



**Conference Senate Committee on Education Pre-K – 12
Appropriations/
House Pre-K-12 Appropriations**

**Senate Offer #2
Conforming Bill Language**

**Friday, April 23, 2010
9:00 a.m. – 9:30 a.m.
404 House Office Building**

PreK-12 Education Appropriations Conference Committee – 2010-2011 Conforming Bill

	Issue	House Bill 5101	Senate Bill 1368	Senate Offer #1	House Offer #2	Senate Offer #2
1	School District Capital Outlay Surtax	Clarifies millage restrictions relative to school district capital outlay surtax.	Same.	Same – closed.	Same – closed.	Same – closed.
2	Class Size Reduction Transfer	Repeals the authorization for the EOG to transfer funds from the appropriation for public school operations to a fixed capital outlay appropriation for class size reduction.	Same meaning, drafting slightly different.	Technical House Offer – closed.	Technical House Offer – closed.	Technical House Offer – closed.
3	School Board members Salaries	Reverts to statutorily calculated salaries.	Provides lower of the statutorily calculated amount or the district's beginning teacher salary. (Same policy as 2009-10).	Senate position.	Accept Senate - close.	Senate – closed.
4	Regional Education Consortiums	Re-authorizes payments per participating district for Regional Education Consortiums to be less than \$50,000 and prorated depending on legislative appropriation.	Same.	House Offer, but for one year only.	Accept Senate - close.	Senate - closed.
5	FEFP – Lab schools funding	Changes the percent of school taxable value to be used in the calculation of funding for the lab schools to 96 percent. (Lab School Discretionary Contribution)		Senate position.	House position.	Senate position.
6	Charter schools		Requires charter schools to comply with statutory maximum class size reduction requirements.	Senate position.	House position.	Senate position.
7	Charter schools		Exempts charter schools from payment of exactions.	Senate – closed.	Senate – closed.	Senate – closed.
8	Charter schools	Provides that capital outlay funds to be shared with a charter school in the workplace prior to July 1, 2010 have met statutory expenditure requirements.	Same.	Same – closed.	Senate – closed.	Senate – closed.
9	Charter schools	Limits the administrative overhead that school districts	Same.	Same – closed.	Same – closed.	Same – closed.

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		charge charter schools by limiting the administrative fee to 5% of the first 250 students (reduced from 500 students).				
10	Charter schools		Limits school district administrative fee to 5% of the first 500 students in a system of charter schools.	Senate position.	House position.	Senate position.
11	Florida Virtual School	Changes the percent of school taxable value to be used in the calculation of funding for the Florida Virtual School to 96 percent. (Lab School Discretionary Contribution)		Senate position.	House position.	Senate position.
12	Florida Virtual School		Limits half-credit courses to 20 weeks or less, and full-credit courses to 40 weeks or less in order to be eligible for funding.	Accept House – closed.	House – closed.	House – closed.
13	McKay scholarship payments	Clarifies deadlines for private schools to submit student verification data prior to payment of quarterly payments.		Accept House – closed.	House – closed.	House – closed.
14	School District Virtual Instruction Program		Districts may contract with community colleges as a provider for the virtual instruction program. Colleges may not report the FTE for funding in the Community College Program Fund.	Senate – closed.	Senate – closed.	Senate – closed.
15	School District Virtual Instruction Program		For Grades 9-12, allows districts to offer core curricula courses to meet class size requirements.	Senate – closed.	Senate – closed.	Senate – closed.
15a	School District Virtual Instruction Program			Senate Offer is to adopt modified House proviso position in the conforming bill to authorize charter schools and school districts to utilize virtual instruction providers for virtual instruction to be provided to currently enrolled students on a	House position.	Senate position.

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				part-time basis for any course.		
16	School District Virtual Instruction Program	Expands eligibility for the school district virtual programs to include siblings of a currently enrolled student of a school district virtual instruction program and students with a disability or medical condition which has been documented by a physician without having to be counted in the public school enrollment counts for the prior year.		Senate position.	House position.	Senate position.
17	Voluntary Prekindergarten		Changes the maximum number of students per prekindergarten class in a private school-year VPK program from 18 to 24 and increasing the teacher credential requirements to at least two CDAs in each classroom with more than 20 students.	House – closed.	House – closed	House – closed
18	Voluntary Prekindergarten		Changes the maximum number of students per prekindergarten class in a public school-year VPK program from 18 to 24 and increasing the teacher credential requirements to at least two CDAs in each classroom with more than 20 students.	House – closed.	House – closed	House – closed
19	Voluntary Prekindergarten		Modifies coalition administrative percentage to 4.5%.	Senate – closed.	Senate – closed.	Senate – closed.
20	Class Size Reduction	Requires school districts to develop plans for complying with class size requirements.	Does not include planning requirements.	Senate position.	Modified House Position: Require school districts, prior to the adoption of their 2010-11 budget, to hold public hearings and inform parents, via the	Accept House – closed. Require school districts, prior to the adoption of their 2010-11 budget, to hold public hearings and inform parents, via the

