

CS/HB 5101 — Prekindergarten through Grade 12 Education Funding

by Full Appropriations Council on Education and Economic Development; PreK-12 Appropriations; and Rep. Flores (CS/SB 1368 by Education Pre-K – 12 Appropriations and Senator Wise)

The bill:

- Provides implementing language for 2010-2011 Class Size Reduction constitutional amendment including:
 - implementation if the proposed amendment is or is not approved by the voters;
 - compliance determination based on the October student enrollment survey;
 - a reduction calculation to class size funding for noncompliant districts which may be adjusted for good cause;
 - a reallocation bonus of up to 5% of the base student allocation for compliant districts;
 - an add-back of all or some of the reduced funds if districts submit a plan to meet the requirements by October of the subsequent year;
 - a requirement that school boards hold public hearings on strategies to meet class size requirements before the district budget is adopted; and
 - authorization of virtual instruction programs as an option to meet class size requirements.
- Revises the tax roll collection rate for calculation of the local effort for school districts from 95 to 96 percent; this provision also affects state funding for lab schools and the Florida Virtual School.
- Clarifies that in order for school districts to continue the school board-super majority-approved .25 critical needs millage after the 2010-2011 fiscal year, voters must approve the millage by referendum during the 2010 general election. If the measure fails, it cannot be put before the voters again for a full year and the voted millage will have to be reauthorized by the voters every two years.
- Adds community colleges as providers for the school district virtual instruction program. Community colleges may not count the student enrollment for Community College Program Funding.
- Expands eligibility for the school district virtual instruction program to include siblings of a currently enrolled student of a virtual instruction program.
- Appropriates \$21,244,177 for the Excellent Teaching Program to award bonuses for national board certified teachers.
- Extends school district flexibility to use the instructional materials categorical for computer hardware to support student learning after March 1, 2011, if all instructional content purchases have been made, and also authorizes the purchase of instructional hardware from 1.5 mill capital funds.

- Establishes procedures, requirements, and definitions for districts and publishers for the purchase of instructional materials in electronic format.
- Provides guidelines and instructions for implementation of school district electronic learning management systems.
- Requires secondary students enrolled in acceleration courses or programs to be provided access to electronic library resources provided by the Florida colleges and state universities.
- Reduces the early learning coalition administrative fee for the Voluntary Prekindergarten Program from 4.85 to 4.5 percent.
- Eliminates advance funding payments of Florida Education Finance Program (FEFP) funds to school districts and advanced distribution of instructional materials funds.
- Requires charter schools to be in compliance with class size requirements at the school level average.
- Reduces the school district administrative fee for charter schools and charter school systems.
- Provides that capital outlay funds shared by school districts with a charter school in the workplace prior to July 1, 2010, have met the expenditure requirements for capital outlay funding.
- Provides that charter schools in the workplace are eligible for charter school capital outlay funding.
- Requires school board member salaries for 2010-2011 to be no greater than beginning teacher salaries.
- Requires that 80 percent of the funds generated by the International Baccalaureate (IB) program be provided to the school program or the feeder schools where the pre-IB program takes place; the funds are to be used solely for IB program or feeder program expenditures. Requires the remaining 20 percent to be spent on assisting academically disadvantaged students with rigorous courses.
- Requires that 80 percent of the funds generated by the Industry Certified bonus be provided to the school program and also authorizes the list of industry certifications to be approved by both the Agency for Workforce Innovation and the Department of Education (DOE).
- Reduces the school district budget summary advertisement requirements.

- Requires OPPAGA to review the Special Facility Construction Account program.
- Authorizes proration of the \$50,000 per member amount for Regional Education Consortia.
- Requires instructional materials to include the contributions of African Americans to American society.
- Allows the DOE to use the Sophomore Level Test Trust Fund for any purpose.
- Limits DOE efforts to produce Department of Juvenile Justice education program quality reviews to the extent funding is available.
- Establishes procedures and timelines for the DOE and school districts to ensure industry certification of automotive service technology training programs.
- Requires school district reciprocity of level 2 screenings for Florida High School Athletic Association officials.
- Clarifies the exemption for the prior years of service requirement for pay purposes for re-employment of retired teachers.
- Clarifies that a student is not eligible for a quarterly payment for the McKay Scholarship Program if the private school misses the 30 day deadline for verification of student participation.
- Authorizes an off-site instructor for a traditional classroom providing instruction through a virtual environment to be the instructor of record for purposes of enrollment reporting.
- Repeals the requirement for school districts to freeze noncapital local school property taxes when the district levies capital outlay surtax.
- Authorizes the per student cost designated for the base transportation dollar allocation for disabled students to be designated by the Legislature each year.
- Clarifies the wealth adjustment offset calculation of the Sparsity Supplement by not including Merit Award Program funds.
- Includes a provision that recalculations of the FEFP after the initial appropriation may not result in negative state funds.
- Authorizes the Jefferson County School District to administer a one-time transportation survey to substitute for the statewide, scheduled October and February surveys which were omitted by the district, and requires the school district to use \$50,000 from transportation funding to hire a consultant to assist with managing district operations.

- Makes other technical adjustments.

If approved by the Governor, these provisions take effect July 1, 2010.

Vote: Senate 30-7; House 76-43