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LEGISLATIVE ACTION

Senate	.	House
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The Conference Committee on CS for CS for SB 6-A recommended the following:

1 **Senate Conference Committee Amendment (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. Section 1001.395, Florida Statutes, is amended
7 to read

8 1001.395 District school board members; compensation.—

9 (1) Each member of the district school board shall receive
10 a base salary, the amounts indicated in this section, based on
11 the population of the county the district school board member
12 serves. In addition, compensation shall be made for population



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13 increments over the minimum for each population group, which
 14 shall be determined by multiplying the population in excess of
 15 the minimum for the group times the group rate. The product of
 16 such calculation shall be added to the base salary to determine
 17 the adjusted base salary. The adjusted base salaries of district
 18 school board members shall be increased annually as provided for
 19 in s. 145.19.

Pop. Group	County Pop. Range		Base Salary	Group Rate
	Minimum	Maximum		
I	-0-	9,999	\$5,000	\$0.08330
II	10,000	49,999	5,833	0.020830
III	50,000	99,999	6,666	0.016680
IV	100,000	199,999	7,500	0.008330
V	200,000	399,999	8,333	0.004165
VI	400,000	999,999	9,166	0.001390
VII	1,000,000		10,000	0.000000

28
 29
 30 District school board member salaries negotiated on or after
 31 November of 2006 shall remain in effect up to the date of the



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32 2007-2008 calculation provided pursuant to s. 145.19.

33 (2) Notwithstanding the provisions of this section or s.
34 145.19, Florida Statutes, district school board members may
35 reduce their salary rate on a voluntary basis.

36 Section 2. Present subsection (25) of section 1001.42,
37 Florida Statutes, is renumbered as subsection (26), and a new
38 subsection (25) is added to that section, to read:

39 1001.42 Powers and duties of district school board.—The
40 district school board, acting as a board, shall exercise all
41 powers and perform all duties listed below:

42 (25) EMPLOYMENT CONTRACTS.—On or after February 1, 2009, a
43 district school board may not enter into an employment contract
44 that is funded from state funds and that requires the district
45 to pay an employee an amount in excess of 1 year of the
46 employee's annual salary for termination, buy-out, or any other
47 type of contract settlement.

48 Section 3. Subsection (2) of section 1001.50, Florida
49 Statutes, is amended to read:

50 1001.50 Superintendents employed under Art. IX of the State
51 Constitution.—

52 (2) The district school board of each of such districts
53 shall enter into contracts of employment with the district
54 school superintendent and shall adopt rules relating to his or
55 her appointment; however, on or after February 1, 2009, the
56 district school board may not enter into an employment contract
57 that is funded from state funds and that requires the district
58 to pay a superintendent an amount in excess of 1 year of the
59 superintendent's annual salary for termination, buy-out, or any
60 other type of contract settlement.



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61 Section 4. Paragraph (c) of subsection (3) of section
62 1002.53, Florida Statutes, is amended to read:

63 1002.53 Voluntary Prekindergarten Education Program;
64 eligibility and enrollment.—

65 (3) The parent of each child eligible under subsection (2)
66 may enroll the child in one of the following programs:

67 (c) A school-year prekindergarten program delivered by a
68 public school, ~~if offered by a school district that is eligible~~
69 ~~under s. 1002.63.~~

70

71 Except as provided in s. 1002.71(4), a child may not enroll in
72 more than one of these programs.

73 Section 5. Subsections (4) and (7) of section 1002.61,
74 Florida Statutes, are amended to read:

75 1002.61 Summer prekindergarten program delivered by public
76 schools and private prekindergarten providers.—

77 (4) Notwithstanding ss. 1002.55(3)(c)1. and 1002.63(4)
78 ~~1002.63(5)~~, each public school and private prekindergarten
79 provider must have, for each prekindergarten class, at least one
80 prekindergarten instructor who:

81 (a) Is a certified teacher; or

82 (b) Holds one of the educational credentials specified in
83 s. 1002.55(4) (a) or (b).

84

85 As used in this subsection, the term "certified teacher" means a
86 teacher holding a valid Florida educator certificate under s.
87 1012.56 who has the qualifications required by the district
88 school board to instruct students in the summer prekindergarten
89 program. In selecting instructional staff for the summer



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90 prekindergarten program, each school district shall give
91 priority to teachers who have experience or coursework in early
92 childhood education.