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					internet or by print, of the district's strategies to comply with current constitutional class size requirements. Would like to work together on drafting the language.	internet or by print, of the district's strategies to comply with current constitutional class size requirements.
21	Class Size Reduction	Provides implementing provisions if HJR 7039 is adopted by the voters at the 2010 general election.	Same, but drafted differently (SJR 2).	Technical – closed.	Technical – closed.	Technical – closed.
22	Class Size Reduction	Provides implementing provisions if HJR 7039 is not adopted by the voters at the 2010 general election.	Same, but drafted differently (SJR 2).	Technical – closed.	Technical – closed.	Technical – closed.
23	Class Size Reduction	Provides for the calculation of a penalty for noncompliance based on the Class Size Reduction categorical only.	Provides for the calculation of a penalty for noncompliance based on the Class Size Reduction categorical and Base FEFP funding.	Senate position.	Modified Senate Position: Provides the calculation of a per FTE penalty for noncompliance based on the Class Size Reduction categorical and 50% of the base student allocation adjusted by the district cost differential. Would like to work together on drafting the language.	Senate Revised. Provides the calculation of a per FTE penalty for noncompliance based on the Class Size Reduction categorical and 50% of the base student allocation adjusted by the district cost differential. Penalty funds shall be reallocated to school districts in compliance with class size requirements up to 5% of the base student allocation for each district student based on the October survey. Funds above such redistribution shall be reallocated to school districts not in compliance, contingent upon approval of the district's plan to meet class size requirements. The Commissioner of Education shall review, approve, and

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						monitor school district plans to meet class size requirements and shall withhold penalty reallocation funds from districts that fail to continue to make adequate progress in meeting class size requirements.
23a	Class Size Reduction	Compliance calculated in February for 2010-11 only.	Compliance calculated in February for 2010-11 only.	Modified position: Class size reduction calculation to be based on October count and calculated pursuant to the current constitutional ratios.	Accept Senate offer but would like to work together on drafting the language.	Senate – closed.
24	Class Size Reduction	If resolution passes, does not have the school average component included in the penalty calculation for noncompliance.	If resolution passes, has two-part penalty calculation that includes the school level average and the class size maximum.	Senate position.	Accept Senate offer but would like to work together on drafting the language.	Senate – closed.
25	Industry Certified Career Education Programs		Provides DOE with the authority to participate in approval of the industry certification list.	Senate – closed.	Senate – closed.	Senate – closed.
26	Expenditure reports for gifted students	Requires the Department of Education and school districts to develop data elements and report expenditures by specific student exceptionality to identify expenditures specifically for gifted students.		Senate position.	Accept Senate - close.	Senate – closed.
27	Instructional Materials		Includes “electronic content” in the meaning of “adequate instructional materials.”	Senate – closed.	Senate – closed.	Senate – closed.
28	Learning Management Systems - Tech Standards	Adds requirements for minimum system components for Learning Management and Content Management systems and technology standards.	Same, but requires the systems to provide access to multiple content providers	Senate – closed.	Senate – closed.	Senate – closed.

