

ENROLLED

HB 641, Engrossed 2

2020 Legislature

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2  
3 An act relating to funds for the operation of schools;  
4 amending s. 1007.27, F.S.; removing a limitation on  
5 the number of semester credit hours a student may be  
6 awarded in certain programs; amending s. 1011.62,  
7 F.S.; revising the annual allocation to school  
8 districts to include an additional calculation of  
9 full-time equivalent membership for students who earn  
10 a College Board Advanced Placement Capstone Diploma  
11 beginning in a specified fiscal year; conforming  
12 provision to changes made by the act; creating the  
13 teacher salary increase allocation; providing that  
14 each school district shall receive the teacher salary  
15 allocation based on a certain calculation; providing  
16 restrictions on the use of funds from the teacher  
17 salary allocation; defining the term, "minimum base  
18 salary"; providing funding priority for certain  
19 instructional personnel; prohibiting a school district  
20 or charter school from reducing the base minimum  
21 salary; providing an exception; providing that each  
22 school district and charter school must submit a  
23 proposed salary distribution plan for approval to the  
24 district school board or charter school governing  
25 body, as applicable; providing that each school

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26 | district and charter school governing body shall  
27 | submit a preliminary report of the distribution plans  
28 | to the Department of Education by a certain date;  
29 | requiring that final reports must be filed by a  
30 | certain date; providing the department must submit a  
31 | report that contains specified information to the  
32 | Governor, the President of the Senate, and the Speaker  
33 | of the House of Representatives by a certain date;  
34 | requiring a district school board or a charter school  
35 | governing board that is unable to meet reporting  
36 | requirements to provide written notification to the  
37 | department or a district school board, as applicable,  
38 | and requiring the notification to include specified  
39 | information; prohibiting funds from being included in  
40 | the calculated amount for specified scholarships;  
41 | deleting the Florida Best and Brightest Allocation;  
42 | repealing s. 1012.731, F.S., relating to the Florida  
43 | Best and Brightest Teacher Program; repealing s.  
44 | 1012.732, F.S., relating to the Florida Best and  
45 | Brightest Principal Program; amending s. 1006.33,  
46 | F.S.; providing the department may establish  
47 | timeframes for the advertisement and submission of  
48 | bids for instructional materials for the 2020 adoption  
49 | cycle; providing an expiration date; providing  
50 | effective dates.

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

Section 1. Subsections (7) and (8) of section 1007.27, Florida Statutes, are amended to read:

1007.27 Articulated acceleration mechanisms.—

(7) The International Baccalaureate Program shall be the curriculum in which eligible secondary students are enrolled in a program of studies offered through the International Baccalaureate Program administered by the International Baccalaureate Office. The State Board of Education and the Board of Governors shall specify in the statewide articulation agreement required by s. 1007.23(1) the cutoff scores and International Baccalaureate Examinations which will be used to grant postsecondary credit at Florida College System institutions and universities. Any changes to the articulation agreement, which have the effect of raising the required cutoff score or of changing the International Baccalaureate Examinations which will be used to grant postsecondary credit, shall only apply to students taking International Baccalaureate Examinations after such changes are adopted by the State Board of Education and the Board of Governors. ~~Students shall be awarded a maximum of 30 semester credit hours pursuant to this subsection.~~ The specific course for which a student may receive such credit shall be specified in the statewide articulation

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76 | agreement required by s. 1007.23(1). Students enrolled pursuant  
77 | to this subsection shall be exempt from the payment of any fees  
78 | for administration of the examinations regardless of whether or  
79 | not the student achieves a passing score on the examination.