93 (7) Notwithstanding ss. 1002.55(3)(f) and 1002.63(7)
94 ~~1002.63(8)~~, each prekindergarten class in the summer
95 prekindergarten program, regardless of whether the class is a
96 public school's or private prekindergarten provider's class,
97 must be composed of at least 4 students but may not exceed 12 ~~10~~
98 students beginning with the 2009 summer session. In order to
99 protect the health and safety of students, each public school or
100 private prekindergarten provider must also provide appropriate
101 adult supervision for students at all times. This subsection
102 does not supersede any requirement imposed on a provider under
103 ss. 402.301-402.319.

104 Section 6. Section 1002.63, Florida Statutes, is amended to
105 read:

106 1002.63 School-year prekindergarten program delivered by
107 public schools.-

108 (1) Each school district ~~eligible under subsection (4)~~ may
109 administer the Voluntary Prekindergarten Education Program at
110 the district level for students enrolled under s. 1002.53(3)(c)
111 in a school-year prekindergarten program delivered by a public
112 school.

113 (2) Each school-year prekindergarten program delivered by a
114 public school must comprise at least 540 instructional hours.

115 (3) The district school board of each school district
116 ~~eligible under subsection (4)~~ shall determine which public
117 schools in the district may ~~are eligible to~~ deliver the
118 prekindergarten program during the school year.



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119 ~~(4) To be eligible to deliver the prekindergarten program~~
120 ~~during the school year, each school district must meet both of~~
121 ~~the following requirements:~~

122 ~~(a) The district school board must certify to the State~~
123 ~~Board of Education that the school district:~~

124 ~~1. Has reduced the average class size in each classroom in~~
125 ~~accordance with s. 1003.03 and the schedule in s. 1(a), Art. IX~~
126 ~~of the State Constitution; and~~

127 ~~2. Has sufficient satisfactory educational facilities and~~
128 ~~capital outlay funds to continue reducing the average class size~~
129 ~~in each classroom in the district's elementary schools for each~~
130 ~~year in accordance with the schedule for class size reduction~~
131 ~~and to achieve full compliance with the maximum class sizes in~~
132 ~~s. 1(a), Art. IX of the State Constitution by the beginning of~~
133 ~~the 2010-2011 school year.~~

134 ~~(b) The Commissioner of Education must certify to the State~~
135 ~~Board of Education that the department has reviewed the school~~
136 ~~district's educational facilities, capital outlay funds, and~~
137 ~~projected student enrollment and concurs with the district~~
138 ~~school board's certification under paragraph (a).~~

139 ~~(4)-(5)~~ Each public school must have, for each
140 prekindergarten class, at least one prekindergarten instructor
141 who meets each requirement in s. 1002.55(3)(c) for a
142 prekindergarten instructor of a private prekindergarten
143 provider.

144 ~~(5)-(6)~~ Each prekindergarten instructor employed by a public
145 school delivering the school-year prekindergarten program must
146 be of good moral character, must be screened using the level 2
147 screening standards in s. 435.04 before employment and



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148 rescreened at least once every 5 years, must be denied
149 employment or terminated if required under s. 435.06, and must
150 not be ineligible to teach in a public school because his or her
151 educator certificate is suspended or revoked. This subsection
152 does not supersede employment requirements for instructional
153 personnel in public schools which are more stringent than the
154 requirements of this subsection.

155 (6)~~(7)~~ A public school prekindergarten provider may assign
156 a substitute instructor to temporarily replace a credentialed
157 instructor if the credentialed instructor assigned to a
158 prekindergarten class is absent, as long as the substitute
159 instructor is of good moral character and has been screened
160 before employment in accordance with level 2 background
161 screening requirements in chapter 435. This subsection does not
162 supersede employment requirements for instructional personnel in
163 public schools which are more stringent than the requirements of
164 this subsection. The Agency for Workforce Innovation shall adopt
165 rules to implement this subsection which shall include required
166 qualifications of substitute instructors and the circumstances
167 and time limits for which a public school prekindergarten
168 provider may assign a substitute instructor.