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29	Instructional Materials	Adds "electronic textbooks" to the definition of "adequate instructional materials" that serve as the basis for instruction and requiring publishers or manufacturers of instructional materials as single bundles to also make available those instructional materials as unbundled items that are priced individually.	Similar, drafted slightly different; uses the term "electronic content".	Modified: 1006.29 State instructional materials committees — (4) For purposes of state adoption, "instructional materials" means items having intellectual content that by design serve as a major tool for assisting in the instruction of a subject or course. These items may be available in bound, unbound, kit, or package form and may consist of hardbacked or softbacked textbooks, <u>electronic content</u> , consumables, learning laboratories, manipulatives, electronic media, and computer courseware or software. <u>A publisher or manufacturer providing instructional materials as a single bundle shall also make the instructional materials available as separate and unbundled items, each priced individually. Any instructional materials adopted after 2012-2013 for students in grades 9 through 12 shall also be provided in an electronic format.</u> The term does not include electronic or computer hardware even if such hardware is bundled with software or other electronic media, nor does it include equipment or supplies.	Accept Senate - close.	Senate – closed.
30	Instructional Materials – Virtual Curriculum	Requires instructional materials adopted after 2012-2013 to be adopted primarily in an electronic format; requiring all samples submitted by bidders to the DOE be in electronic format; and requiring superintendents to request samples in addition to the electronic samples through the DOE.	Same, drafted slightly different.	Accept House Offer – closed. 1006.33 Bids or proposals; advertisement and its contents.— (1)(a) Beginning on or before May 15 of any year in which an instructional materials adoption is to be initiated, the department shall advertise in the Florida Administrative Weekly 4 weeks preceding the date on which the bids shall be received, that at a certain designated time, not later than June 15, sealed bids or proposals to be deposited with the department will be received from publishers or manufacturers for the furnishing of instructional materials proposed to be adopted as listed in the advertisement beginning April 1 following the adoption. (b) The advertisement shall state that, beginning in 2010-2011, each bidder	House – closed.	House – closed.

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				shall furnish electronic specimen copies of all instructional materials submitted, at a time designated by the department, which specimen copies shall be identical with the copies approved and accepted by the members of the state instructional materials committee, as prescribed in this section, and with the copies furnished to the department and district school superintendents, as provided in this part. <u>Any district school superintendent who requires samples in addition to the electronic format must request those samples through the department.</u>		
31	Instructional Materials Adoption Process	Allows the Commissioner of Education to add to the list of recommended materials submitted by the instructional materials advisory committees in certain circumstances.		Senate position.	Accept Senate - close.	Senate – closed.
32	Instructional Materials	Adds “electronic textbooks” to the definition of “adequate instructional materials” and authorizes the use of instructional materials funding to purchase materials not on the state-adopted list including computer hardware that is used for the sole purpose of delivering instructional materials content in an electronic format.	Similar, but uses the term “electronic content” and indicates that by 2012-03, not less than 10% of the instructional materials allocation shall be used to purchase electronic instructional materials. Does not allow the purchase of computer hardware.	Senate position; plus specific authorization in s. 1011.71(2)(d) to use 1.5 mill school district capital outlay funding for electronic hardware and other hardware devices necessary for gaining access to or enhancing the use of electronic content and resources; hardware to facilitate the access to and the use of a school district’s electronic learning management system pursuant to s. 1006.281, excluding software.	Modified Senate language: 1006.40 Use of instructional materials allocation; (4) The funds described in subsection (3) which district school boards may use to purchase materials not on the state adopted list shall be used for the purchase of instructional materials or other items having intellectual content which assist in the instruction of a subject or course. These items may be available in bound, unbound, kit, or package form and may consist of hardbacked or softbacked textbooks, <u>electronic content</u> , replacements for items which were part of previously purchased instructional materials, consumables, learning laboratories, manipulatives, electronic media, computer courseware or software, and other commonly accepted instructional tools as prescribed by district school board rule. The funds available to district school boards for the purchase of materials not on the state-adopted list may not be used to purchase electronic or computer hardware even if such hardware is bundled with software	Accept House Modified – closed. 1006.40 Use of instructional materials allocation; (4) The funds described in subsection (3) which district school boards may use to purchase materials not on the state adopted list shall be used for the purchase of instructional materials or other items having intellectual content which assist in the instruction of a subject or course. These items may be available in bound, unbound, kit, or package form and may consist of hardbacked or softbacked textbooks, <u>electronic content</u> , replacements for items which were part of previously purchased instructional materials, consumables, learning laboratories, manipulatives, electronic media, computer courseware or software, and other commonly accepted instructional tools as prescribed by district school board rule. The funds available to district school boards for the purchase of materials not on the state-adopted list may not be used to purchase