80 |       (8) The Advanced International Certificate of Education  
81 | Program and the International General Certificate of Secondary  
82 | Education (pre-AICE) Program shall be the curricula in which  
83 | eligible secondary students are enrolled in programs of study  
84 | offered through the Advanced International Certificate of  
85 | Education Program or the International General Certificate of  
86 | Secondary Education (pre-AICE) Program administered by the  
87 | University of Cambridge Local Examinations Syndicate. The State  
88 | Board of Education and the Board of Governors shall specify in  
89 | the statewide articulation agreement required by s. 1007.23(1)  
90 | the cutoff scores and Advanced International Certificate of  
91 | Education examinations which will be used to grant postsecondary  
92 | credit at Florida College System institutions and universities.  
93 | Any changes to the cutoff scores, which changes have the effect  
94 | of raising the required cutoff score or of changing the Advanced  
95 | International Certification of Education examinations which will  
96 | be used to grant postsecondary credit, shall apply to students  
97 | taking Advanced International Certificate of Education  
98 | examinations after such changes are adopted by the State Board  
99 | of Education and the Board of Governors. ~~Students shall be~~  
100 | ~~awarded a maximum of 30 semester credit hours pursuant to this~~

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101 ~~subsection.~~ The specific course for which a student may receive  
 102 such credit shall be determined by the Florida College System  
 103 institution or university that accepts the student for  
 104 admission. Students enrolled in either program of study pursuant  
 105 to this subsection shall be exempt from the payment of any fees  
 106 for administration of the examinations regardless of whether the  
 107 student achieves a passing score on the examination.

108 Section 2. Paragraph (n) of subsection (1), and  
 109 subsections (11) and (18) of section 1011.62, Florida Statutes,  
 110 are amended to read:

111 1011.62 Funds for operation of schools.—If the annual  
 112 allocation from the Florida Education Finance Program to each  
 113 district for operation of schools is not determined in the  
 114 annual appropriations act or the substantive bill implementing  
 115 the annual appropriations act, it shall be determined as  
 116 follows:

117 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR  
 118 OPERATION.—The following procedure shall be followed in  
 119 determining the annual allocation to each district for  
 120 operation:

121 (n) *Calculation of additional full-time equivalent*  
 122 *membership based on college board advanced placement scores of*  
 123 *students and earning college board advanced placement capstone*  
 124 *diplomas.*—A value of 0.16 full-time equivalent student  
 125 membership shall be calculated for each student in each advanced

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126 placement course who receives a score of 3 or higher on the  
 127 College Board Advanced Placement Examination for the prior year  
 128 and added to the total full-time equivalent student membership  
 129 in basic programs for grades 9 through 12 in the subsequent  
 130 fiscal year. A value of 0.3 full-time equivalent student  
 131 membership shall be calculated for each student who receives a  
 132 College Board Advanced Placement Capstone Diploma and meets the  
 133 requirements for a standard high school diploma under s.  
 134 1003.4282. Such value shall be added to the total full-time  
 135 equivalent student membership in basic programs for grades 9  
 136 through 12 in the subsequent fiscal year. Each district must  
 137 allocate at least 80 percent of the funds provided to the  
 138 district for advanced placement instruction, in accordance with  
 139 this paragraph, to the high school that generates the funds. The  
 140 school district shall distribute to each classroom teacher who  
 141 provided advanced placement instruction:

142 1. A bonus in the amount of \$50 for each student taught by  
 143 the Advanced Placement teacher in each advanced placement course  
 144 who receives a score of 3 or higher on the College Board  
 145 Advanced Placement Examination.

146 2. An additional bonus of \$500 to each Advanced Placement  
 147 teacher in a school designated with a grade of "D" or "F" who  
 148 has at least one student scoring 3 or higher on the College  
 149 Board Advanced Placement Examination, regardless of the number  
 150 of classes taught or of the number of students scoring a 3 or

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151 higher on the College Board Advanced Placement Examination.

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153 Bonuses awarded under this paragraph shall be in addition to any  
154 regular wage or other bonus the teacher received or is scheduled  
155 to receive. For such courses, the teacher shall earn an  
156 additional bonus of \$50 for each student who has a qualifying  
157 score.