169 (7)~~(8)~~ Each prekindergarten class in a public school
170 delivering the school-year prekindergarten program must be
171 composed of at least 4 students but may not exceed 18 students.
172 In order to protect the health and safety of students, each
173 school must also provide appropriate adult supervision for
174 students at all times and, for each prekindergarten class
175 composed of 11 or more students, must have, in addition to a
176 prekindergarten instructor who meets the requirements of s.



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177 1002.55(3)(c), at least one adult prekindergarten instructor who
178 is not required to meet those requirements but who must meet
179 each requirement of subsection (5) ~~(6)~~.

180 ~~(8)(9)~~ Each public school delivering the school-year
181 prekindergarten program must:

182 (a) Register with the early learning coalition on forms
183 prescribed by the Agency for Workforce Innovation; and

184 (b) Deliver the Voluntary Prekindergarten Education Program
185 in accordance with this part.

186 Section 7. Subsections (3) and (4), paragraph (d) of
187 subsection (6), and subsection (7) of section 1002.71, Florida
188 Statutes, are amended to read:

189 1002.71 Funding; financial and attendance reporting.-

190 (3)(a) A separate ~~The~~ base student allocation per full-time
191 equivalent student in the Voluntary Prekindergarten Education
192 Program shall be provided in the General Appropriations Act for
193 a school-year prekindergarten program and for a summer
194 prekindergarten program. The base student allocation for a
195 school-year program ~~and~~ shall be equal for each student,
196 regardless of whether the student is enrolled in a school-year
197 prekindergarten program delivered by a public school or a
198 private prekindergarten provider. The base student allocation
199 for ~~a~~ summer prekindergarten program shall be equal for each
200 student, regardless of whether the student is enrolled in a
201 summer prekindergarten program delivered by a public school or
202 private prekindergarten provider, ~~or a school-year~~
203 ~~prekindergarten program delivered by a public school.~~

204 (b) Each county's allocation per full-time equivalent
205 student in the Voluntary Prekindergarten Education Program shall



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206 be calculated annually by multiplying the base student
207 allocation provided in the General Appropriations Act by the
208 county's district cost differential provided in s. 1011.62(2).
209 Each private prekindergarten provider and public school shall be
210 paid in accordance with the county's allocation per full-time
211 equivalent student.

212 (c) The initial allocation shall be based on estimated
213 student enrollment in each coalition service area. The Agency
214 for Workforce Innovation shall reallocate funds among the
215 coalitions based on actual full-time equivalent student
216 enrollment in each coalition service area.

217 (d) For programs offered by school districts pursuant to s.
218 1002.61 and beginning with the 2009 summer program, each
219 district's funding shall be based on a full-time equivalent
220 student enrollment that is evenly divisible by 12 ~~10~~. If the
221 result of dividing a district's full-time equivalent student
222 enrollment by 12 ~~10~~ is not a whole number, the district's
223 enrollment calculation shall be adjusted by adding the minimum
224 number of full-time equivalent students to produce a full-time
225 equivalent student enrollment calculation that is evenly
226 divisible by 12 ~~10~~.

227 (4) Notwithstanding s. 1002.53(3) and subsection (2):

228 (a) A child who, for any of the prekindergarten programs
229 listed in s. 1002.53(3), has not completed more than 10 percent
230 of the hours authorized to be reported for funding under
231 subsection (2) may withdraw from the program for good cause,
232 reenroll in one of the programs, and be reported for funding
233 purposes as a full-time equivalent student in the program for
234 which the child is reenrolled. The total funding for a child who



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235 reenrolls in one of the programs shall not exceed one full-time
236 equivalent student.

237 (b) A child who has not substantially completed any of the
238 prekindergarten programs listed in s. 1002.53(3) may withdraw
239 from the program due to an extreme hardship that is beyond the
240 child's or parent's control, reenroll in one of the summer
241 programs, and be reported for funding purposes as a full-time
242 equivalent student in the summer program for which the child is
243 reenrolled.

244
245 A child may reenroll only once in a prekindergarten program
246 under this section. A child who reenrolls in a prekindergarten
247 program under this subsection may not subsequently withdraw from
248 the program and reenroll. The Agency for Workforce Innovation
249 shall establish criteria specifying whether a good cause exists
250 for a child to withdraw from a program under paragraph (a),
251 whether a child has substantially completed a program under
252 paragraph (b), and whether an extreme hardship exists which is
253 beyond the child's or parent's control under paragraph (b).

