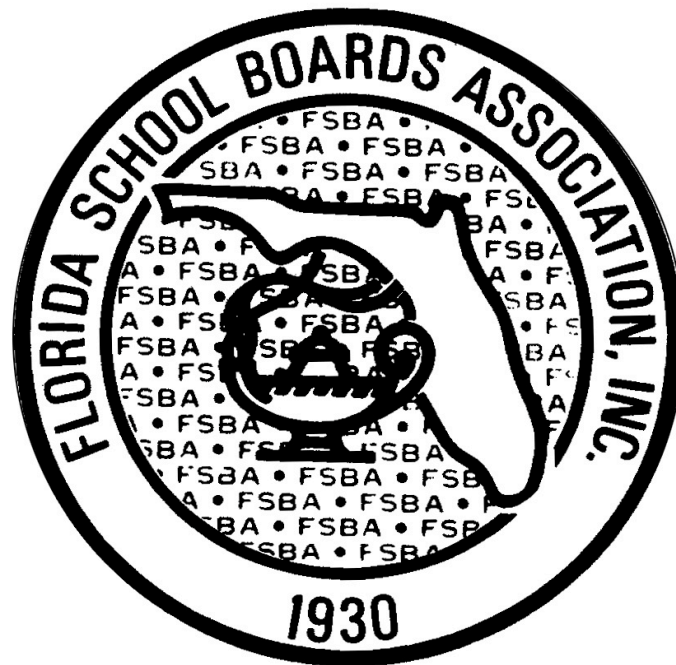


FLORIDA SCHOOL BOARDS ASSOCIATION



2008 LEGISLATIVE SESSION SUMMARY

Part I: Education Appropriations

Part II: Education Legislation

2008 LEGISLATIVE SESSION SUMMARY

Part I: Education Appropriations

2008 LEGISLATIVE SESSION SUMMARY

Part I: Education Appropriations

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EDUCATION APPROPRIATIONS

HIGHLIGHTS

2008 - 2009 EDUCATION APPROPRIATIONS HIGHLIGHTS

LINE # / PAGE	CATEGORY	2007 - 2008 APPROPRIATION <i>(3/14/08)</i>	2008 - 2009 APPROPRIATION
EDUCATIONAL ENHANCEMENT TRUST FUND (LOTTERY)			
1 / 7	Classrooms First & 1997 Bond Programs	\$166,892,742	\$166,934,217
2 / 8	Class Size – Capital Outlay Debt Service	\$125,310,506	\$155,000,000
3 / 8	Bright Futures Scholarships	\$383,185,153	\$436,175,538 \$375 for college related expenses for Florida Academic Scholars
7 / 9	School Recognition & District Lottery	\$258,126,169 School Recognition at \$100/FTE; School Advisory Council at \$10/FTE	\$217,406,176 School Recognition at \$85/FTE; School Advisory Council at \$5/FTE
FIXED CAPITAL OUTLAY PROJECTS			
18 / 10	Maintenance, Repair Renovation, Remodeling	Public Schools. . . \$209,272,040 Charter Schools. . . \$54,039,458	Public Schools. . . \$119,129,763 Charter Schools. . . \$55,066,208
19 / 11	Survey of Recommended Needs	\$297,144,731 \$4,935,063 for Developmental Research Schools	\$150,798,151 \$5,164,974 for Developmental Research Schools
22 / 11	Special Facility Construction Account	\$24,994,701 Projects in Wakulla, Franklin, Levy	\$14,946,948 Project in Liberty County
VOLUNTARY PREKINDERGARTEN PROGRAMS			
79 / 13	Voluntary Pre-K	\$343,749,575	\$354,349,575 BSA of \$2,628
80 / 14	Early Learning Standard	\$1,870,538	\$1,704,135
FLORIDA EDUCATION FINANCE PROGRAM			
81 / 14	Base Student Allocation	\$4,079.74	\$3,971.74
81 / 14	Juvenile Justice Supplemental Allocation	\$11,284,334	\$11,112,916 Allocation Factor \$925.58
	Minimum Guarantee	1%	<i>(Not included)</i>
81 / 14	District Cost Differential	statutory	statutory
81 / 14	Sparsity Supplement	\$39,191,698	\$39,191,698

LINE # / PAGE	CATEGORY	2007 - 2008 APPROPRIATION (3/14/08)	2008 - 2009 APPROPRIATION
81 / 15	Required Local Effort	\$7,902,573,415..... 4.843 mills	\$8,267,476,367..... 5.032 mills Millage rate is rollback rate (4.782 mills) plus 0.250 mills shifted from 2 mill capital outlay authority
81 / 15	Discretionary Millage & Compression	\$883,103,885. 0.510 mills Compression Funds.. \$135,088,660 State Average Per FTE. ... \$304.13	\$881,674,549. 0.498 mills Compression Funds.. \$130,861,389 State Average Per FTE. ... \$337.22
81 / 15	Supp. Discretionary Millage & Equalization	\$256,444,678. 0.250 mills Equalization Funds..... \$7,540,926 Total Funds Per FTE. \$100.00	\$256,335,371. 0.250 mills Equalization Funds..... \$6,703,215 Total Funds Per FTE. \$100.00
81 / 15	Program Cost Factors	K - 3 Basic. 1.048 4 - 8 Basic. 1.000 9 - 12 Basic. 1.066 ESE Level 4. 3.625 ESE Level 5. 5.062 ESOL. 1.200 9 - 12 Career Ed..... 1.119	K - 3 Basic. 1.066 4 - 8 Basic. 1.000 9 - 12 Basic. 1.052 ESE Level 4. 3.570 ESE Level 5. 4.970 ESOL. 1.119 9 - 12 Career Ed..... 1.077
81 / 15	ESE Guarantee	\$1,110,759,945	\$1,079,945,286
81 / 16	Declining Enrollment	\$47,006,367 50% of decline funded at prior year per FTE base funding	\$35,774,001 48.67% of decline funded at prior year per FTE base funding
81 / 16	Safe Schools	\$75,590,988	\$73,587,827 Minimum Allocation. \$71,538
81 / 16	Supplemental Academic Instruction	\$721,521,711	\$702,182,550
81 / 16	Reading Instruction	\$114,546,811	\$111,511,321 Minimum Allocation. \$95,383
81 / 16	Merit Award Program	\$0.00 (Appropriation shifted to FY 2008-09 to align with year of disbursement)	\$32,072,461
FEFP CATEGORICAL PROGRAMS			
6 / 8 82 / 17	Class Size Reduction / Operating	\$2,640,719,730 Allocation Factors: Pre-K - 3..... \$967.23 4 - 8. \$923.50 9 - 12. \$925.73	\$2,809,079,054 Allocation Factors: Pre-K - 3..... \$1,160.46 4 - 8. \$923.33 9 - 12. \$925.56
82A / 17	Instructional Materials	\$266,449,169	\$259,551,440 Growth Allocation..... \$356.60 Library Media. \$14,307,419 Science Lab. \$3,910,695
82B / 17	Transportation	\$483,592,820	\$471,078,862
83 / 17	Teachers Lead	\$48,021,406	\$36,756,829

LINE # / PAGE	CATEGORY	2007 - 2008 APPROPRIATION (3/14/08)	2008 - 2009 APPROPRIATION
NON-FEFP ALLOCATIONS			
Sect 29 / 30	DCD Transition Supplement	\$22,700,000	\$7,500,000 For Miami-Dade Schools only
85 / 18	Instructional Materials	\$3,571,110	\$2,764,596 Includes funding for PAEC distance learning teacher training and for Heartland Educational Consortium
8 / 9 86 / 18	Excellent Teaching	\$88,041,178	\$55,253,390 (Substantial changes to state policy set forth in HB 5083)
88 / 18	Reading Programs	\$75,803,863	\$70,543,873
89 / 18	Education Innovation Initiatives	\$6,300,000	\$6,000,000
90 / 18	Assistance to Low Performing Schools	\$6,840,461	\$5,130,346 For Partnership for Minority & Under-Represented Student Achievement
91 / 18	Mentoring / Student Assistance	\$18,370,150 Best Buddies. 1,003,999 Take Stock in Children. 4,800,000 PASS. 1,363,199 Big Brothers, Big Sisters. 2,735,998 Learning for Life. 2,495,999 Girl Scouts of Florida. 768,000 Black Male Explorers. 576,000 Boys and Girls Clubs. 2,495,998 Gov's Mentoring Initiative. 590,960 YMCA State Alliance. 1,440,000	\$12,862,216 Best Buddies. 772,986 Take Stock in Children. 3,360,811 PASS. 954,470 Big Brothers, Big Sisters. 1,915,662 Learning for Life. 1,747,622 Girl Scouts of Florida. 537,730 Black Male Explorers. 403,297 Boys and Girls Clubs. 1,747,622 Gov's Mentoring Initiative. 413,772 YMCA State Alliance. 1,008,244
	Education Partnerships	\$2,378,000 For programs that serve disruptive and/or low performing students	(Not included)
	Innovative Reading Pilot Programs	\$1,920,000	(Not included)
93 / 19	K-8 Virtual School	\$9,120,000 Authorizes up to \$4,998 per student	\$6,559,488 Authorizes up to \$4,800 per student with total allocation based on current enrollment; contingent upon enactment of HB 7067, if additional students enroll, DOE must take measures to ensure that the students are served by eligible virtual schools
	Plus One Pilot Program	\$705,338 For an additional hour of instruction in selected low performing schools	(Not included)

LINE # / PAGE	CATEGORY	2007 - 2008 APPROPRIATION (3/14/08)	2008 - 2009 APPROPRIATION
	Communities In Schools	\$1,200,000	<i>(Not included)</i>
98 / 20	School District Matching Grants	\$4,000,000	\$1,822,080 Challenge grants to education foundations
99 / 20	Teacher & Administrator Death Benefits	\$65,000	\$61,685
101 / 20	Regional Education Consortium Services	\$1,750,000 Incentive grants of \$50,000	\$1,660,750 Incentive grant amount not specified
102 / 21	Teacher Professional Development	\$134,978,107 Includes funds for FADSS Training	\$134,957,850 Includes funds for FADSS Training
103 / 21	School & Instructional Enhancements	\$9,024,604 <i>(includes an extensive list of services and service providers)</i>	\$510,183 State Science Fair. 54,663 Academic Tourney. 91,104 Arts/Complete Education. . . 182,208 FL. Holocaust Museum. . . . 182,208
112 / 22	Instructional Technology	\$4,669,716	\$2,853,346 Includes funds for NEFEC web based instruction program
ADULT AND WORKFORCE EDUCATION			
34 / 12	Adults With Disabilities	\$15,700,409	\$14,991,259
	Critical Jobs Initiative	\$8,856,000 Portion of funds for secondary career and professional academies	<i>(Not included)</i>
118 / 23	Performance Incentives	\$10,230,079	\$5,986,007
119 / 24	Adult Basic Education	\$41,552,472	\$41,552,472
9A / 9 120 / 24	Workforce Development	\$401,726,769	\$383,965,463 Sets tuition rate of \$1.77/contact hour for career certificate or applied tech. diploma, additional nonresident fee of \$5.31/contact hour; sets tuition of 87¢/contact hour for adult general education, additional nonresident fee of \$2.61/contact hour
122 / 26	Business Partnerships	\$14,160,000	\$7,000,000 For continued implementation of Florida Ready to Work program
122A / 26	School & Instructional Enhancements	\$480,000	\$360,000 For school to career transition in the lodging and food service industry

LINE # / PAGE	CATEGORY	2007 - 2008 APPROPRIATION <i>(3/14/08)</i>	2008 - 2009 APPROPRIATION
STATE BOARD OF EDUCATION			
133 / 28	Assessment & Evaluation	\$76,483,202	\$72,199,099 \$700,000 for assessments to evaluate college readiness of students in 11 th grade deemed to need remediation in reading or math; to the extent possible, school districts must provide remediation courses to 12 th grade students deemed to need remediation
136 / 28	Contracted Services	\$30,225,519	\$19,583,343 \$500,000 for administrative duties of Florida Schools of Excellence Comm
SCHOOL HEALTH PROGRAMS			
539 / 30	School Health Services	\$22,271,881	\$20,621,881
549 / 30	Full Service Schools	\$8,500,000	\$8,500,000
GROWTH MANAGEMENT			
2102 / 30	Transportation / Infrastructure Pilot	<i>(Not included)</i>	\$43,531,206 \$10,000,000 for a pilot program to assist certain high growth school districts with infrastructure issues