158 (11) VIRTUAL EDUCATION CONTRIBUTION.—The Legislature may  
159 annually provide in the Florida Education Finance Program a  
160 virtual education contribution. The amount of the virtual  
161 education contribution shall be the difference between the  
162 amount per FTE established in the General Appropriations Act for  
163 virtual education and the amount per FTE for each district and  
164 the Florida Virtual School, which may be calculated by taking  
165 the sum of the base FEFP allocation, the discretionary local  
166 effort, the state-funded discretionary contribution, the  
167 discretionary millage compression supplement, the research-based  
168 reading instruction allocation, the teacher salary increase  
169 allocation ~~best and brightest teacher and principal allocation~~,  
170 and the instructional materials allocation, and then dividing by  
171 the total unweighted FTE. This difference shall be multiplied by  
172 the virtual education unweighted FTE for programs and options  
173 identified in s. 1002.455 and the Florida Virtual School and its  
174 franchises to equal the virtual education contribution and shall  
175 be included as a separate allocation in the funding formula.

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176           (18) TEACHER SALARY INCREASE ALLOCATION.—The Legislature  
 177 may annually provide in the Florida Education Finance Program a  
 178 teacher salary increase allocation to assist school districts in  
 179 their recruitment and retention of classroom teachers and other  
 180 instructional personnel. The amount of the allocation shall be  
 181 specified in the General Appropriations Act.

182           (a) Each school district shall receive an allocation based  
 183 on the school district's proportionate share of the base FEFP  
 184 allocation. Each school district shall provide each charter  
 185 school within its district its proportionate share calculated  
 186 pursuant to s. 1002.33(17)(b).

187           (b) Allocation funds are restricted in use as follows:

188           1. Each school district and charter school shall use its  
 189 share of the allocation to increase the minimum base salary for  
 190 full-time classroom teachers, as defined in s. 1012.01(2)(a),  
 191 plus certified prekindergarten teachers funded in the Florida  
 192 Education Finance Program, to at least \$47,500, or to the  
 193 maximum amount achievable based on the allocation and as  
 194 specified in the General Appropriations Act. The term "minimum  
 195 base salary" means the lowest annual base salary reported on the  
 196 salary schedule for a full-time classroom teacher. No full-time  
 197 classroom teacher shall receive a salary less than the minimum  
 198 base salary as adjusted by this subparagraph. This subparagraph  
 199 does not apply to substitute teachers.

200           2. In addition, each school district shall use its share



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201 of the allocation to provide salary increases, as funding  
202 permits, for the following personnel:

203 a. Full-time classroom teachers, as defined in s.  
204 1012.01(2)(a), plus certified prekindergarten teachers funded in  
205 the Florida Education Finance Program, who did not receive an  
206 increase or who received an increase of less than two percent  
207 under subparagraph 1. or as specified in the General  
208 Appropriations Act. This subparagraph does not apply to  
209 substitute teachers.

210 b. Other full-time instructional personnel as defined in  
211 s. 1012.01(2)(b)-(d).

212 3. A school district or charter school may use funds  
213 available after the requirements of subparagraph 1. are met to  
214 provide salary increases pursuant to subparagraph 2.

215 4. A school district or charter school shall maintain the  
216 minimum base salary achieved for classroom teachers provided  
217 under subparagraph 1. and may not reduce the salary increases  
218 provided under subparagraph 2. in any subsequent fiscal year,  
219 unless specifically authorized in the General Appropriations  
220 Act.

221 (c) Before distributing allocation funds received pursuant  
222 to paragraph (a), each school district and each charter school  
223 shall develop a salary distribution plan that clearly delineates  
224 the planned distribution of funds pursuant to paragraph (b) in  
225 accordance with modified salary schedules, as necessary, for the

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226 implementation of this subsection.

227 1. Each school district superintendent and each charter  
 228 school administrator must submit its proposed salary  
 229 distribution plan to the district school board or the charter  
 230 school governing body, as appropriate, for approval.

231 2. Each school district shall submit the approved district  
 232 salary distribution plan, along with the approved salary  
 233 distribution plan for each charter school in the district, to  
 234 the department by October 1 of each fiscal year.

