private prekindergarten provider and public school shall be
174 paid in accordance with the county's allocation per full-time

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175 equivalent student.

176 Section 6. For the purpose of incorporating the amendment
177 made by this act to section 1011.62, Florida Statutes, in a
178 reference thereto, paragraph (a) of subsection (13) of section
179 1003.52, Florida Statutes, is reenacted to read:

180 1003.52 Educational services in Department of Juvenile
181 Justice programs.—

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

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

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

191 3. A proportionate share of the district's exceptional
192 student education guaranteed allocation, the supplemental
193 academic instruction allocation, and the instructional materials
194 allocation;

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

198 a. If the district levies the maximum discretionary local
199 effort and the district's discretionary local effort per FTE is
200 less than the state average potential discretionary local effort
201 per FTE, the proportionate share shall include both the
202 discretionary local effort and the compression supplement per
203 FTE. If the district's discretionary local effort per FTE is

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204 greater than the state average per FTE, the proportionate share
205 shall be equal to the state average; or

206 b. If the district does not levy the maximum discretionary
207 local effort and the district's actual discretionary local
208 effort per FTE is less than the state average potential
209 discretionary local effort per FTE, the proportionate share
210 shall be equal to the district's actual discretionary local
211 effort per FTE. If the district's actual discretionary local
212 effort per FTE is greater than the state average per FTE, the
213 proportionate share shall be equal to the state average
214 potential local effort per FTE; and

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

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