TOTALS AND STATISTICS*		
FUNDING ISSUE	2007-2008 APPROPRIATION (4th Calculation)	2008-2009 APPROPRIATION
FTE	2,629,703.30	2,631,386.02
<i>Increase / (Decrease) % change</i>	<i>(7,692.10) (0.29%)</i>	<i>1,682.72 0.06%</i>
WFTE	2,854,233.02	2,833,615.39
<i>Increase / (Decrease) % change</i>	<i>(24,926.17) (0.87%)</i>	<i>(20,617.63) (0.72%)</i>
School Taxable Value	\$1,822,538,880,796	\$1,863,611,392,651
<i>(Increase / (Decrease) % change</i>	<i>\$174,576,056,715 10.59%</i>	<i>\$41,072,511,855 2.25%</i>
Total Funds**	\$18,745,094,657	\$18,412,772,326
<i>From State % change</i>	<i>\$9,702,972,679 0.95%</i>	<i>\$9,007,286,039 (7.17%)</i>
<i>From Local % change</i>	<i>\$9,042,121,978 7.98%</i>	<i>\$9,405,486,287 4.02%</i>
<i>Increase / (Decrease) % change</i>	<i>\$759,372,782 4.22%</i>	<i>(\$332,322,331) (1.77%)</i>
Total Funds* Per FTE	\$7,128.22	\$6,997.37
<i>Increase / (Decrease) % change</i>	<i>\$308.60 4.53%</i>	<i>(\$130.85) (1.84%)</i>

* Some statistics for 2007-2008 are approximations

** Total Funds includes FEFP, Categoricals, & Lottery / School Recognition **ONLY**

GENERAL APPROPRIATIONS ACT

PROVISO
(Selected Sections)

A bill to be entitled

An act making appropriations; providing moneys for the annual period beginning July 1, 2008, and ending June 30, 2009, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

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

The moneys contained herein are appropriated from the named funds for Fiscal Year 2008-2009 to the State agency indicated, as the amounts to be used to pay the salaries, other operational expenditures, and fixed capital outlay of the named agencies, and are in lieu of all moneys appropriated for these purposes in other sections of the Florida Statutes.

SECTION 1 - EDUCATION ENHANCEMENT "LOTTERY" TRUST FUND

The moneys contained herein are appropriated from the Education Enhancement "Lottery" Trust Fund to the state agencies indicated.

EDUCATION, DEPARTMENT OF

Funds provided in sections 1 and 2 of this act as Grants and Aids-Special Categories or as Grants and Aids-Aid to Local Governments may be advanced quarterly throughout the fiscal year based on projects, grants, contracts and allocation conference documents. Of the funds provided in Specific Appropriations 3, 4, 5, 62, 67, 70 through 76, and 158 for student financial assistance, 60 percent shall be released at the beginning of the first quarter and the balance at the beginning of the third quarter.

From the funds provided in sections 1 and 2 of this act, the Commissioner of Education shall identify up to \$10,145,148 in expenditures to meet the Temporary Assistance for Needy Families (TANF) Block Grant maintenance of effort requirements. The Commissioner of Education shall certify that controls are in place to ensure that such funds are expended in accordance with the requirements and limitations of federal law and that reporting requirements of federal law are met. It shall be the responsibility of any entity to which such funds are appropriated to obtain the required certification prior to any expenditure of funds. The Governor's Office of Policy and Budget shall be responsible for ensuring that the necessary maintenance of effort reports are timely submitted to the Department of Children and Family Services, and shall report any delinquencies to the Legislative Budget Commission.

PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY



1	FIXED CAPITAL OUTLAY	
	CLASSROOMS FIRST AND 1997 SCHOOL CAPITAL	
	OUTLAY BOND PROGRAMS - OPERATING FUNDS	
	AND DEBT SERVICE	
	FROM EDUCATIONAL ENHANCEMENT TRUST FUND.	166,934,217

Funds in Specific Appropriation 1 are for the cash and debt service requirements of the Classrooms First and 1997 School Capital Outlay Bond programs established in chapter 97-384, Laws of Florida. Funds provided in Specific Appropriation 1 shall be transferred using nonoperating budget authority to the Lottery Capital Outlay and Debt Service Trust Fund, pursuant to section 1013.71, Florida Statutes, for the payment of debt service and projects. There is appropriated from the Lottery Capital Outlay and Debt Service Trust Fund, an amount sufficient to enable the payment of debt service resulting from these transfers.

CONFERENCE REPORT ON HB 5001 - 2008-2009 GENERAL APPROPRIATIONS ACT



2 FIXED CAPITAL OUTLAY
 DEBT SERVICE - CLASS SIZE REDUCTION
 LOTTERY CAPITAL OUTLAY PROGRAM
 FROM EDUCATIONAL ENHANCEMENT TRUST FUND. 155,000,000

Funds provided in Specific Appropriation 2 shall be transferred using nonoperating budget authority to the Lottery Capital Outlay and Debt Service Trust Fund, pursuant to section 1013.71, Florida Statutes, for the payment of debt service. There is appropriated from the Lottery Capital Outlay and Debt Service Trust Fund, an amount sufficient to enable the payment of debt service resulting from these transfers.

Funds provided in Specific Appropriation 2 are for Fiscal Year 2008-2009 debt service on all bonds authorized pursuant to section 1013.737, Florida Statutes, including any other continuing payments necessary or incidental to the repayment of the bonds. These funds may be used to refinance any or all bond series if it is in the best interest of the state as determined by the Division of Bond Finance.

TOTAL: PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY
 FROM TRUST FUNDS.. . . . 321,934,217
 TOTAL ALL FUNDS. 321,934,217

PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE



3 SPECIAL CATEGORIES
 GRANTS AND AIDS - FLORIDA'S BRIGHT FUTURES
 SCHOLARSHIP PROGRAM
 FROM EDUCATIONAL ENHANCEMENT TRUST FUND. 436,175,538

Funds in Specific Appropriation 3 include an annual amount of \$375 for college-related expenses for Florida Academic Scholars to be divided equally between the Fall and Spring terms.

4 SPECIAL CATEGORIES
 FIRST GENERATION IN COLLEGE
 MATCHING GRANT PROGRAM
 FROM EDUCATIONAL ENHANCEMENT TRUST FUND. 7,997,650

From the funds provided in Specific Appropriation 4, \$2,000,000 shall be allocated to First Generation in College Matching Grant Programs at community colleges. If required matching funds are not raised by participating community colleges by December 1, 2008, the remaining funds shall be reallocated to First Generation in College Matching Grant Programs at state universities which have remaining unmatched private contributions.

5 FINANCIAL ASSISTANCE PAYMENTS
 STUDENT FINANCIAL AID
 FROM EDUCATIONAL ENHANCEMENT TRUST FUND. 30,869,664

The funds in Specific Appropriation 5 are provided for the Florida Student Assistance Grant (FSAG) public full-time and part-time program and are allocated in Specific Appropriation 74.

TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE
 FROM TRUST FUNDS.. . . . 475,042,852
 TOTAL ALL FUNDS. 475,042,852

PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP



6 AID TO LOCAL GOVERNMENTS
 GRANTS AND AIDS - CLASS SIZE REDUCTION
 FROM EDUCATIONAL ENHANCEMENT TRUST FUND. 184,923,641

CONFERENCE REPORT ON HB 5001 - 2008-2009 GENERAL APPROPRIATIONS ACT

Funds in Specific Appropriations 6 and 82 are provided to implement the requirements of sections 1003.03 and 1011.685, Florida Statutes. The class size reduction allocation factor for grades pre-kindergarten to grade 3 shall be \$1,160.46, for grades 4 to 8 shall be \$923.33, and for grades 9 to 12 shall be \$925.56. The class size reduction allocation shall be recalculated based on enrollment through the October 2008 FTE survey. If the total class size reduction allocation is greater than the appropriation in Specific Appropriations 6 and 82, funds shall be prorated to the level of the appropriation based on each district's calculated amount.

Funds in Specific Appropriations 6 and 82 shall be distributed to school districts that have provided sufficient information for the Commissioner of Education to set annual district class size reduction goals. The Commissioner of Education may withhold disbursement of these funds until a district is in compliance with reporting information required for class size reduction implementation.



7 AID TO LOCAL GOVERNMENTS
 GRANTS AND AIDS - DISTRICT LOTTERY AND
 SCHOOL RECOGNITION PROGRAM
 FROM EDUCATIONAL ENHANCEMENT TRUST FUND. 217,406,176

Funds provided in Specific Appropriation 7 are enhancement funds for school districts and shall be allocated as follows:

(a) to provide financial awards pursuant to provisions of section 1008.36, Florida Statutes, relating to the Florida School Recognition Program. Funds for the Florida School Recognition Program shall be awarded by the Commissioner of Education in the amount of \$85 per student in each qualifying school, and

(b) funds remaining after the obligations in paragraph (a) have been fully met shall be allocated to all school districts by prorating the amount of the appropriation on each district's K-12 base funding. From the portion of funds allocated pursuant to this paragraph, school boards must allocate, not later than October 1, 2008, at least \$5 per unweighted FTE student to be used at the discretion of the school advisory council pursuant to sections 24.121(5) and 1001.452, Florida Statutes. Council funds must be accounted for and are subject to an annual audit.

TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP
 FROM TRUST FUNDS. 402,329,817
 TOTAL ALL FUNDS. 402,329,817

PROGRAM: STATE GRANTS/K-12 PROGRAM - NON FEFP



8 AID TO LOCAL GOVERNMENTS
 GRANTS AND AIDS - EXCELLENT TEACHING
 FROM EDUCATIONAL ENHANCEMENT TRUST FUND. 3,000,000

PROGRAM: WORKFORCE EDUCATION



9A AID TO LOCAL GOVERNMENTS
 WORKFORCE DEVELOPMENT
 FROM EDUCATIONAL ENHANCEMENT TRUST FUND. 7,167,471

Funds in Specific Appropriation 9A are provided for school district workforce education programs as defined in section 1004.02 (26), Florida Statutes, and are allocated in Specific Appropriation 120.

(UNRELATED LINE ITEMS DELETED)

CONFERENCE REPORT ON HB 5001 - 2008-2009 GENERAL APPROPRIATIONS ACT

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

The moneys contained herein are appropriated from the named funds to the Department of Education as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay.

PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY

The Legislature hereby finds and determines that the items and sums designated in Specific Appropriations 15A through 28A shall constitute authorized capital outlay projects within the meaning and as required by section 9(a)(2), Article XII of the State Constitution, as amended, and any other law. In accordance therewith, the moneys in the following items are authorized to be expended for the enumerated authorized capital outlay projects.

The sum designated for each project is the maximum sum to be expended for each specified phase of the project from funds accruing under section 9(a)(2), Article XII of the State Constitution. The scope of each project shall be planned so that the amounts specified shall not be exceeded, or any excess in costs shall be funded by sources other than this appropriation. Such excess costs may be funded from the Public Education Capital Outlay and Debt Service Trust Fund only as a result of fund transfers pursuant to section 216.292 (4)(c), Florida Statutes. Each project shall be constructed on the site specified. If existing facilities and acquisition of new sites are a part of these projects, each such building and site must be certified to be free of contamination, asbestos, and other hazardous materials before the facility or site may be acquired. The provisions of section 216.301 (2), Florida Statutes, shall apply to all capital outlay funds appropriated to the Public Education Capital Outlay and Debt Service Trust Fund for the Fiscal Year 2008-2009 appropriation, and shall also apply to the funds appropriated in Specific Appropriations 15A through 28A.

The Governor's Office of Policy and Budget shall establish Fixed Capital Outlay budget authority within appropriate accounts to enable expenditure of funds appropriated for the state universities, the Florida School for the Deaf and the Blind, public school districts, community colleges, public broadcasting, and the Division of Blind Services.

(UNRELATED LINE ITEMS DELETED)

17 FIXED CAPITAL OUTLAY
VOCATIONAL-TECHNICAL FACILITIES
FROM PUBLIC EDUCATION CAPITAL OUTLAY
AND DEBT SERVICE TRUST FUND... 4,500,000

Funds in Specific Appropriation 17 are for the Manatee County Technical Institute.



18 FIXED CAPITAL OUTLAY MAINTENANCE,
REPAIR, RENOVATION, AND REMODELING
FROM PUBLIC EDUCATION CAPITAL OUTLAY
AND DEBT SERVICE TRUST FUND... 220,435,891

Funds in Specific Appropriation 18 shall be allocated in accordance with section 1013.64(1), Florida Statutes, as follows:

Public Schools. 119,129,763
Community Colleges. 17,088,020
State University System.. . . . 29,151,900
Charter Schools.. . . . 55,066,208

Funds in Specific Appropriation 18 for Charter Schools shall be distributed pursuant to section 1013.62, Florida Statutes.