235 (d) In a format specified by the department, provide as  
 236 follows:

237 1. By December 1, each school district shall provide a  
 238 preliminary report to the department that includes a detailed  
 239 summary explaining the school district's planned expenditure of  
 240 the entire allocation for the district received pursuant to  
 241 paragraph (a), the amount of the increase to the minimum base  
 242 salary for classroom teachers pursuant to paragraph (b), and the  
 243 school district's salary schedule for the prior fiscal year and  
 244 the fiscal year in which the base salary is increased. Each  
 245 charter school governing board shall submit the information  
 246 required under this subparagraph to the district school board  
 247 for inclusion in the school district's preliminary report to the  
 248 department.

249 2. By February 1, the department shall submit to the  
 250 Governor, President of the Senate, and the Speaker of the House,

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251 a statewide report on the planned expenditure of the teacher  
252 salary increase allocation, which includes the detailed summary  
253 provided by each school district and charter school.

254 3. By August 1, each school district shall provide a final  
255 report to the department with the information required in  
256 subparagraph 1. for the prior fiscal year. Each charter school  
257 governing board shall submit the information required under this  
258 subparagraph to the district school board for inclusion in the  
259 school district's final report to the department.

260 (e) Although district school boards and charter school  
261 governing boards are not precluded from bargaining over wages,  
262 the teacher salary increase allocation must be used solely to  
263 comply with the requirements of this section. A district school  
264 board or charter school governing board that is unable to meet  
265 the reporting requirements specified in paragraphs (c) or (d)  
266 due to a collective bargaining impasse must provide written  
267 notification to department or district school board, as  
268 applicable, detailing the reasons for the impasse with a  
269 proposed timeline and details for a resolution.

270 (f) Notwithstanding any other provision of law, funds  
271 allocated under this subsection shall not be included in the  
272 calculated amount for any scholarship awarded under chapter  
273 1002.

274 ~~THE FLORIDA BEST AND BRIGHTEST TEACHER AND PRINCIPAL~~  
275 ~~ALLOCATION.—~~

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276 ~~(a) The Florida Best and Brightest Teacher and Principal~~  
 277 ~~Allocation is created to recruit, retain, and recognize~~  
 278 ~~classroom teachers and instructional personnel who meet the~~  
 279 ~~criteria established in s. 1012.731 and reward principals who~~  
 280 ~~meet the criteria established in s. 1012.732. Subject to annual~~  
 281 ~~appropriation, each school district shall receive an allocation~~  
 282 ~~based on the district's proportionate share of FEFP base~~  
 283 ~~funding. The Legislature may specify a minimum allocation for~~  
 284 ~~all districts in the General Appropriations Act.~~

285 ~~(b) From the allocation, each district shall provide the~~  
 286 ~~following:~~

287 ~~1. A one-time recruitment award, as provided in s.~~  
 288 ~~1012.731(3)(a);~~

289 ~~2. A retention award, as provided in s. 1012.731(3)(b);~~  
 290 ~~and~~

291 ~~3. A recognition award, as provided in s. 1012.731(3)(c)~~  
 292 ~~from the remaining balance of the appropriation after the~~  
 293 ~~payment of all other awards authorized under ss. 1012.731 and~~  
 294 ~~1012.732.~~

295 ~~(c) From the allocation, each district shall provide~~  
 296 ~~eligible principals an award as provided in s. 1012.732(3).~~

297  
 298 ~~If a district's calculated awards exceed the allocation,~~  
 299 ~~the district may prorate the awards.~~

300 ~~Section 3. Section 1012.731, Florida Statutes, is~~

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301 repealed.

302 Section 4. Section 1012.732, Florida Statutes, is  
303 repealed.

304 Section 5. Effective upon becoming law, subsection (5) is  
305 added to section 1006.33, Florida Statutes, to read:

306 1006.33 Bids or proposals; advertisement and its  
307 contents.—

308 (5) Notwithstanding the requirements of this section and  
309 rules adopted to implement this section, for the 2020 adoption  
310 cycle, the department may establish timeframes for the  
311 advertisement and submission of bids for instructional  
312 materials. This subsection expires July 1, 2022.

313 Section 6. Except as otherwise provided in this act and  
314 except for this section, which shall take effect upon becoming a  
315 law, this act shall take effect July 1, 2020.

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