254 (6)

255 (d) The Agency for Workforce Innovation shall adopt, for
256 funding purposes, a uniform attendance policy for the Voluntary
257 Prekindergarten Education Program. The attendance policy must
258 apply statewide and apply equally to all private prekindergarten
259 providers and public schools. The attendance policy must
260 establish a minimum requirement for student attendance and
261 include the following provisions:

262 1. Beginning with the 2009-2010 fiscal year for school-year
263 programs and the 2009 summer program, a student who meets the



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264 minimum requirement of 80 percent of the total number of hours
265 for the program may be reported as a full-time equivalent
266 student for funding purposes.

267 2. A student who does not meet the minimum requirement may
268 be reported only as a fractional part of a full-time equivalent
269 student, reduced pro rata based on the student's attendance.

270 3. A student who does not meet the minimum requirement may
271 be reported as a full-time equivalent student if the student is
272 absent for good cause in accordance with exceptions specified in
273 the uniform attendance policy.

274
275 The uniform attendance policy shall be used only for funding
276 purposes and does not prohibit a private prekindergarten
277 provider or public school from adopting and enforcing its
278 attendance policy under paragraphs (a) and (c).

279 (7) The Agency for Workforce Innovation shall require that
280 administrative expenditures be kept to the minimum necessary for
281 efficient and effective administration of the Voluntary
282 Prekindergarten Education Program. Administrative policies and
283 procedures shall be revised, to the maximum extent practicable,
284 to incorporate the use of automation and electronic submission
285 of forms, including those required for child eligibility and
286 enrollment, provider and class registration, and monthly
287 certification of attendance for payment. A school district may
288 use its automated daily attendance reporting system for the
289 purpose of transmitting attendance records to the early learning
290 coalition in a mutually agreed-upon format. In addition, actions
291 shall be taken to reduce paperwork, eliminate the duplication of
292 reports, and eliminate other duplicative activities. Beginning



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293 with the 2008-2009 fiscal year, each early learning coalition
294 may retain and expend no more than 4.85 ~~5~~ percent of the funds
295 paid by the coalition to private prekindergarten providers and
296 public schools under paragraph (5) (b). Funds retained by an
297 early learning coalition under this subsection may be used only
298 for administering the Voluntary Prekindergarten Education
299 Program and may not be used for the school readiness program or
300 other programs.

301 Section 8. Paragraphs (c) and (d) of subsection (2) of
302 section 1002.73, Florida Statutes, are amended to read:

303 1002.73 Department of Education; powers and duties;
304 accountability requirements.-

305 (2) The department shall adopt procedures for the
306 department's:

307 ~~(c) Certification of school districts that are eligible to~~
308 ~~deliver the school-year prekindergarten program under s.~~
309 ~~1002.63.~~

310 (c) ~~(d)~~ Administration of the statewide kindergarten
311 screening and calculation of kindergarten readiness rates under
312 s. 1002.69.

313 Section 9. Paragraph (a) of subsection (4) of section
314 1003.03, Florida Statutes, is amended to read:

315 1003.03 Maximum class size.-

316 (4) ACCOUNTABILITY.-

317 (a)1. Beginning in the 2003-2004 fiscal year, if the
318 department determines for any year that a school district has
319 not reduced average class size as required in subsection (2) at
320 the time of the third FEFP calculation, the department shall
321 calculate an amount from the class size reduction operating



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322 categorical which is proportionate to the amount of class size
323 reduction not accomplished. Upon verification of the
324 department's calculation by the Florida Education Finance
325 Program Appropriation Allocation Conference and not later than
326 March 1 of each year, the Executive Office of the Governor shall
327 transfer undistributed funds equivalent to the calculated amount
328 from the district's class size reduction operating categorical
329 to an approved fixed capital outlay appropriation for class size
330 reduction in the affected district pursuant to s. 216.292(2)(d).
331 The amount of funds transferred shall be the lesser of the
332 amount verified by the Florida Education Finance Program
333 Appropriation Allocation Conference or the undistributed balance
334 of the district's class size reduction operating categorical.