CONFERENCE REPORT ON HB 5001 - 2008-2009 GENERAL APPROPRIATIONS ACT



19 FIXED CAPITAL OUTLAY
SURVEY RECOMMENDED NEEDS - PUBLIC SCHOOLS
FROM PUBLIC EDUCATION CAPITAL OUTLAY
AND DEBT SERVICE TRUST FUND... 150,798,151

From the funds in Specific Appropriation 19, \$5,164,974 shall be distributed to developmental research schools and allocated in accordance with section 1002.32(9)(e), Florida Statutes. The remaining funds shall be allocated to school districts and developmental research schools in accordance with section 1013.64(3), Florida Statutes.

(UNRELATED LINE ITEMS DELETED)



22 FIXED CAPITAL OUTLAY
SPECIAL FACILITY CONSTRUCTION ACCOUNT
FROM PUBLIC EDUCATION CAPITAL OUTLAY
AND DEBT SERVICE TRUST FUND... 14,946,948

Funds in Specific Appropriation 22 shall be allocated in accordance with section 1013.64(2), Florida Statutes, to the following project:

Hosford Elementary School - Liberty County. . . . 14,946,948

23 FIXED CAPITAL OUTLAY DEBT SERVICE
FROM CAPITAL IMPROVEMENTS FEE TRUST FUND... 28,500,000
FROM PUBLIC EDUCATION CAPITAL OUTLAY
AND DEBT SERVICE TRUST FUND... 980,020,000
FROM SCHOOL DISTRICT AND COMMUNITY COLLEGE DISTRICT
CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND... 105,973,317

Funds provided in Specific Appropriation 23 from the School District and Community College District Capital Outlay and Debt Service Trust Fund are for Fiscal Year 2008-2009 debt service on bonds authorized pursuant to the School Capital Outlay Amendment, subsection (d), section 9, Article XII of the Constitution of Florida, and any other continuing payments necessary or incidental to the repayment of the bonds. These funds may be used to refinance any or all series if it is in the best interest of the state as determined by the Division of Bond Finance. If the debt service appropriated for this program in Specific Appropriation 23 is insufficient due to interest rate changes, issuance timing, or other circumstances, the amount of the insufficiency is appropriated from the School District and Community College District Capital Outlay and Debt Service Trust Fund.

24 FIXED CAPITAL OUTLAY
GRANTS AND AIDS - SCHOOL DISTRICT AND COMMUNITY COLLEGE
FROM SCHOOL DISTRICT AND COMMUNITY COLLEGE DISTRICT
CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND... 28,000,000

(UNRELATED LINE ITEMS DELETED)

27 FIXED CAPITAL OUTLAY
JOINT-USE FACILITIES PROJECTS
FROM PUBLIC EDUCATION CAPITAL OUTLAY
AND DEBT SERVICE TRUST FUND... 14,795,618

Funds in Specific Appropriation 27 are provided for the following joint-use facilities:

Pensacola Jr. College & Santa Rosa School Dist. . 11,045,618
Valencia Community College & UCF. 3,750,000

(UNRELATED LINE ITEMS DELETED)

CONFERENCE REPORT ON HB 5001 - 2008-2009 GENERAL APPROPRIATIONS ACT

VOCATIONAL REHABILITATION

	APPROVED SALARY RATE	35,963,106	
31	SALARIES AND BENEFITS	POSITIONS	1,007.00
	FROM GENERAL REVENUE FUND.		9,123,903
	FROM ADMINISTRATIVE TRUST FUND.		193,608
	FROM FEDERAL REHABILITATION TRUST FUND.		35,337,428
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND.		4,196,405

For funds in Specific Appropriations 31 through 44 for the Vocational Rehabilitation Program, the Department of Education is the designated state agency for purposes of compliance with the Federal Rehabilitation Act of 1973, as amended.

If the department identifies additional resources that may be used to maximize federal matching funds for the Vocational Rehabilitation Program, the department shall submit a budget amendment prior to the expenditure of the funds, in accordance with the provisions of chapter 216, Florida Statutes.

32	OTHER PERSONAL SERVICES		
	FROM FEDERAL REHABILITATION TRUST FUND.		819,103
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND.		125,742
33	EXPENSES		
	FROM FEDERAL REHABILITATION TRUST FUND.		9,995,222
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND.		941,142
34	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - ADULTS WITH DISABILITIES FUNDS		
	FROM GENERAL REVENUE FUND.		16,203,126



Funds provided in Specific Appropriation 34 shall be distributed to community colleges and school districts for programs serving adults with disabilities. Programs that were funded in Fiscal Year 2007-2008 will be eligible for continuation funding if the program has made satisfactory progress and the application reflects effective use of resources as defined by the Department of Education. The department has the authority to redistribute any funds due to unsatisfactory progress, ineffective use of resources, or discontinued programs.

From the funds in Specific Appropriation 34, provided that satisfactory progress was made during the 2007-2008 fiscal year, \$14,991,259 is provided for school district adult handicapped programs and shall be allocated as follows:

Alachua.	43,029
Baker.	188,945
Bay.	168,869
Bradford.	61,307
Brevard.	525,867
Broward.	1,600,188
Charlotte.	60,890
Citrus.	131,467
Collier.	45,337
Columbia.	45,191
DeSoto.	281,302
Escambia.	256,738
Flagler.	930,666
Gadsden.	472,459
Gulf.	36,975
Hardee.	52,370
Hernando.	88,018
Hillsborough.	498,221
Jackson.	1,770,093
Jefferson.	66,891
Lake.	31,126
Leon.	999,474
Martin.	358,410

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Miami-Dade.	1,954,114
Monroe.	90,764
Orange.	485,483
Osceola.	38,306
PalmBeach.	1,320,703
Pasco.	16,298
Pinellas.	650,098
Polk.	284,134
StJohns.	118,522
SantaRosa.	42,988
Sarasota.	760,464
Sumter.	15,082
Suwannee.	82,980
Taylor.	82,038
Union.	90,367
Wakulla.	39,902
Washington.	205,183

From the funds provided in Specific Appropriation 34, provided that satisfactory progress was made during the 2007-2008 fiscal year, \$1,211,867 is provided for community college adult handicapped programs and shall be allocated as follows:

Central Florida Community College.	34,234
Daytona Beach Community College.	291,762
Florida Community College at Jacksonville.	252,275
Indian River Community College.	133,593
Pensacola Junior College.	36,975
St Johns River Community College.	44,369
Santa Fe Community College.	72,718
Seminole Community College.	64,091
South Florida Community College.	241,978
Tallahassee Community College.	39,872

(UNRELATED LINE ITEMS DELETED)

EARLY LEARNING - PREKINDERGARTEN EDUCATION



79	SPECIAL CATEGORIES	
	TRANSFER VOLUNTARY PREKINDERGARTEN FUNDS	
	TO AGENCY FOR WORKFORCE INNOVATION	
	FROM GENERAL REVENUE FUND.	354,349,575

Funds in Specific Appropriation 79 are provided for transfer to the Agency for Workforce Innovation to implement the Voluntary Prekindergarten Education Program as provided in sections 1002.51 through 1002.79, Florida Statutes, and shall be initially allocated to Early Learning Coalitions as indicated below. Pursuant to the provisions of section 1002.71 (3) (a), Florida Statutes, the base student allocation per full-time equivalent student in the program for Fiscal Year 2008-2009 shall be \$2,628. The allocation includes 5 percent in addition to the base student allocation to fund administrative and other program costs of the Early Learning Coalitions relating to the voluntary prekindergarten education program.

The funds in Specific Appropriation 79 shall be allocated as follows:

Alachua.	4,002,754
Bay, Calhoun, Gulf, Franklin, Washington, Holmes, Jackson.	4,796,728
Brevard.	10,018,463
Broward.	36,396,554
Charlotte, DeSoto, Highlands, Hardee.	5,011,806
Clay, Nassau, Baker, Bradford.	6,651,190
Columbia, Hamilton, Lafayette, Union, Suwannee.	2,721,753
Dade, Monroe.	51,234,870
Dixie, Gilchrist, Levy, Citrus, Sumter.	4,158,710
Duval.	22,174,199

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Escambia.	5,718,638
Hendry, Glades, Collier, Lee.	17,792,287
Hillsborough.	25,076,752
Lake.	5,715,312
Leon, Gadsden, Jefferson, Liberty, Madison, Wakulla, Taylor.	7,628,671
Manatee.	5,883,410
Marion.	5,611,878
Martin, Okeechobee, Indian River.	5,143,483
Okaloosa, Walton.	4,364,896
Orange.	24,118,035
Osceola.	6,163,055
Palm Beac.	22,896,625
Pasco, Hernando.	11,437,663
Pinellas.	15,226,234
Polk.	8,680,013
Putnam, St. Johns.	4,386,843
St. Lucie.	5,482,867
Santa Rosa.	1,994,470
Sarasota.	4,907,655
Seminole.	9,000,994
Volusia, Flagler.	9,952,767



80	SPECIAL CATEGORIES GRANTS AND AIDS - EARLY LEARNING STANDARDS AND ACCOUNTABILITY FROM GENERAL REVENUE FUND.	1,704,135
TOTAL: PREKINDERGARTEN EDUCATION FROM GENERAL REVENUE FUND. 356,053,710 TOTAL ALL FUNDS. 356,053,710		

PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP

The calculations of the Florida Education Finance Program (FEFP) for the 2008-2009 fiscal year are incorporated by reference in the act implementing the 2008-2009 General Appropriations Act. The calculations are the basis for the appropriations made in the General Appropriations Act.



81	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FLORIDA EDUCATIONAL FINANCE PROGRAM FROM GENERAL REVENUE FUND.	5,145,428,488
	FROM PRINCIPAL STATE SCHOOL TRUST FUND.	67,985,190



Funds provided in Specific Appropriation 81 shall be allocated using a base student allocation of \$3,971.74 for the FEFP.



Funds provided in Specific Appropriation 81 for the supplemental allocation for juvenile justice education programs shall be allocated pursuant to the formula provided in section 1011.62(10), Florida Statutes. The allocation factor shall be \$925.58.

From the funds provided in Specific Appropriation 81, juvenile justice education programs shall receive the basic allocation assigned to a juvenile justice student, including ESE special education funding when appropriate. If a school district provides incentive funding for teachers to work in a failing school, then an equal incentive bonus must be provided to teachers teaching in juvenile justice facilities.



The district cost differential (DCD) for each district shall be calculated pursuant to the provisions of section 1011.62(2), Florida Statutes.



From the funds provided in Specific Appropriation 81, \$39,191,698 is provided for the Sparsity Supplement as defined in section 1011.62(7), Florida Statutes, for school districts of 20,000 and fewer FTE in 2008-2009.



Total Required Local Effort for Fiscal Year 2008-2009 shall be \$8,267,476,367. The total amount shall include adjustments made for the calculation required in sections 1011.62(4)(a) and (c), Florida Statutes.

The maximum nonvoted discretionary millage which may be levied pursuant to the provisions of section 1011.71(1), Florida Statutes, by district school boards in Fiscal Year 2008-2009 shall be:



1. 0.498 mills

If a 0.498 mill levy in any school district generates an amount of funds per unweighted FTE that is less than the state average amount per unweighted FTE, the school district shall receive from the funds provided in Specific Appropriation 81, a discretionary millage compression supplement that, when added to the funds generated by the district's 0.498 mill levy, shall be equal to the state average as provided in section 1011.62(5), Florida Statutes.



2. 0.25 mills

An additional levy is authorized not to exceed 0.25 mills, that will raise an amount not to exceed \$100 per FTE. District school boards that levy the entire additional 0.25 mills and raise less than \$100 per K-12 FTE shall receive, from the funds provided in Specific Appropriation 81, an amount that, when combined with funds raised by the 0.25 mills, will provide \$100 per K-12 FTE. To be eligible for state funds provided in this paragraph, a district must levy the full 0.25 mills and the full 0.498 mills.