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					<p>or other electronic media <u>unless the district school board has complied with the requirements in s. 1011.62(6)(b)5.</u>, nor may such funds be used to purchase equipment or supplies. However, when authorized to do so in the General Appropriations Act, a school or district school board may use a portion of the funds available to it for the purchase of materials not on the state-adopted list to purchase science laboratory materials and supplies.</p> <p>Accept Senate offer to also modify s. 1011.71, F.S.</p>	<p>electronic or computer hardware even if such hardware is bundled with software or other electronic media <u>unless the district school board has complied with the requirements in s. 1011.62(6)(b)5.</u>, nor may such funds be used to purchase equipment or supplies. However, when authorized to do so in the General Appropriations Act, a school or district school board may use a portion of the funds available to it for the purchase of materials not on the state-adopted list to purchase science laboratory materials and supplies.</p> <p>Include specific authorization in s. 1011.71(2)(d) to use 1.5 mill school district capital outlay funding for electronic hardware and other hardware devices necessary for gaining access to or enhancing the use of electronic content and resources; hardware to facilitate the access to and the use of a school district's electronic learning management system pursuant to s. 1006.281, excluding software.</p>
33	Library Automation and Public Education library search functionality	Requires secondary students enrolled in acceleration courses or programs such as advanced placement, early admission, dual enrollment, the Advanced International Certificate of Education Program and the International Baccalaureate Program be provided access to the electronic library resources provided by the Florida colleges and state universities.	Same; drafted slightly different.	Senate – closed.	Senate – closed.	Senate – closed.
34	School Grades		Eliminates points for students taking AP, IB, AICE, and industry certification courses who do not successfully complete the course (to eliminate the incentive to place students that are not ready in these courses).	Accept House – closed.	House – closed.	House – closed.

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35	District Summary Budget Advertisement		Adjusts advertisement requirements to reduce costs.	Senate – closed.	Senate – closed.	Senate – closed.
36	180 Day Flexibility		Clarifies requirement for 180 day school year.	Accept House – closed.	House – closed.	House – closed.
37	FEFP – Bonus FTE	Requires International Baccalaureate bonus funds to be paid to the school generating the bonus FTE after program expenses are paid by the district.		<p>Modified position:</p> <p><u>Each school district shall allocate 80 percent of the funds received from international baccalaureate bonus FTE funding to the school program whose students generate such funds and to school programs that prepare prospective students to enroll in international baccalaureate courses. Such funds shall be expended solely for the payment of allowable costs associated with the international baccalaureate program. Allowable costs include salary, benefits, and bonuses for teachers and program coordinators for the international baccalaureate program and teachers and coordinators who prepare prospective students for the international baccalaureate program. Allowable costs also include supplemental books, instructional supplies, instructional equipment or instructional materials for international baccalaureate courses, other activities that identify prospective international baccalaureate students or prepare prospective students to enroll in international baccalaureate courses, and training or professional development for international baccalaureate teachers. School districts shall allocate the remaining 20 percent of the funds received from international baccalaureate bonus FTE funding for programs that assist academically disadvantaged students to prepare for more rigorous courses.</u></p>	Accept Senate offer but ask for clarification on the Senate language in their offer.	<p>Senate – Closed.</p> <p><u>Each school district shall allocate 80 percent of the funds received from international baccalaureate bonus FTE funding to the school program whose students generate such funds and to school programs that prepare prospective students to enroll in international baccalaureate courses. Such funds shall be expended solely for the payment of allowable costs associated with the international baccalaureate program. Allowable costs include: international baccalaureate annual school fees; international baccalaureate examination fees; and salary, benefits, and bonuses for teachers and program coordinators for the international baccalaureate program and teachers and coordinators who prepare prospective students for the international baccalaureate program. Allowable costs also include: supplemental books; instructional supplies; instructional equipment or instructional materials for international baccalaureate courses; other activities that identify prospective international baccalaureate students or prepare prospective students to enroll in international baccalaureate courses; and training or professional development for international baccalaureate teachers. School districts shall allocate the remaining 20 percent of the funds received from international baccalaureate bonus FTE funding for programs that assist academically disadvantaged students to prepare for more rigorous courses.</u></p>
38	FEFP – Bonus FTE		Reduces bonus weight from .16 to .1 FTE for AP, IB, and AICE programs.	Modified Senate: Reduce bonus weight from .16 to .13 FTE for AP, IB, and AICE	House position.	Accept House – closed.