335 2. In lieu of the transfer required by subparagraph 1., the
336 Commissioner of Education may recommend a budget amendment,
337 subject to approval by the Legislative Budget Commission, to
338 transfer an alternative amount of funds from the district's
339 class size reduction operating categorical to its approved fixed
340 capital outlay account for class size reduction if the
341 commissioner finds that the State Board of Education has
342 reviewed evidence indicating that a district has been unable to
343 meet class size reduction requirements despite appropriate
344 effort to do so. The commissioner's budget amendment must be
345 submitted to the Legislative Budget Commission by February 15 of
346 each year.

347 3. For the 2007-2008 fiscal year and thereafter, if in any
348 fiscal year funds from a district's class size operating
349 categorical are required to be transferred to its fixed capital
350 outlay fund and the district's class size operating categorical



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351 allocation in the General Appropriations Act for that fiscal
352 year has been reduced by a subsequent appropriation, the
353 Commissioner of Education may recommend a 50 percent ~~10 percent~~
354 reduction in the amount of the transfer.

355 Section 10. Paragraph (a) of subsection (2) of section
356 1006.40, Florida Statutes, is amended to read:

357 1006.40 Use of instructional materials allocation;
358 instructional materials, library books, and reference books;
359 repair of books.—

360 (2) (a) Each district school board must purchase current
361 instructional materials to provide each student with a textbook
362 or other instructional materials as a major tool of instruction
363 in core courses of the appropriate subject areas of mathematics,
364 language arts, science, social studies, reading, and literature
365 for kindergarten through grade 12. Such purchase must be made
366 within the first 2 years after ~~of~~ the effective date of the
367 adoption cycle; however, this requirement is waived for the
368 adoption cycle occurring in the 2008-2009 academic year. Unless
369 specifically provided for in the General Appropriations Act, the
370 cost of instructional materials purchases required by this
371 paragraph shall not exceed the amount of the district's
372 allocation for instructional materials, pursuant to s. 1011.67,
373 for the previous 2 years.

374 Section 11. Section 1011.051, Florida Statutes, is created
375 to read:

376 1011.051 Guidelines for general funds.—The district school
377 board shall maintain an unreserved general fund balance that is
378 sufficient to address normal contingencies.

379 (1) If at any time the unreserved general fund balance in



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380 the district's approved operating budget is projected to fall
381 during the current fiscal year below 3 percent of projected
382 general fund revenues, the superintendent shall provide written
383 notification to the district school board and the Commissioner
384 of Education.

385 (2) If the unreserved general fund balance in the
386 district's approved operating budget is projected to fall during
387 the current fiscal year below 2 percent of projected general
388 fund revenues, the superintendent shall provide written
389 notification to the district school board and the Commissioner
390 of Education. Within 14 days after receiving such notification,
391 if the commissioner determines that the district does not have a
392 plan that is reasonably anticipated to avoid a financial
393 emergency as determined pursuant to 218.503, the commissioner
394 shall appoint a financial emergency board that shall operate
395 consistent with the requirements, powers, and duties specified
396 in s. 218.503(3)(g).

397 Section 12. Paragraph (d) of subsection (2) and subsection
398 (4) of section 1011.71, Florida Statutes, are amended to read:

399 1011.71 District school tax.—

400 (2) In addition to the maximum millage levy as provided in
401 subsection (1), each school board may levy not more than 1.75
402 mills against the taxable value for school purposes for district
403 schools, including charter schools at the discretion of the
404 school board, to fund:

405 (d) Effective July 1, 2008, the purchase, lease-purchase,
406 or lease of new and replacement equipment, and enterprise
407 resource software applications that are classified as capital
408 assets in accordance with definitions of the Governmental



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409 Accounting Standards Board, have a useful life of at least 5
410 years, and are used to support district-wide administration or
411 state-mandated reporting requirements.