Funds provided in Specific Appropriation 81 are based upon program cost factors for Fiscal Year 2008-2009 as follows:

1. Basic Programs
 - A. K-3 Basic.. 1.066
 - B. 4-8 Basic.. 1.000
 - C. 9-12 Basic.. 1.052
2. Programs for Exceptional Students
 - A. Support Level 4.. 3.570
 - B. Support Level 5.. 4.970
3. English for Speakers of Other Languages.. . . . 1.119
4. Programs for Grades 9-12 Career Education.. . . 1.077



From the funds in Specific Appropriation 81, \$1,079,945,286 is provided to school districts as an Exceptional Student Education (ESE) Guaranteed Allocation as authorized by law to provide educational programs and services for exceptional students. The ESE Guaranteed Allocation funds are provided in addition to the funds for each exceptional student in the per FTE student calculation. Each district's ESE Guaranteed Allocation for the 2008-2009 appropriation shall not be recalculated during the school year. School districts that provided educational services in 2007-2008 for exceptional students who are residents of other districts shall not discontinue providing such services without the prior approval of the Department of Education. Expenditure requirements for the ESE Guaranteed Allocation shall be as prescribed in section 1010.20(3), Florida Statutes, for programs for exceptional students.

From the funds provided in Specific Appropriation 81, the value of 43.35 weighted FTE students is provided to supplement the funding for severely handicapped students served in ESE programs 254 and 255 when a school district has less than

10,000 FTE student enrollment and less than 3 FTE eligible students per program. The Commissioner of Education shall allocate the value of the supplemental FTE based on documented evidence of the difference in the cost of the service and the amount of funds received in the district's FEFP allocations for the students being served. The supplemental value shall not exceed 3 FTE.

A student in cooperative education or other types of programs incorporating on-the-job training shall not be counted for more than twenty-five (25) hours per week of membership in all programs when calculating full-time student membership, as provided in section 1011.61, Florida Statutes, for funding pursuant to section 1011.62, Florida Statutes.



The Declining Enrollment Supplement shall be calculated based on 48.67 percent of the decline between prior year and current year unweighted FTE students.



From the funds in Specific Appropriation 81, \$73,587,827 is provided for Safe Schools activities and shall be allocated as follows: \$71,538 shall be distributed to each district, and the remaining balance shall be allocated as follows: two-thirds based on the latest official Florida Crime Index provided by the Department of Law Enforcement and one-third based on each district's share of the state's total unweighted student enrollment. Safe Schools activities include: (1) after school programs for middle school students; (2) other improvements to enhance the learning environment, including implementation of conflict resolution strategies; (3) alternative school programs for adjudicated youth; (4) suicide prevention programs; and (5) other improvements to make the school a safe place to learn. Each district shall determine, based on a review of its existing programs and priorities, how much of its total allocation to use for each authorized Safe Schools activity.



From the funds in Specific Appropriation 81, \$702,182,550 is for Supplemental Academic Instruction to be provided throughout the school year pursuant to section 1011.62(1)(f), Florida Statutes. First priority for use of these funds shall be the provision of supplemental intensive instruction, consistent with the Sunshine State Standards, including summer school and intensive English immersion instruction, for students in grades 3 and 10 who scored FCAT Level I in FCAT reading or math. Each district's Supplemental Academic Instruction allocation for the 2008-2009 appropriation shall not be recalculated during the school year.



From the funds in Specific Appropriation 81, \$111,511,321 is provided for a K-12 comprehensive, district-wide system of research-based reading instruction. The amount of \$95,383 shall be allocated to each district and the remaining balance shall be allocated based on each district's proportion of the state total K-12 base funding.



From the funds in Specific Appropriation 81, \$32,072,461 is provided for the Merit Award Program in section 1012.225, F.S.

Districts may charge a fee for grades K-12 voluntary, non-credit summer school enrollment in basic program courses. The amount of any student's fee shall be based on the student's ability to pay and the student's financial need as determined by district school board policy.

Unless otherwise provided by law, no funds are provided in Specific Appropriation 81 for charter school FTE student enrollment for on-line instruction received by students principally in their own homes. However, charter schools may serve students who are temporarily homebound or who receive a portion of their instruction on-line.

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82 AID TO LOCAL GOVERNMENTS
 GRANTS AND AIDS - CLASS SIZE REDUCTION
 FROM GENERAL REVENUE FUND. 2,577,794,315
 FROM PRINCIPAL STATE SCHOOL TRUST FUND.. . . . 46,361,098

Funds in Specific Appropriations 6 and 82 are provided to implement the requirements of section 1003.03 and section 1011.685, Florida Statutes. The class size reduction allocation factor for grades prekindergarten to grade 3 shall be \$1,160.46, for grades 4 to 8 shall be \$923.33, and for grades 9 to 12 shall be \$925.56. The class size reduction allocation shall be recalculated based on enrollment through the October 2008 FTE survey. If the total class size reduction allocation is greater than the appropriation in Specific Appropriations 6 and 82, funds shall be prorated to the level of the appropriation based on each district's calculated amount.

Funds in Specific Appropriations 6 and 82 shall be distributed to school districts that have provided sufficient information for the Commissioner of Education to set annual district class size reduction goals. The Commissioner of Education may withhold disbursement of these funds until a district is in compliance with reporting information required for class size reduction implementation.



82A AID TO LOCAL GOVERNMENTS
 GRANTS AND AIDS - INSTRUCTIONAL MATERIALS
 FROM GENERAL REVENUE FUND. 259,551,440

From the funds provided in Specific Appropriation 82A, the growth allocation per FTE shall be \$356.60 for Fiscal Year 2008-2009.

From the funds provided in Specific Appropriation 82A, school districts shall pay for instructional materials used for the instruction of public high school students who are earning credit toward high school graduation under the dual enrollment program as provided in section 1011.62(1)(i), Florida Statutes.

From the funds provided in Specific Appropriation 82A, \$14,307,419 is provided for Library Media Materials, and \$3,910,695 is provided for purchase of science lab materials and supplies.



82B AID TO LOCAL GOVERNMENTS
 GRANTS AND AIDS - STUDENT TRANSPORTATION
 FROM GENERAL REVENUE FUND. 471,078,862

Funds provided in Specific Appropriation 82B shall be used to transport students as provided in section 1011.68, Florida Statutes.



83 AID TO LOCAL GOVERNMENTS
 FLORIDA TEACHERS LEAD PROGRAM
 FROM GENERAL REVENUE FUND. 36,756,829

Funds provided in Specific Appropriation 83 shall be given to teachers pursuant to section 1012.71, Florida Statutes, and shall not be recalculated during the school year.

TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP
 FROM GENERAL REVENUE FUND. 8,490,609,934
 FROM TRUST FUNDS.. . . . 114,346,288
 TOTAL ALL FUNDS. 8,604,956,222

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PROGRAM: STATE GRANTS/K-12 PROGRAM - NON FEFP

Of the funds provided for regional education consortium programs and school district matching grants in Specific Appropriations 85, 101, and 112, 60 percent shall be released to the Department of Education at the beginning of the first quarter and the balance at the beginning of the third quarter. The Department of Education shall disburse the funds to eligible entities within 30 days of release.



85 AID TO LOCAL GOVERNMENTS
 GRANTS AND AIDS - INSTRUCTIONAL MATERIALS
 FROM GENERAL REVENUE FUND. 2,764,596

The funds provided in Specific Appropriation 85 shall be allocated as follows:

Instructional Materials/Partially Sighted Pupils. . . 182,208
 Sunlink Uniform Library Database. 800,111
 Learning Through Listening. 911,040
 PAEC Distance Learning Teacher Training.. . . . 625,000
 Instructional Materials Management. 96,237
 Heartland Educational Consortium. 150,000



86 AID TO LOCAL GOVERNMENTS
 GRANTS AND AIDS - EXCELLENT TEACHING
 FROM GENERAL REVENUE FUND. 52,253,390

87 AID TO LOCAL GOVERNMENTS
 PROFESSIONAL PRACTICES - SUBSTITUTES
 FROM GENERAL REVENUE FUND. 63,324

Funds provided in Specific Appropriation 87 shall only be used to reimburse members of the Education Practices Commission for travel expenses and per diem and to reimburse school districts for the cost of substitute teachers required to replace commission members when they are carrying out their official duties.



88 SPECIAL CATEGORIES
 GRANTS AND AIDS - GRANTS TO PUBLIC
 SCHOOLS FOR READING PROGRAMS
 FROM GENERAL REVENUE FUND. 12,500,000
 FROM FEDERAL GRANTS TRUST FUND.. . . . 58,043,873

The funds in Specific Appropriation 88 are provided to continue "Just Read, Florida" to achieve Florida's reading goal for all students to be reading on grade level or higher by 2012.



89 SPECIAL CATEGORIES
 EDUCATION INNOVATION INITIATIVES
 FROM GENERAL REVENUE FUND. 6,000,000



90 SPECIAL CATEGORIES
 GRANTS AND AIDS - ASSISTANCE TO LOW PERFORMING SCHOOLS
 FROM GENERAL REVENUE FUND. 5,130,346

Funds in Specific Appropriation 90 may be used to contract for the operation of the Florida Partnership for Minority and Underrepresented Student Achievement and to achieve the partnership's mission as provided in section 1007.35, F.S.



91 SPECIAL CATEGORIES
 GRANTS AND AIDS - MENTORING/STUDENT
 ASSISTANCE INITIATIVES
 FROM GENERAL REVENUE FUND. 12,862,216

Funds provided in Specific Appropriation 91 shall be allocated as follows:

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Best Buddies.	772,986
Take Stock in Children.	3,360,811
Project to Advance School Success (PASS).	954,470
Big Brothers, Big Sisters.	1,915,662
Learning for Life.	1,747,622
Girl Scouts of Florida.	537,730
Black Male Explorers.	403,297
Boys and Girls Clubs.	1,747,622
Governor's Mentoring Initiative.	413,772
YMCA State Alliance.	1,008,244

Funds provided in Specific Appropriation 91 for the Learning for Life program are eligible to be used in any public school.



93

SPECIAL CATEGORIES	
KINDERGARTEN THROUGH GRADE EIGHT	
VIRTUAL EDUCATION	
FROM GENERAL REVENUE FUND.	6,559,488

The K-8 virtual schools shall be funded with grants of up to \$4,800 per student not to exceed \$6,559,488 total funding.

Contingent upon HB 7067 or similar legislation becoming law, each of the K-8 virtual schools that received funds during the 2007-2008 fiscal year from the funds appropriated in Specific Appropriation 99B of chapter 2007-72, Laws of Florida, and are eligible to receive funds from Specific Appropriation 93 of the 2008-2009 General Appropriations Act shall provide to the Department of Education the name and address of each student who was enrolled and served during the 2007-2008 fiscal year and who is re-enrolled and is eligible to be served during the 2008-2009 fiscal year. The department shall verify the report and determine whether the number of such students is greater than 1,366. If the number of students is greater than 1,366 the department shall take actions necessary for the K-8 virtual schools to continue to serve each such student during the 2008-2009 fiscal year and to receive funding at the same rate per student. These actions shall include, but are not limited to, authorizing the school district in which the student is a resident to enroll and report the specifically named student in the school district's FTE for the 2008-2009 school year using the definition of K-8 virtual FTE pursuant to section 1011.61, Florida Statutes, as amended by HB 7067, and assisting the school district with executing an appropriate contract with the approved K-8 virtual school for payment for providing virtual instruction for each such student. The maximum number of students to be funded pursuant to this provision is the number being served in 2008-2009 that were also served in 2007-2008 that is greater than 1,366.

94

SPECIAL CATEGORIES	
GRANTS AND AIDS - COLLEGE REACH OUT PROGRAM	
FROM GENERAL REVENUE FUND.	2,915,319

96

SPECIAL CATEGORIES	
GRANTS AND AIDS - FLORIDA DIAGNOSTIC AND	
LEARNING RESOURCES CENTERS	
FROM GENERAL REVENUE FUND.	2,903,500

Funds provided in Specific Appropriation 96 shall be allocated to the Multidisciplinary Educational Services Centers as follows:

University of Florida.	577,001
University of Miami.	543,327
Florida State University.	541,666
University of South Florida.	566,336
U.F. Health Science Center at Jacksonville.	675,170

Each center shall provide a report to the Department of Education by September 1, 2008, for the 2007-2008 fiscal year that shall include the following: 1) the number of children

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served, 2) the number of parents served, 3) the number of persons participating in in-service education activities, 4) the number of districts served, and 5) specific services provided.

None of the funds provided in Specific Appropriation 96 for the Florida Diagnostic and Learning Resource Centers shall be used to pay indirect cost.

97 SPECIAL CATEGORIES
GRANTS AND AIDS - NEW WORLD SCHOOL OF THE ARTS
FROM GENERAL REVENUE FUND. 1,028,058



98 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL DISTRICT
MATCHING GRANTS PROGRAM
FROM GENERAL REVENUE FUND. 1,822,080

The funds in Specific Appropriation 98 are provided as challenge grants to public school district education foundations for programs that serve low-performing students, teacher recruitment and retention efforts, technical career education, and/or literacy initiatives. The amount of each grant shall be equal to the private contribution made to a qualifying public school district education foundation. In-kind contributions shall not be considered for matching purposes. Administrative costs for the program shall not exceed five percent.