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				programs.		
39	FEFP – Bonus FTE Program		Reduces teacher bonus by 50% for AP, IB, and AICE programs.	Modified Senate: Reduces teacher bonus by 10% for AP, IB, and AICE programs.	House position.	Accept House – closed.
40	FEFP – Bonus FTE	Reduces the bonus from 0.3 FTE to 0.16 FTE for students earning industry certification; limiting the funding in the FEFP to \$8 million in total for all bonus FTE earning industry certification.		Senate – closed.	Senate – closed.	Senate – closed.
41	FEFP - Bonus FTE Program		80% of Industry Certification Bonus funds are to be paid to the program where earned.	Senate – closed.	Senate – closed.	Senate – closed.
42	FEFP – Bonus FTE		Repeals the .114 bonus FTE for the Florida Virtual School.	Senate position.	House position.	Senate position.
43	FEFP - RLE	Changes the percent of school taxable value (collection factor from 95% to 96%) to be used in the calculation of the RLE.		Senate position.	House position.	Senate position.
44	FEFP - Categoricals	Provides additional flexibility to districts to use categorical funds for technological equipment to support student learning if adopted by board resolution.		Senate – closed.	Senate – closed.	Senate – closed.
45	FEFP – Instructional Materials	Extends school districts the flexibility to use the instructional materials categorical for technological equipment to support student learning after adequate instructional purchases have been made, but no sooner than March 1, 2011. Provides definition/description of technological equipment and requires a procurement	Similar, but the use of instructional materials funds would be for hardware to provide student instruction.	Senate – closed.	Senate – closed.	Senate – closed.

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		opportunity to be conducted by the department.				
46	FEFP - Sparsity	Provides technical adjustment to Sparsity Supplement calculation.	Same.	Same – closed.	Same – closed.	Same – closed.
47	FEFP – Total Funds	Clarifies the funds included in the total allocation of state funds to each district for current operation.	Same.	Same – closed.	Same – closed.	Same – closed.
48	School district minimum classroom expenditure requirements		Technical – Conforms to #35.	Senate – closed.	Senate – closed.	Senate – closed.
49	FEFP – Instructional Materials	Repeals the requirement for early release schedule of instructional materials funding.	Same	Same – closed.	Same – closed.	Same – closed.
50	FEFP – Advance Payment		Repeals advance FEFP payment for districts with greater percent of local funds.	Senate position.	Modified position on House offer #1: 1011.66 Distribution of FEFP funds; ...Upon the request of any school district whose net state FEFP funding is less than 35.60 percent of its gross state and local FEFP funding, the Department of Education shall distribute to that school district in the first quarter of the fiscal year an amount from the funds appropriated for the FEFP in the General Appropriations Act up to a maximum of 10.15 percent of that school district's gross state and local FEFP funding or that school district's net state FEFP funding, whichever is less.	Senate position.
51	FEFP – Student Transportation	Authorizes the per student cost designated for the base transportation dollar allocation for disabled students to be designated in the GAA each year.	Similar; does not base factor on prior year cost.	Senate - closed.	Senate - closed.	Senate - closed.
52	FEFP - .25 Critical Needs Millage	Clarifies that in order for school districts to continue the .25	Removes the requirement for a voter referendum.	Senate position.	House position.	Senate position.

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		critical needs millage after the 2010-2011 fiscal year, the voters must approve the referendum at the 2010 general election and if the measure fails, it cannot be put before the voters again for a full year. Also, the millage will have to be reauthorized by the voters every two years.				
53	District millage elections	Technical - Corrects a cross reference.	Same.	Same – closed.	Same – closed.	Same – closed.
54	Re-employment of Retired Teachers		For re-hire of retired teachers, clarifies exemption for prior years of service requirement for pay purposes.	Senate – closed.	Senate – closed.	Senate – closed.
55	Background screenings of Non-instructional contractors		Requires school districts to accept reciprocity of level 2 screenings for Florida High School Athletic Association officials.	Senate – closed.	Senate – closed.	Senate – closed.
56	Off-site instructors	Authorizes an off-site instructor for a traditional classroom in a virtual environment to be the instructor of record for purposes of FTE reporting.	Same.	Same – closed.	Same – closed.	Same – closed.
57	Charter Schools	Provides eligibility of Charter Schools in the Workplace for Charter School Capital Outlay funding.	Same.	Same – closed.	Same – closed.	Same – closed.
58 & 59	Special Facility Construction Account (PECO)		Requires an additional 5 years of millage levy for district eligibility.	Senate position.	Modified Senate position:	Accept House – closed.
	Special Facility Construction Account (PECO)		Requires DOE to review and determine district eligibility.	Senate position.	Require OPPAGA to study the effectiveness of the Special Facility Construction Account allocation and appropriation process. SEE ATTACHED DRAFT.	Special Facility Construction Account study.- (1) The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall conduct a study of the Special Facility Construction Account Program to examine the effectiveness of s. 1013.64(2). The study will examine the criteria to determine program eligibility, the criteria to determine project