412 (4) Effective July 1, 2008, and through June 30, 2010, a
413 school district that has met the reduction requirements
414 regarding class size for the 2008-2009 fiscal year pursuant to
415 s. 1003.03 for K-12 students for whom the school district
416 provides the educational facilities and governs operations and
417 certifies to the Commissioner of Education that the district
418 does not need all of its discretionary 1.75-mill capital
419 improvement revenue for capital outlay purposes and all of the
420 district's instructional space needs for the next 5 years can be
421 met from capital outlay sources that the district reasonably
422 expects to receive during the next 5 years from local revenues
423 and from currently appropriated state facilities funding or from
424 alternative scheduling or construction, leasing, rezoning, or
425 technological methodologies that exhibit sound management may
426 expend, subject to the provisions of s. 200.065, up to \$100 \$65
427 per unweighted full-time equivalent student from the revenue
428 generated by the 2008-2009 millage levy authorized by subsection
429 (2) to fund, in addition to expenditures authorized in
430 paragraphs (2)(a)-(j), 2008-2009 expenses for the following:

431 (a) The purchase, lease-purchase, or lease of driver's
432 education vehicles; motor vehicles used for the maintenance or
433 operation of plants and equipment; security vehicles; or
434 vehicles used in storing or distributing materials and
435 equipment.

436 (b) Payment of the cost of premiums for property and
437 casualty insurance necessary to insure school district



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438 educational and ancillary plants. Operating revenues that are
439 made available through the payment of property and casualty
440 insurance premiums from revenues generated under this subsection
441 may be expended only for nonrecurring operational expenditures
442 of the school district.

443 Section 13. Section 11 of chapter 2008-142 and section 2 of
444 chapter 2008-213, Laws of Florida, are repealed.

445 Section 14. Paragraph (b) of subsection (6) of section
446 1013.64, Florida Statutes, is amended to read:

447 1013.64 Funds for comprehensive educational plant needs;
448 construction cost maximums for school district capital
449 projects.—Allocations from the Public Education Capital Outlay
450 and Debt Service Trust Fund to the various boards for capital
451 outlay projects shall be determined as follows:

452 (6)

453 (b)1. A district school board, including a district school
454 board of an academic performance-based charter school district,
455 must not use funds from the following sources: Public Education
456 Capital Outlay and Debt Service Trust Fund; School District and
457 Community College District Capital Outlay and Debt Service Trust
458 Fund; Classrooms First Program funds provided in s. 1013.68;
459 effort index grant funds provided in s. 1013.73; nonvoted 1.75-
460 mill ~~2-mill~~ levy of ad valorem property taxes provided in s.
461 1011.71(2); Classrooms for Kids Program funds provided in s.
462 1013.735; District Effort Recognition Program funds provided in
463 s. 1013.736; or High Growth District Capital Outlay Assistance
464 Grant Program funds provided in s. 1013.738 for any new
465 construction of educational plant space with a total cost per
466 student station, including change orders, that equals more than:



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- 467 a. \$17,952 for an elementary school,
- 468 b. \$19,386 for a middle school, or
- 469 c. \$25,181 for a high school,

470
471 (January 2006) as adjusted annually to reflect increases or
472 decreases in the Consumer Price Index.

473 2. A district school board must not use funds from the
474 Public Education Capital Outlay and Debt Service Trust Fund or
475 the School District and Community College District Capital
476 Outlay and Debt Service Trust Fund for any new construction of
477 an ancillary plant that exceeds 70 percent of the average cost
478 per square foot of new construction for all schools.

479 Section 15. Merit awards for instructional personnel and
480 school-based administrators selected for the Merit Award Program
481 in 2008-2009 shall be paid in the 2009-2010 fiscal year only to
482 the extent that funds are available and specifically
483 appropriated in the 2009-2010 fiscal year.

484 Section 16. (1) If the Commissioner of Education determines
485 that a school district acted in good faith, he or she may waive
486 the equal-dollar reduction required in s. 1011.71(5), Florida
487 Statutes, for expenditures for property and casualty insurance
488 made between May 1 and December 31, 2007, and for the audit
489 findings for the 2006-2007 fiscal year related to the purchase
490 of software.

491 (2) This section shall take effect upon this act becoming a
492 law, but only if the School Board of Miami-Dade County dismisses
493 the lawsuit entitled "School Board of Miami-Dade County v. State
494 of Florida Board of Education," case number 09-00507CA20, which
495 is pending in the Circuit Court of the Eleventh Judicial



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496 Circuit.

497 Section 17. In order to implement Specific Appropriations
498 2, 3, and 42 through 45 of the Special Appropriations Act for
499 the 2008-2009 fiscal year, the calculations of the Florida
500 Education Finance Program for the 2008-2009 fiscal year in the
501 document entitled "Public School Funding - The Florida Education
502 Finance Program," dated January 11, 2009, and filed with the
503 Secretary of the Senate are incorporated by reference for the
504 purpose of displaying the calculations used by the Legislature,
505 consistent with requirements of the Florida Statutes, in making
506 appropriations and reductions in appropriations for the Florida
507 Education Finance Program.