Before any funds provided in Specific Appropriation 98 may be disbursed to any public school district education foundation, the public school district foundation must certify to the Commissioner of Education that the private cash has actually been received by the public school education foundation seeking matching funds. The Consortium of Florida Education Foundations shall be the fiscal agent for this program.



99 SPECIAL CATEGORIES
TEACHER AND SCHOOL ADMINISTRATOR DEATH BENEFITS
FROM GENERAL REVENUE FUND. 61,685

100 SPECIAL CATEGORIES
GRANTS AND AIDS - AUTISM PROGRAM
FROM GENERAL REVENUE FUND. 6,849,194

Funds provided in Specific Appropriation 100 shall be allocated as follows:

U.S.F./Florida Mental Health Institute.	1,201,265
U.F. (College of Medicine).	833,023
U.C.F..	1,028,715
U.M. (Department of Pediatrics) including \$270,806 for activities in Broward County through Nova Southeastern University.. . . .	1,302,030
F.A.U..	651,484
U.F.(Jacksonville).	868,099
F.S.U.(College of Communications)..	964,578

Summaries of achievements for the prior fiscal year shall be submitted to the Department of Education by September 1, 2008.

None of the funds provided in Specific Appropriation 100 for the Autism Program shall be used to pay indirect cost.



101 SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL EDUCATION
CONSORTIUM SERVICES
FROM GENERAL REVENUE FUND. 1,660,750

From the funds provided in Specific Appropriation 101, each regional consortium service organization is eligible to

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receive, through the Department of Education, an incentive grant for each school district and each eligible member to be used for the delivery of services within the participating school districts, as provided in section 1001.451, Florida Statutes.



102 SPECIAL CATEGORIES
 TEACHER PROFESSIONAL DEVELOPMENT
 FROM GENERAL REVENUE FUND. 376,944
 FROM FEDERAL GRANTS TRUST FUND.. . . . 134,580,906

Funds provided in Specific Appropriation 102 from the General Revenue Fund shall be allocated as follows:

FADSS Training. 273,312
 Principal of the Year.. . . . 56,120
 Teacher of the Year.. . . . 35,721
 School Related Personnel of the Year. 11,791



103 SPECIAL CATEGORIES
 GRANTS AND AIDS - SCHOOL AND INSTRUCTIONAL ENHANCEMENTS
 FROM GENERAL REVENUE FUND. 510,183

Funds in Specific Appropriation 103 shall be allocated as follows:

State Science Fair. 54,663
 Academic Tourney. 91,104
 Arts for a Complete Education.. . . . 182,208
 Florida Holocaust Museum. 182,208

104 SPECIAL CATEGORIES
 GRANTS AND AIDS - EXCEPTIONAL EDUCATION
 FROM GENERAL REVENUE FUND. 2,408,429
 FROM FEDERAL GRANTS TRUST FUND.. . . . 2,333,354

105 SPECIAL CATEGORIES
 FLORIDA SCHOOL FOR THE DEAF AND THE BLIND
 FROM GENERAL REVENUE FUND. 40,945,113
 FROM FEDERAL GRANTS TRUST FUND.. . . . 2,565,197
 FROM GRANTS AND DONATIONS TRUST FUND.. . . . 1,733,414

From the funds in Specific Appropriation 105, \$600,000 is provided to contract with the University of Florida for health, medical, pharmaceutical and dental screening services for students. The school shall develop a collaborative service agreement for medical services and shall maximize the recovery of all legally available funds from Medicaid and private insurance coverage. The school shall report to the Legislature by June 30, 2009, information describing the agreement, services provided, budget and expenditures, including the amounts and sources of all funding used for the collaborative medical program and any other student health services during the 2008-2009 fiscal year.

106 SPECIAL CATEGORIES
 TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
 FROM GENERAL REVENUE FUND. 26,173
 FROM FEDERAL GRANTS TRUST FUND.. . . . 1,694
 FROM GRANTS AND DONATIONS TRUST FUND.. . . . 1,167

TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - NON FEFP
 FROM GENERAL REVENUE FUND. 159,640,788
 FROM TRUST FUNDS.. . . . 199,259,605
 TOTAL ALL FUNDS. 358,900,393

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PROGRAM: FEDERAL GRANTS K/12 PROGRAM

107	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - PROJECTS, CONTRACTS AND GRANTS FROM GRANTS AND DONATIONS TRUST FUND..	4,099,420
108	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FEDERAL GRANTS AND AIDS FROM ADMINISTRATIVE TRUST FUND.. FROM FEDERAL GRANTS TRUST FUND..	553,962 1512,358,793
109	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - SCHOOL LUNCH PROGRAM FROM FOOD AND NUTRITION SERVICES TRUST FUND.	615,817,265
110	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - SCHOOL LUNCH PROGRAM - STATE MATCH FROM GENERAL REVENUE FUND.	16,886,046

Funds provided in Specific Appropriation 110 for the School Breakfast Program shall be allocated as provided in section 1006.06, Florida Statutes.

TOTAL: PROGRAM: FEDERAL GRANTS K/12 PROGRAM	
FROM GENERAL REVENUE FUND.	16,886,046
FROM TRUST FUNDS..	2,132,829,440
TOTAL ALL FUNDS.	2,149,715,486

PROGRAM: EDUCATIONAL MEDIA & TECHNOLOGY SERVICES

111	SPECIAL CATEGORIES CAPITOL TECHNICAL CENTER FROM GENERAL REVENUE FUND.	265,910
112	SPECIAL CATEGORIES GRANTS AND AIDS - INSTRUCTIONAL TECHNOLOGY FROM GENERAL REVENUE FUND.	2,853,346

Funds provided in Specific Appropriation 112 shall be allocated as follows:

Web-Based Instruction Program - NEFEC..	836,040
On-line Support for Sunshine State Standards/FCAT Explorer.	1,822,080
Statewide Licensing of Video Instructional Programming.	195,226

113	SPECIAL CATEGORIES FEDERAL EQUIPMENT MATCHING GRANT FROM GENERAL REVENUE FUND.	176,412
114	SPECIAL CATEGORIES GRANTS AND AIDS - FLORIDA INFORMATION RESOURCE NETWORK FROM GENERAL REVENUE FUND. FROM FEDERAL GRANTS TRUST FUND..	4,219,349 14,373,628

The funds provided in Specific Appropriation 114 shall be used to continue the Florida Information Resource Network (FIRN) and shall be used for no other purpose. If funds are insufficient to serve all the bandwidth needs of the current FIRN customers, the Department of Education shall prorate reductions among all FIRN customers. The Department of Management Services shall not charge administrative fees in excess of the actual cost to provide necessary services and administration of the current contract. FIRN services for Internet connectivity to the community colleges and other customers not eligible for E-rate may be provided through MyFlorida.Net.

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115 SPECIAL CATEGORIES
 GRANTS AND AIDS - PUBLIC BROADCASTING
 FROM GENERAL REVENUE FUND. 10,568,859

The funds provided in Specific Appropriation 115 shall be allocated as follows:

Statewide Governmental
 and Cultural Affairs Programming.. . . . 611,900
 Florida Channel Closed Captioning.. . . . 419,226
 Florida Channel Year Round Coverage.. . . . 1,607,075
 Public Television and Radio Stations. 7,930,658

From the funds provided in Specific Appropriation 115, "Governmental Affairs for Public Television" shall be produced by the same contractor selected by the Legislature to produce "The Florida Channel".

Funds provided in Specific Appropriation 115 for public television and radio stations shall be allocated in the amount of \$508,064 for public television stations and \$101,986 each for public radio stations recommended by the Commissioner of Education.

116 SPECIAL CATEGORIES
 FETPIP/WORKFORCE DEVELOPMENT MANAGEMENT
 INFORMATION SYSTEMS
 FROM GENERAL REVENUE FUND. 173,098

117 SPECIAL CATEGORIES
 GRANTS AND AIDS - RADIO READING SERVICES
 FOR THE BLIND
 FROM GENERAL REVENUE FUND. 371,626

TOTAL: PROGRAM: EDUCATIONAL MEDIA & TECHNOLOGY SERVICES
 FROM GENERAL REVENUE FUND. 18,628,600
 FROM TRUST FUNDS.. . . . 14,373,628
 TOTAL ALL FUNDS. 33,002,228

PROGRAM: WORKFORCE EDUCATION



118 AID TO LOCAL GOVERNMENTS
 PERFORMANCE BASED INCENTIVES
 FROM GENERAL REVENUE FUND. 5,986,007

The funds provided in Specific Appropriation 118 shall be allocated as follows:

Alachua.. . . . 13,838
 Baker.. . . . 3,494
 Bay.. . . . 52,256
 Bradford.. . . . 24,111
 Brevard.. . . . 75,475
 Broward.. . . . 927,612
 Calhoun.. . . . 1,687
 Charlotte.. . . . 62,834
 Citrus.. . . . 70,857
 Clay.. . . . 28,834
 Collier.. . . . 105,885
 Columbia.. . . . 13,745
 Miami-Dade.. . . . 1,093,969
 De Sotol.. . . . 4,210
 Dixie.. . . . 3,439
 Escambia.. . . . 85,069
 Flagler.. . . . 35,050
 Franklin.. . . . 35
 Gadsden.. . . . 8,450
 Gulf.. . . . 862
 Hamilton.. . . . 1,791
 Hardee.. . . . 1,984
 Hendry.. . . . 9,146
 Hernando.. . . . 23,769

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Hillsborough.	513,884
Indian River.	26,430
Jackson..	5,267
Jefferson..	1,952
Lafayette..	1,467
Lake.	107,060
Lee..	200,814
Leon.	106,048
Liberty..	3,157
Manatee..	132,630
Marion.	104,791
Martin.	33,916
Monroe.	9,836
Nassau.	7,951
Okaloosa.	18,122
Orange.	526,033
Osceola..	85,468
Palm Beach.	278,857
Pasco..	91,984
Pinellas.	443,153
Polk.	183,703
Putnam.	13,312
St. Johns..	106,275
Santa Rosa.	40,182
Sarasota.	140,666
Sumter.	3,727
Suwannee.	28,988
Taylor.	30,076
Union..	2,673
Wakulla..	5,278
Walton.	7,011
Washington.	66,894



119 AID TO LOCAL GOVERNMENTS
 GRANTS AND AIDS - ADULT BASIC EDUCATION
 FEDERAL FLOW-THROUGH FUNDS
 FROM FEDERAL GRANTS TRUST FUND.. 41,552,472



120 AID TO LOCAL GOVERNMENTS
 WORKFORCE DEVELOPMENT
 FROM GENERAL REVENUE FUND. 376,797,992

Funds in Specific Appropriations 9A and 120 are provided for school district workforce education programs as defined in section 1004.02 (26), Florida Statutes, and are allocated as follows:

Alachua..	1,334,760
Baker..	187,292
Bay..	3,342,151
Bradford.	928,562
Brevard..	3,057,824
Broward..	66,748,539
Calhoun..	173,544
Charlotte..	2,818,638
Citrus.	2,731,638
Clay.	964,115
Collier..	6,972,142
Columbia.	322,736
Miami-Dade.	95,587,705
DeSoto.	866,996
Dixie..	68,485
Escambia.	5,041,903
Flagler..	2,527,377
Franklin.	55,678
Gadsden..	702,892
Glades.	7,099
Gulf.	161,701
Hamilton.	76,136
Hardee.	281,009
Hendry.	405,446
Hernando.	511,174

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Hillsborough.	31,898,445
Indian River.	953,012
Jackson.	520,617
Jefferson.	182,802
Lafayette.	46,100
Lake.	4,482,793
Lee.	10,338,989
Leon.	5,666,416
Liberty.	37,815
Manatee.	6,835,621
Marion.	3,150,909
Martin.	2,320,518
Monroe.	866,375
Nassau.	189,661
Okaloosa.	2,375,092
Orange.	33,122,192
Osceola.	4,566,436
Palm Beach.	15,888,063
Pasco.	3,494,090
Pinellas.	25,442,996
Polk.	10,815,483
Putnam.	487,743
Saint Johns.	5,959,666
Santa Rosa.	1,749,447
Sarasota.	10,173,413
Sumter.	263,416
Suwannee.	992,343
Taylor.	1,392,700
Union.	163,796
Wakulla.	274,179
Walton.	164,775
Washington.	3,241,816
Washington Special.	32,202

From the funds in Specific Appropriations 9A and 120, school district workforce education programs shall strive to maintain and expand apprenticeship programs to the extent possible.