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						eligibility, the procedures used to evaluate potential projects, the procedures for determining the priority list, and whether historically the funded projects were needed by the districts based on student enrollment data, age and usefulness of district facilities at the time of the request, the district's educational plant survey and other relevant information. OPPAGA should also make recommendations for improving the process of providing appropriations for projects under the Special Facility Construction Account. OPPAGA shall submit the result of the study to the President of the Senate, the Speaker of the House of Representatives and the Executive Office of the Governor no later than January 31, 2011.
60	FEFP by Reference	Implements the FEFP by reference. (Done in implementing bill.)	Implements the FEFP by reference.	Accept House – closed.	House – closed.	House – closed.
61	Effective Date	July 1, 2010	Same.	Same – closed.		
New Issues						
61a	Jefferson County School district transportation survey	NA	NA	House position, with additional language approved in proviso discussions on required consulting assistance.	Accept Senate - close.	Senate - closed.
61b	Automotive service technology education programs	NA	NA	Senate position.	House position.	Modified House: Section 1004.925 Automotive service technology education programs; certification.— (1) All automotive service technology education programs shall be industry certified in accordance with rules adopted by the State Board of Education. by 2007. (2) New automotive service technology programs and automotive service technology programs that are in the process of becoming industry certified shall have three years to become certified. (3) Effective with the 2013-2014 fiscal year students enrolled in an automotive service technology program that is not industry certified pursuant to this section shall not be eligible to be

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						reported for state funding.
61c	Teacher Quality Task Force	NA	NA	Still under review.	House position.	Senate position.
62	African American and Holocaust History Instruction	NA	NA	1003.42 Required instruction.-- (1) Each district school board shall provide... (h) The history of African Americans, including the history of African peoples before the political conflicts that led to the development of slavery, the passage to America, the enslavement experience, abolition, and the contributions of African Americans to society. Instructional materials shall include the contributions of African Americans to American society.	Accept Senate - close.	Senate – closed.
63	Charter School District Waivers	NA	NA	NA	<u>For the 2010-2011 fiscal year, the school districts of Hillsborough, Orange, Palm Beach and Volusia Counties shall be exempt from statutes pertaining to educational facilities, including chapter 1013, as approved in waivers that were in effect pursuant to s. 1003.62, F.S., on June 30, 2010.</u>	Modified House. For the 2010-2011 fiscal year, the school districts of Hillsborough, Palm Beach and Volusia Counties shall be exempt from statutes pertaining to educational facilities, including chapter 1013, as approved in waivers that were in effect pursuant to s. 1003.62, F.S., on June 30, 2010.
64	Sophomore Level Trust Fund – Conform to Budget Expenditures	NA	NA	NA		Chapter 99-26, Laws of Florida, Re-created the Sophomore Level Trust Fund to record revenue and disbursements of examination fees received by the Department of Education as authorized in s. 1008.29 <u>for the college-level communications and mathematics skills examination (CLAST). Effective July 1, 2010, disbursements may be made from the Sophomore Level Trust Fund for purposes other than those authorized for CLAST if such purposes are</u>

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						authorized by the legislature.

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<p>65</p>	<p>Juvenile Justice Quality Assurance Statute – Contingent on Available Funds to Conform to Approved Proviso</p>	<p>NA</p>	<p>NA</p>		<p>Section 1003.52(15): (a) The Department of Education in consultation with the Department of Juvenile Justice, district school boards, and providers shall establish objective and measurable quality assurance standards for the educational component of residential and nonresidential juvenile justice facilities. These standards shall rate the district school board's performance both as a provider and contractor. The quality assurance rating for the educational component shall be disaggregated from the overall quality assurance score and reported separately. (b) The Department of Education shall develop a comprehensive quality assurance review process and schedule for the evaluation of the educational component in juvenile justice programs. The Department of Juvenile Justice quality assurance site visit and the education quality assurance site visit shall be conducted during the same visit. (c) The Department of Education, in consultation with district school boards and providers, shall establish minimum thresholds for the standards and key indicators for educational programs in juvenile justice facilities. If a district school board fails to meet the established minimum standards, it will be given 6 months to achieve compliance with the standards. If after 6 months, the district school board's performance is still below minimum standards, the Department of Education shall exercise sanctions as prescribed by rules adopted by the State Board of Education. If a provider, under contract with the district school board, fails to meet minimum standards, such failure shall cause the district school board to cancel the provider's contract unless the provider achieves compliance within 6 months or unless there are documented extenuating circumstances. <u>(d) The requirements of 1003.52(15)(a), (b) and (c) are subject to the availability of funding.</u></p>
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