508 Section 18. Except as otherwise expressly provided in this
509 act, this act shall take effect February 1, 2009, or upon
510 becoming a law, whichever occurs later; however, the provisions
511 of s. 1011.71, Florida Statutes, as amended by this act, shall
512 operate retroactively to July 1, 2008, and, if this act becomes
513 a law after February 1, 2009, the provisions of s. 1002.71,
514 Florida Statutes, as amended by this act, shall operate
515 retroactively to February 1, 2009.

516
517 ===== T I T L E A M E N D M E N T =====

518 And the title is amended as follows:

519 Delete everything before the enacting clause
520 and insert:

521 A bill to be entitled
522 An act relating to education funding; amending s. 1001.395,
523 F.S.; providing for district school members to reduce their
524 salary rate on a voluntary basis; amending ss. 1001.42 and



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525 1001.50, F.S.; prohibiting a district school board from entering
526 into an employment contract that provides for payment of an
527 amount greater than 1 year of an employee's or superintendent's
528 annual salary for termination, buy-out, or other type of
529 settlement; amending s. 1002.53, F.S., relating to the Voluntary
530 Prekindergarten Education Program; conforming provisions to
531 changes made by the act; amending s. 1002.61, F.S.; increasing
532 the number of students authorized for a summer prekindergarten
533 class; conforming cross-references; amending s. 1002.63, F.S.;
534 eliminating certain eligibility requirements for delivering a
535 prekindergarten program during the school year; amending s.
536 1002.71, F.S.; providing for separate base student allocations
537 for school-year and summer prekindergarten programs; revising
538 the formula for calculating and reporting full-time equivalent
539 student enrollment; providing certain restrictions with respect
540 to a child who reenrolls in a prekindergarten program; requiring
541 that certain administrative procedures be automated; requiring
542 that actions be taken to reduce paperwork, eliminate the
543 duplication of reports, and eliminate other duplicative
544 activities; decreasing the amount that an early learning
545 coalition may expend for administrative purposes; amending s.
546 1002.73, F.S.; revising duties of the Department of Education,
547 to conform; amending s. 1003.03, F.S.; authorizing the
548 Commissioner of Education to recommend a greater reduction in
549 the amount allocated for transfer to a district's fixed capital
550 outlay fund; amending s. 1006.40, F.S.; waiving, for the
551 adoption cycle of the 2008-2009 academic year, the requirement
552 that district school boards purchase instructional materials in
553 core courses; creating s. 1011.051, F.S.; requiring that



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554 district school boards maintain an unreserved general fund
555 balance sufficient to address contingencies; specifying
556 procedures for the district to follow if the operating budget
557 falls below a specified percentage of projected general fund
558 revenues; amending s. 1011.71, F.S.; authorizing the purchase of
559 certain enterprise resource software applications with proceeds
560 of the district school tax; eliminating certain restrictions on
561 the expenditure of revenues from the district school tax levy;
562 increasing the amount that school districts may expend per
563 unweighted full-time equivalent student from the revenue
564 generated by the levy; repealing s. 11 of chapter 2008-142 and
565 s. 2 of chapter 2008-213, Laws of Florida, relating to the
566 future expiration of certain provisions relating to school
567 district expenditure of capital outlay millage; amending s.
568 1013.64, F.S., relating to funds for constructing educational
569 plant space; conforming provisions; providing for awards for
570 instructional personnel and school-based administrators under
571 the Merit Award Program to be paid only to the extent funded in
572 the 2009-2010 fiscal year; authorizing the Commissioner of
573 Education to waive the equal-dollar reduction requirement for
574 expenditures made during a specified time for property and
575 casualty insurance and for the audit findings for a specified
576 fiscal year related to the purchase of software, if the
577 commissioner determines that a school district acted in good
578 faith; providing that such authorization is contingent upon
579 dismissal of a specified lawsuit; incorporating by reference
580 certain calculations of the Florida Education Finance Program
581 for the 2008-2009 fiscal year; providing for retroactive
582 application of specified provisions of the act; providing an



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583 effective date.