Tuition and fee rates are established for the 2008-2009 fiscal year as follows:

For programs leading to a career certificate or an applied technology diploma, the standard tuition shall be \$1.77 per contact hour for residents. The standard tuition shall be \$1.77 per contact hour and the out-of-state fee shall be \$5.31 per contact hour for nonresidents.

For adult general education programs, the standard tuition shall be 87 cents per contact hour for residents. The standard tuition shall be 87 cents per contact hour and the out-of-state fee shall be \$2.61 per contact hour for nonresidents.

Consistent with section 1009.22(3)(d), Florida Statutes, if the tuition and out-of-state fee increases provided herein become law, the statutory increase for inflation will not be made.

Pursuant to the provisions of section 1009.26 (1), Florida Statutes, school districts may grant fee waivers for programs funded through Workforce Development Education appropriations for up to 8 percent of the fee revenues that would otherwise be collected.

The funds provided in Specific Appropriations 9A and 120 are not to be used to support K-12 programs or the district K-12 administrative indirect costs. The Auditor General shall verify compliance with this requirement during scheduled audits of these institutions.

From the funds provided in Specific Appropriations 9A and 120, each school district shall report enrollment for adult general education programs identified in section 1004.02, Florida

CONFERENCE REPORT ON HB 5001 - 2008-2009 GENERAL APPROPRIATIONS ACT

Statutes, in accordance with the Department of Education instructional hours reporting procedures. The Auditor General shall verify compliance with this requirement during scheduled operational audits of the school districts.

121 AID TO LOCAL GOVERNMENTS
 GRANTS AND AIDS - VOCATIONAL FORMULA FUNDS
 FROM FEDERAL GRANTS TRUST FUND. 77,144,852



122 SPECIAL CATEGORIES
 GRANTS AND AIDS - BUSINESS PARTNERSHIPS / SKILL
 ASSESSMENT AND TRAINING
 FROM GENERAL REVENUE FUND. 7,000,000

Funds in Specific Appropriation 122 are provided to continue statewide implementation of the Florida Ready to Work program created in section 1004.99, Florida Statutes. The Ready to Work program may be conducted in public schools, regional education consortia, community colleges, area technical centers, one-stop career centers, vocational rehabilitation centers, correctional programs, Department of Juvenile Justice programs, state agencies, and businesses/employers operating in Florida.

From the funds provided in Specific Appropriation 122, \$60,000 is provided to the Department of Education for statewide coordination, support, and data collection activities.

From the funds provided in Specific Appropriation 122, \$375,000 is provided to the Department of Education to contract with Workforce Florida, Inc. for up to four pilot projects with regional workforce boards, community colleges, universities or other economic development partners to provide business outreach and to profile skills associated with occupations included in the initiative; to provide technical assistance, and other assistance as appropriate to business and education organizations and to students.

From the funds provided in Specific Appropriation 122, \$855,000 is provided to the Department of Education to contract with the current Ready to Work provider, selected by competitive procurement in the 2006-2007 fiscal year, for the implementation of a statewide public awareness communications/media campaign.

From the funds in Specific Appropriation 122, \$1,710,000 is provided to the Department of Education for the purchase of a bank of assessments from the current Ready to Work provider, selected by competitive procurement in the 2006-2007 fiscal year, and for other activities to ensure appropriate progress is made toward statewide implementation.

The balance of funds provided in Specific Appropriation 122 is provided to the Department of Education to contract with the current Ready to Work provider, selected by competitive procurement in the 2006-2007 fiscal year, for a statewide unlimited usage license for curriculum, a soft-skills assessment component and implementation services.



122A SPECIAL CATEGORIES
 GRANTS AND AIDS - SCHOOL AND INSTRUCTIONAL ENHANCEMENTS
 FROM GENERAL REVENUE FUND. 360,000

Funds provided in Specific Appropriation 122A shall be used by the department to support school-to-career transition programs for high school students available through one or more non-profit statewide organizations in the lodging and food service industry. Such programs shall be designed to prepare students for progressive careers in the lodging and food service industry. In making its selection from among competitive sealed proposals, the department shall consider, among other factors, the provider's experience in representing the lodging

CONFERENCE REPORT ON HB 5001 - 2008-2009 GENERAL APPROPRIATIONS ACT

and food service industry, the provider's experience in providing and supporting training for lodging and food service careers for high school students, and the provider's ability to provide a statewide program with broad industry support and participation.

TOTAL: PROGRAM: WORKFORCE EDUCATION
 FROM GENERAL REVENUE FUND. 390,143,999
 FROM TRUST FUNDS.. . . . 118,697,324
 TOTAL ALL FUNDS. 508,841,323

(UNRELATED LINE ITEMS DELETED)

STATE BOARD OF EDUCATION

Funds provided in Specific Appropriations 129 through 148 for the Working Capital Trust Fund shall be cost-recovered from funds used to pay data processing services rendered in accordance with section 216.272, Florida Statutes.

From the funds provided in Specific Appropriations 129 through 148, the Commissioner of Education shall prepare and provide to the chair of the Senate Fiscal Policy and Calendar Committee, the chair of the House Policy and Budget Council, and the Executive Office of the Governor on or before October 1, 2008, a report containing the following: the federal indirect cost rate(s) approved to be used for the 12 month period of the 2008-2009 fiscal year and the data on which the rate(s) was established; the estimated amount of funds the approved rate(s) will generate; the proposed expenditure plan for the amount generated; and the June 30, 2008, balance of all unexpended federal indirect cost funds.

From the funds in Specific Appropriations 129 though 148, the Commissioner of Education shall prepare and provide to the chairs of the Senate Fiscal Policy and Calendar Committee and the House Policy and Budget Council, and the Executive Office of the Governor on or before September 15, 2008, a report that provides recommendations and options for the continued operation of the Florida Information Resource Network (FIRN). For each option, the report shall, at a minimum, address the following: 1) the total direct and indirect costs for providing bundled and unbundled services, 2) a plan for maximizing the use of federal E-rate funds, 3) a description of how the service needs of current FIRN customers can be achieved, and 4) alternative funding models or sources that can help to reduce or eliminate the need for state funds. In preparing the report, the Commissioner of Education shall collaborate with the Department of Management Services and the Technology Review Workgroup.

129	SALARIES AND BENEFITS	1,228.00	
	FROM GENERAL REVENUE FUND.		23,738,995
	FROM ADMINISTRATIVE TRUST FUND.. . . .		7,843,639
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND.		3,914,749
	FROM DIVISION OF UNIVERSITIES FACILITY		
	CONSTRUCTION ADMINISTRATIVE TRUST FUND.		2,880,824
	FROM FEDERAL GRANTS TRUST FUND.. . . .		13,840,777
	FROM FOOD AND NUTRITION SERVICES TRUST FUND.		3,277,883
	FROM INSTITUTIONAL ASSESSMENT TRUST FUND.. . . .		1,166,049
	FROM STUDENT LOAN OPERATING TRUST FUND.. . . .		9,992,964
	FROM OPERATING TRUST FUND.		653,783
	FROM WORKING CAPITAL TRUST FUND.		6,491,052
130	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND.		519,606
	FROM ADMINISTRATIVE TRUST FUND.. . . .		135,012
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND.		149,999
	FROM DIVISION OF UNIVERSITIES FACILITY		
	CONSTRUCTION ADMINISTRATIVE TRUST FUND.		40,000
	FROM FEDERAL GRANTS TRUST FUND.. . . .		1,134,714
	FROM FOOD AND NUTRITION SERVICES TRUST FUND.		127,020

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FROM INSTITUTIONAL ASSESSMENT TRUST FUND.. 32,000
 FROM STUDENT LOAN OPERATING TRUST FUND.. 250,000
 FROM OPERATING TRUST FUND. 120,101
 FROM WORKING CAPITAL TRUST FUND. 40,000

131 EXPENSES
 FROM GENERAL REVENUE FUND. 4,848,071
 FROM ADMINISTRATIVE TRUST FUND.. 1,652,095
 FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND. 959,659
 FROM DIVISION OF UNIVERSITIES FACILITY
 CONSTRUCTION ADMINISTRATIVE TRUST FUND. 973,391
 FROM FEDERAL GRANTS TRUST FUND.. 9,485,581
 FROM FOOD AND NUTRITION SERVICES TRUST FUND. 814,700
 FROM INSTITUTIONAL ASSESSMENT TRUST FUND.. 891,856
 FROM STUDENT LOAN OPERATING TRUST FUND.. 2,938,493
 FROM OPERATING TRUST FUND. 817,556
 FROM WORKING CAPITAL TRUST FUND. 1,758,476

132 OPERATING CAPITAL OUTLAY
 FROM GENERAL REVENUE FUND. 336,622
 FROM ADMINISTRATIVE TRUST FUND.. 190,094
 FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND. 143,440
 FROM DIVISION OF UNIVERSITIES FACILITY
 CONSTRUCTION ADMINISTRATIVE TRUST FUND. 15,000
 FROM FEDERAL GRANTS TRUST FUND.. 778,834
 FROM FOOD AND NUTRITION SERVICES TRUST FUND. 82,438
 FROM INSTITUTIONAL ASSESSMENT TRUST FUND.. 16,375
 FROM STUDENT LOAN OPERATING TRUST FUND.. 518,200
 FROM WORKING CAPITAL TRUST FUND. 47,921



133 SPECIAL CATEGORIES
 ASSESSMENT AND EVALUATION
 FROM GENERAL REVENUE FUND. 33,392,137
 FROM ADMINISTRATIVE TRUST FUND.. 2,096,131
 FROM FEDERAL GRANTS TRUST FUND.. 30,938,610
 FROM SOPHOMORE LEVEL TEST TRUST FUND.. 116,920
 FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND. 5,655,301

From the funds in Specific Appropriation 133, \$700,000 from the General Revenue Fund shall be provided to the Department of Education to purchase or develop assessments to evaluate the college readiness of eleventh grade students who may be at risk of needing remediation in reading and mathematics prior to enrollment in postsecondary institutions. The department shall work with school districts to implement the assessments during the 2008-2009 school year. To the maximum extent possible, a school district shall provide twelfth grade students who need remediation and who indicate an interest in postsecondary education with access to appropriate remediation courses to mitigate remediation at the postsecondary level.

134 SPECIAL CATEGORIES
 COMMISSION FOR INDEPENDENT EDUCATION
 FROM INSTITUTIONAL ASSESSMENT TRUST FUND.. 1,188,178

135 SPECIAL CATEGORIES
 TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
 FROM GENERAL REVENUE FUND. 177,647



136 SPECIAL CATEGORIES
 CONTRACTED SERVICES
 FROM GENERAL REVENUE FUND. 1,781,385
 FROM ADMINISTRATIVE TRUST FUND.. 468,008
 FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND. 891,591
 FROM DIVISION OF UNIVERSITIES FACILITY
 CONSTRUCTION ADMINISTRATIVE TRUST FUND. 271,017
 FROM FEDERAL GRANTS TRUST FUND.. 1,244,925
 FROM FOOD AND NUTRITION SERVICES TRUST FUND. 546,535
 FROM INSTITUTIONAL ASSESSMENT TRUST FUND.. 164,134
 FROM STUDENT LOAN OPERATING TRUST FUND.. 14,058,767
 FROM OPERATING TRUST FUND. 2,000
 FROM WORKING CAPITAL TRUST FUND. 154,981

CONFERENCE REPORT ON HB 5001 - 2008-2009 GENERAL APPROPRIATIONS ACT

From the funds in Specific Appropriation 136, \$500,000 from the General Revenue Fund is provided for the administrative responsibilities of the Florida Schools of Excellence Commission. These funds may be used for professional training for charter school teachers and administrators.

137	SPECIAL CATEGORIES GRANTS AND AIDS - CHOICES PRODUCT SALES FROM EDUCATIONAL MEDIA AND TECHNOLOGY TRUST FUND..	400,000
138	SPECIAL CATEGORIES TRANSFER TO GRANTS AND DONATIONS TRUST FUND FOR THE FLORIDA ACADEMIC COUNSELING AND TRACKING SYSTEM FOR STUDENTS (FACTS) FROM GENERAL REVENUE FUND.	585,932
139	SPECIAL CATEGORIES LITIGATION EXPENSES FROM GENERAL REVENUE FUND.	41,538
140	SPECIAL CATEGORIES EDUCATIONAL FACILITIES RESEARCH AND DEVELOPMENT PROJECTS FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND.	200,000
142	SPECIAL CATEGORIES STUDENT FINANCIAL ASSISTANCE MANAGEMENT INFORMATION SYSTEM FROM STUDENT LOAN OPERATING TRUST FUND..	484,993
143	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND. FROM ADMINISTRATIVE TRUST FUND.. FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND. FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND. FROM FEDERAL GRANTS TRUST FUND.. FROM FOOD AND NUTRITION SERVICES TRUST FUND. FROM INSTITUTIONAL ASSESSMENT TRUST FUND.. FROM STUDENT LOAN OPERATING TRUST FUND.. FROM OPERATING TRUST FUND. FROM WORKING CAPITAL TRUST FUND.	530,140 16,651 37,911 18,786 92,500 10,365 12,113 73,598 1,689 38,198
144	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND. FROM ADMINISTRATIVE TRUST FUND.. FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND. FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND. FROM FEDERAL GRANTS TRUST FUND.. FROM FOOD AND NUTRITION SERVICES TRUST FUND. FROM INSTITUTIONAL ASSESSMENT TRUST FUND.. FROM STUDENT LOAN OPERATING TRUST FUND.. FROM OPERATING TRUST FUND. FROM WORKING CAPITAL TRUST FUND.	178,042 32,569 26,254 17,817 112,097 22,030 7,839 67,187 4,394 43,643
145	SPECIAL CATEGORIES CENTRALIZED TECHNOLOGY RESOURCES FROM WORKING CAPITAL TRUST FUND.	650,900
146	SPECIAL CATEGORIES EDUCATION DATA WAREHOUSE FROM GENERAL REVENUE FUND.	830,768
147	DATA PROCESSING SERVICES REGIONAL DATA CENTERS - STATE UNIVERSITY SYSTEM FROM GENERAL REVENUE FUND.	1,382,551

CONFERENCE REPORT ON HB 5001 - 2008-2009 GENERAL APPROPRIATIONS ACT

FROM DIVISION OF UNIVERSITIES FACILITY
 CONSTRUCTION ADMINISTRATIVE TRUST FUND. 2,669
 FROM FEDERAL GRANTS TRUST FUND.. . . . 139,537
 FROM FOOD AND NUTRITION SERVICES TRUST FUND. 2,183
 FROM STUDENT LOAN OPERATING TRUST FUND.. . . . 1,287,698

148 DATA PROCESSING SERVICES
 EDUCATION TECHNOLOGY AND INFORMATION SERVICES
 FROM GENERAL REVENUE FUND. 3,122,898
 FROM ADMINISTRATIVE TRUST FUND.. . . . 799,486
 FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND. 928,555
 FROM DIVISION OF UNIVERSITIES FACILITY
 CONSTRUCTION ADMINISTRATIVE TRUST FUND. 322,351
 FROM FEDERAL GRANTS TRUST FUND.. . . . 1,520,305
 FROM FOOD AND NUTRITION SERVICES TRUST FUND. 273,729
 FROM INSTITUTIONAL ASSESSMENT TRUST FUND.. . . . 89,281
 FROM STUDENT LOAN OPERATING TRUST FUND.. . . . 421,929
 FROM OPERATING TRUST FUND. 56,264

TOTAL: STATE BOARD OF EDUCATION
 FROM GENERAL REVENUE FUND. 71,466,332
 FROM TRUST FUNDS.. . . . 140,187,294
 TOTAL ALL FUNDS. 211,653,626

(UNRELATED LINE ITEMS DELETED)

SECTION 3 - HUMAN SERVICES



539 AID TO LOCAL GOVERNMENTS
 SCHOOL HEALTH SERVICES
 FROM GENERAL REVENUE FUND. 3,718,956
 FROM TOBACCO SETTLEMENT TRUST FUND.. . . . 9,902,925
 FROM FEDERAL GRANTS TRUST FUND.. . . . 7,000,000



549 SPECIAL CATEGORIES
 FULL SERVICE SCHOOLS - INTERAGENCY COOPERATION
 FROM TOBACCO SETTLEMENT TRUST FUND.. . . . 8,500,000

(UNRELATED LINE ITEMS DELETED)

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION



2102 FIXED CAPITAL OUTLAY
 COUNTY TRANSPORTATION PROGRAMS
 FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND.. . . . 43,531,206

From the funds in Specific Appropriation 2102, \$10,000,000 in non-recurring funds in the State Transportation Trust Fund is provided for an infrastructure pilot program to assist counties and school districts with infrastructure issues. Counties that have at least a 3.75 percent average enrollment growth for the last 5 years in school are eligible to participate in this pilot program. Counties that receive funds under this pilot program shall submit a report, by the end of the fiscal year or upon completion of the project, to the Department of Transportation and the Department of Community Affairs describing in detail the infrastructure issues addressed through this pilot program. The departments of Transportation and Community Affairs shall review the reports from the counties and submit their findings and recommendations to the Legislature regarding the effectiveness of this infrastructure pilot program.

(UNRELATED LINE ITEMS DELETED)



SECTION 28. The non-recurring sum of \$7,500,000 from the General Revenue Fund is appropriated for the 2008-2009 fiscal year to the Department of Education for distribution to the Miami-Dade County Public School District.

COUNTY-BY-COUNTY
FEFP CALCULATION SUMMARY

2008-2009 Florida Education Finance Program

Link: [Official Calculation](#)

GENERAL APPROPRIATIONS ACT

IMPLEMENTING BILL

(Selected Sections)

CONFERENCE REPORT ON HB 5003 - IMPLEMENTING GENERAL APPROPRIATIONS ACT

Be it enacted by the Legislature of the State of Florida:

Section 1. It is the intent of the Legislature that the implementing and administering provisions of this act apply to the General Appropriations Act for the 2008-2009 fiscal year.

Section 2. In order to implement Specific Appropriations 6, 7, and 81 through 83 of the 2008-2009 General Appropriations Act, the calculations of the Florida Education Finance Program for the 2008-2009 fiscal year in the document entitled "Public School Funding - The Florida Education Finance Program" dated April 28, 2008, and filed with the Clerk of the House of Representatives are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of the Florida Statutes, in making appropriations for the Florida Education Finance Program.

(Unrelated Sections Deleted)

Section 47. (1) The Governor may recommend to the Legislative Budget Commission, and the Legislative Budget Commission may approve, a budget amendment or amendments to transfer funds from the Budget Stabilization Fund to the General Revenue Fund.

(2) If the transfers from the Budget Stabilization Fund authorized in subsection (1) are insufficient to address deficits in the General Revenue Fund, the Governor may recommend, and the Legislative Budget Commission may approve, a budget amendment or amendments to transfer funds from the Lawton Chiles Endowment Fund to the General Revenue Fund, notwithstanding the provisions of s. 215.5601, Florida Statutes, to the contrary. Any expenditure from the Lawton Chiles Endowment Fund made pursuant to this subsection must be restored by making five equal annual transfers from the General Revenue Fund, beginning in the third fiscal year following that in which the expenditure was made.

(3) This section is intended to implement section 77 of the 2008-2009 General Appropriations Act relating to the use of state funds to offset General Revenue Fund deficits certified pursuant to s. 216.221, Florida Statutes. Actions taken pursuant to this section shall be in lieu of any other actions taken pursuant to ss. 216.221 and 216.222, Florida Statutes, to address such deficits.

(4) This section shall take effect upon becoming a law and shall expire June 30, 2009.

(Unrelated Sections Deleted)

Section 48. Effective upon this act becoming a law, in order to implement Specific Appropriations 640, 656, and 658A of the 2008-2009 General Appropriations Act, subsection (4) of section 215.5601, Florida Statutes, is amended to read:

215.5601 Lawton Chiles Endowment Fund.--

(4) ADMINISTRATION.--

(a) The board may invest and reinvest funds of the endowment in accordance with s. 215.47 and consistent with an investment policy statement developed by the executive director and approved by the board.

(b) The endowment shall be managed as an annuity. The investment objective shall be long-term preservation of the real value of the net contributed principal and a specified regular annual cash outflow for

appropriation, as nonrecurring revenue. From the annual cash outflow, a pro rata share shall be used solely for biomedical research activities as provided in paragraph (3)(d), until such time as cures are found for tobacco-related cancer and heart and lung disease. Five percent of the annual cash outflow dedicated to the biomedical research portion of the endowment shall be reinvested and applied to that portion of the endowment's principal, with the remainder to be spent on biomedical research activities consistent with this section. The schedule of annual cash outflow shall be included within the investment plan adopted under paragraph (a). Withdrawals other than specified regular cash outflow shall be considered reductions in contributed principal for the purposes of this subsection.

(c) In accordance with s. 215.44, the board shall include separate sections on the financial status of the endowment in its annual investment report to the Legislature.

(d) Accountability for funds from the endowment which have been appropriated to a state agency and distributed by the board shall reside with the state agency. The board is not responsible for the proper expenditure of or accountability concerning funds from the endowment after distribution to a state agency.

(e) Costs and fees of the board for investment services shall be deducted from the earnings accruing to the endowment. Fees for investment services shall be no greater than fees charged to the Florida Retirement System.

Section 49. The amendment of s. 215.5601(4), Florida Statutes, made by this act shall expire July 1, 2009, and the text of that subsection shall revert to that in existence on June 30, 2008, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of such text which expire pursuant to this section.

(Unrelated Sections Deleted)

Section 52. In order to implement Specific Appropriations 2751 and 2752 of the 2008-2009 General Appropriations Act:

(1) Notwithstanding the provisions of section 11.13(1), Florida Statutes, relating to the annual adjustment of salaries for members of the Legislature, to the contrary, for the 2008-2009 fiscal year only, the authorized salaries of members of the Legislature in effect on June 30, 2008, shall be reduced by 5 percent.

(2) Effective June 30, 2009, the annual salaries of members of the Legislature shall be set at the amounts authorized and in effect on June 30, 2008.

(3) This section expires July 1, 2009.

(Unrelated Sections Deleted)

Section 56. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2008; or, if this act fails to become a law until after that date, it shall take effect upon becoming a law and shall operate retroactively to July 1, 2008.

PUBLIC SCHOOL

PECO ALLOCATIONS

Public Education Capital Outlay Funds

Link: [PECO Appropriations](#)

2008 LEGISLATIVE SESSION SUMMARY

Part II: Education Legislation

2008 LEGISLATIVE SESSION SUMMARY

Part II: Education Legislation

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HB 35 – SOCIAL WORKER IDENTIFICATION

by Richardson (*SB 226 by Rich*)

AMENDS: ss. 39.01, 491.003, F.S.

CREATES: s. 491.016, F.S.

EFFECTIVE: July 1, 2008

The bill amends the Clinical, Counseling and Psychotherapy Services Act to create the definition of “social worker” to mean a person who has a bachelor’s, master’s or doctoral degree in social work. A social worker is not authorized to conduct clinical social work without obtaining and possessing a license or certification issued pursuant to chapter 491, F.S. The bill provides that it shall be a misdemeanor of the first degree, punishable by imprisonment or fine, for a person, for or without compensation, to hold himself or herself out to the public as a social worker either directly or through a governmental or private organization, entity, or agency unless that person possesses at least a bachelor’s or master’s degree in social work. These provisions do not apply to a person who, prior to July 1, 2008, used the title “social worker” in his or her employment or to employees providing social work services under administrative supervision in long-term care facilities licensed by the Agency for Health Care Administration.

SB 242 – SCHOOLS / SINGLE GENDER CLASSES

by Wise (*HB 213 by Legg*)

AMENDS: s. 1000.05, 1002.20, F.S.

CREATES: s. 1002.311, F.S.

EFFECTIVE: July 1, 2008

THIS BILL HAS SCHOOL BOARD POLICY IMPLICATIONS

The bill authorizes a district school board to establish and maintain a class, extracurricular activity, or school for elementary, middle, or high school students in which enrollment is limited to a single gender if the school district also makes available a substantially equal single-gender class, extracurricular activity, or school to students of the other gender and coeducational class, extracurricular activity, or school to all students. A district school board that establishes a single gender class, extracurricular activity, or school may not require participation by any student and must ensure that participation is voluntary. The district school board must also evaluate each single-gender class, extracurricular activity, or school at least once every 2 years in order to ensure that it is in compliance with statutory provisions and federal requirements.

HB 251 – RESERVE OFFICERS TRAINING CORPS PROGRAMS

by Jordan (*SB 574 by Baker*)

CREATES: ss. 1003.451, 1004.009, F.S.

EFFECTIVE: July 1, 2008

THIS BILL HAS SCHOOL BOARD POLICY IMPLICATIONS

The bill provides that a school district may not ban any branch of the United States Armed Forces or the United States Department of Homeland Security from establishing, maintaining, or operating a unit of the Junior Reserve Officers' Training Corps (JROTC) at a public high school in the district. The school district must allow a public high school student to enroll in the JROTC at another public high school in the district unless the student's school offers a JROTC program, the student does not meet the JROTC minimum enrollment qualifications, or scheduling of the student's courses of study do not allow the student to attend the JROTC at another public high school. The bill specifies that school districts are not required to provide transportation for a student to attend the JROTC at another public high school. The bill also requires a school district to grant military recruiters of the United States Armed Forces and United States Department of Homeland Security the same access to secondary school students, and to school facilities and grounds, which the district grants to postsecondary educational institutions or prospective employers of students. In addition, a school district must grant military recruiters access to the names, addresses, and telephone listings of secondary school students, as required in 20 U.S.C. s. 7908(a)(1), except, the district must comply with a student's or parent's request not to release the information without prior written parental consent. The bill sets forth similar provisions that apply to community colleges and universities. The State Board of Education is authorized to adopt rules to administer this section.

HB 428 – WORKFORCE INNOVATION

by Bennett (*HB 959 by Chestnut*)

AMENDS: s. 445.007, F.S.

EFFECTIVE: July 1, 2008

The bill amends current statutes to conform with federal law by authorizing a Regional Workforce Board to be designated as a one-stop operator and direct provider of intake, assessment, eligibility determinations, or other direct provider services, except training services. Such designation may occur only with the agreement of the chief elected official and the Governor. The Agency for Workforce Innovation defines the “chief elected official” as the chair of the county commission of the county, or counties, in which the regional workforce board has jurisdiction. The bill directs Workforce Florida, Inc. to establish procedures and criteria by which a regional workforce board may request and receive permission to operate under these provisions. The criteria must include a reduction in the cost of providing the permitted services. If the criteria are met, permission will be granted for a period not to exceed 3 years for any single request submitted by the regional workforce board.

HB 489 – EMPLOYEE LEAVE / VICTIMS OF SEXUAL VIOLENCE

by Jenne (*SB 994 by Fasano*)

AMENDS: s. 741.313, F.S.

EFFECTIVE: July 1, 2008

THIS BILL HAS SCHOOL BOARD POLICY IMPLICATIONS

The bill extends employment protections in current law relating to domestic violence to require employers to allow an employee to request and take up to 3 working days of leave if the employee, or a member of the employee’s family or household, is the victim of domestic violence or sexual violence and the leave is sought to seek an injunction for protection, to obtain medical care, victim services, legal assistance, or safe housing. Unless waived by the employer, employees must use all other available leave before using this leave, and, except in cases of imminent danger, must notify their employer of their planned absence. Employers may require documentation of the sexual violence, but must keep information relating to the employee’s leave confidential. Employers are prohibited from interfering with or retaliating against the employee’s use of this leave. To enforce the provisions of the bill, employees are provided with a right to civil suit for damages or equitable relief.

SB 526 – INTERSCHOLASTIC EXTRACURRICULAR ACTIVITIES

by Wise (*HB 1481 by Bean*)

AMENDS: s. 1006.15, F.S.

EFFECTIVE: Upon becoming a law

THIS BILL HAS SCHOOL BOARD POLICY IMPLICATIONS

The bill requires the Florida High School Athletic Association, in cooperation with the school boards of Bradford County, Duval county, and Nassau County, to facilitate a 2-year pilot program during the 2008-2009 and 2009-2010 academic years. The pilot program creates the opportunity for a middle school student or a high school student in a private school to be eligible to participate in an interscholastic or intrascholastic sport at a public school that is zoned for the physical address at which the student resides. In order to be eligible for the pilot program, the private school in which the student is enrolled must not be a member of the FHSAA and must not offer an interscholastic or intrascholastic athletic program. In addition, the private school student must meet the guidelines established by the FHSAA’s board of directors and the participating district school boards. At a minimum, such guidelines must provide a deadline for each sport by which the private school student’s parents must register with the public school their intent for their child to participate at that school in the sport. The guidelines must also provide requirements for a private school student to participate, including meeting the same standards of eligibility, acceptance, behavior, educational progress, and performance that apply to other students participating in interscholastic or intrascholastic sports at a public school or FHSAA member private school.

The bill provides that the parents of a private school student participating in a public school sport are responsible for transporting their child to and from the public school. The private school the student attends, the public school at which the student participates in a sport, the district school board, and the FHSSA are exempt from civil liability arising from any injury that occurs to the student during such transportation. The bill also specifies that, for each academic year, a private school student may only participate at the public school in which the student is first registered or makes himself or herself a candidate for an athletic team by engaging in a practice.

By August 1, 2008, the FHSAA and participating district school boards must submit to the Governor, the Senate President, and the House Speaker, a copy of the guidelines established for the pilot program and, by January 1, 2010, FHSAA must submit a report on the progress of the pilot program. The report must include the number of students registered, the number of students found eligible to participate in the pilot program, the number of students who transfer to the public schools at which the students participated under the pilot program, implementation issues experienced with the pilot program, and recommendations on how the pilot program may be improved and expanded to include other counties. The provisions establishing the pilot program will repeal on June 30, 2010, unless reenacted by the Legislature.

SB 610 – THE DON DAVIS PHYSICAL EDUCATION ACT

by Constantine (*HB 1163 by Davis and Dorworth*)

AMENDS: s. 1003.455, F.S.

EFFECTIVE: July 1, 2008

THIS BILL HAS SCHOOL BOARD POLICY IMPLICATIONS

The bill requires each district school board to include in its written physical education policy the benefits of physical education and the availability of one-on-one counseling to parents concerning the benefits. The bill revises the current requirements for the provision of 150 minutes of physical education each week to students in kindergarten through grade 5 to clarify that each school board must provide such education to students in grade 6 who are enrolled in a school that also contains one or more elementary grades. The bill also specifies that, on any day when physical education instruction is provided there must be at least 30 consecutive minutes of instruction. In addition, beginning with the 2009-2010 school year, district school boards must provide the equivalent of one class period per day of physical education for one semester of each year for students enrolled in grades 6 through 8. This requirement must be waived if a student is enrolled in a remedial course, or if the student's parent requests that the student enroll in another course, or if the student is participating in physical activities outside the school day which are equal to, or in excess of, the mandated requirement. School districts are required to notify parents of the waiver options before scheduling a student to participate in physical education. (*This bill is named for the late Representative Don Davis who was the sponsor of this legislation in the House of Representatives.*)

HB 623 – SCHOOL BREAKFAST PROGRAMS

by Kendrick (*SB 1458 by Wise*)

AMENDS: s. 1006.06, F.S.

EFFECTIVE: July 1, 2008

THIS BILL HAS SCHOOL BOARD POLICY IMPLICATIONS

The bill requires that, by the 2010-2011 school year, the school breakfast programs must make breakfast meals available to all students in each elementary, middle, and high school. Each school must, to the maximum extent practicable, make breakfast meals available to students at an alternative site location. The bill requires that, beginning with the 2009-2010 school year, each school district must annually set prices for breakfast meals at rates that, combined with federal reimbursements, are sufficient to defray costs of school breakfast programs without requiring allocations from the district's operating funds, except if the district school board approves lower rates. The bill encourages each district school board to provide a universal-free school breakfast meals to all students in each elementary, middle, and high school and, beginning with the 2010-2011 school year, each district school board must approve or disapprove a policy which makes universal-free school breakfast meals available to all students in each elementary, middle,

and high school in which 80 percent or more of the students are eligible for free or reduced-price meals. In addition, the bill specifies that, beginning with the 2009-2010 school year, each elementary, middle, and high school must make a breakfast meal available if a student arrives on the school bus less than 15 minutes before the first bell rings and must allow the student at least 15 minutes to eat the breakfast. Further, each school district must annually provide to all students in each elementary, middle, and high school information regarding its school breakfast programs.

The bill directs the Office of Program Policy Analysis and Government Accountability to submit a report by January 15, 2009 to the Governor, the Senate President, the House Speaker, the members of the State Board of Education, and the Commissioner on school district food service programs. The report must estimate the district-by-district cost if each school district implements a universal-free school breakfast program in all schools, determine the extent to which school district food service programs are fiscally self-sufficient, examine the prices charged for meals, identify best practices for the efficient and effective operation of food service programs, evaluate the methodology and forms used for food service programs to report their revenues and expenditures to the Department of Education, assess the methodology used to allocate funds for food service programs, and evaluate the state organizational structure and program management of federal programs relating to food service programs.

SB 642 – MULTIPLE BIRTH SIBLINGS / CLASSROOM PLACEMENT

by Siplin (*HB 185 by Heller*)

CREATES: s. 1003.06, F.S.

EFFECTIVE: July 1, 2008

THIS BILL HAS SCHOOL BOARD POLICY IMPLICATIONS

The bill provides that the parent of multiple birth siblings who are assigned to the same grade level and school may request that the school place the siblings in the same classroom or in separate classrooms. The request must be made no later than 5 days before the first day of each school year or 5 days after the first day of attendance of students during the school year if the students are enrolled in the school after the school year commences. The school may recommend the appropriate classroom placement for the siblings and may provide professional educational advice to assist the parent with the decision regarding appropriate classroom placement. The bill specifies that a school is not required to place multiple birth siblings in the same classroom if factual evidence of performance shows proof that the siblings should be separated or if the request would require the school district to add an additional class to the grade level of the siblings. Further, at the end of the first grading period following the multiple birth siblings' enrollment in the school, if the principal of the school, in consultation with the teacher of each classroom in which the siblings are placed, determines that the requested classroom placement is disruptive to the school, the principal may determine the appropriate classroom placement for the siblings. A parent may appeal the principal's decision in the manner provided by school district policy. During an appeal, the multiple birth siblings must remain in the classroom chosen by the parent. The provisions of the bill do not affect a right or obligation involving placement decisions pertaining to students with disabilities under state law or the Individuals with Disabilities Education Act. These provisions also do not affect the right of a school district, principal, or teacher to remove a student from a classroom pursuant to school district discipline policies.

HB 653 – CORPORATE INCOME TAX CREDIT SCHOLARSHIP PROGRAM

by Traviesa (*SB 1440 by Gaetz*)

AMENDS: s. 220.187, F.S.

EFFECTIVE: June 30, 2008

The bill expands on the purposes of the Corporate Income Tax (CTC) Scholarship Program and incorporates legislative findings in support of the scholarship program. The bill provides that, beginning with state fiscal year 2008-2009, the total amount of tax credits and carryforward which may be granted each year is increased from \$88 million to \$118 million and the maximum scholarship award amount is increased from \$3,750 to \$3,950. The bill also eliminates the current reserve of 1 percent of the tax credit for small businesses. CTC program eligibility criteria are revised to allow the participation of the sibling

of a student continuing in the scholarship program and participation of students who are placed in foster care. The bill authorizes scholarship-funding organizations (SFOs) that have been in operation for three years and do not have any negative financial findings to retain up to 3 percent of contributions for reasonable and necessary administrative expenses. The bill specifies that no more than one-third of these funds for administrative expenses may be expended on recruitment of additional contributions. The SFO must expend at least 75 percent of the net eligible contributions remaining after administrative expenses during the same fiscal year in which such contributions are collected and no more than 25 percent of the contributions may be carried forward to the following year. The bill specifies that contributions in excess of 25 percent allowable carryforward must revert to the General Revenue Fund. The bill also deletes the requirement that interest accrued from contributions must be used for scholarships.

The bill specifies that, if the provisions authorizing the grant of the tax credits for the CTC program is held unconstitutional or is declared invalid, the unconstitutionality or invalidity will not affect any credit earned by any taxpayer for a contribution paid to an SFO before the date of a determination of unconstitutionality or invalidity. The bill requires that, by December 1, 2008, the Office of Program Policy Analysis and Government Accountability (OPPAGA) must provide a report to the Governor, Senate President, and House Speaker that reviews the advisability and net state fiscal impact of increasing the maximum annual amount of credits for the corporate income tax and authorizing the use of credits for insurance premium taxes as an additional source of funding for the program. The bill also requires OPPAGA to make recommendations for strategies to encourage scholarship students to participate in the statewide assessment program.

HB 669 – SCHOOL SAFETY / BULLYING

by Thompson, Bogdanoff, and Aubuchon (*SB 790 by Baker*)

CREATES: s. 1006.147, F.S.

EFFECTIVE: Upon becoming a law

THIS BILL HAS SCHOOL BOARD POLICY IMPLICATIONS

The bill creates the "Jeffrey Johnston Stand Up for All Students Act" and prohibits the bullying or harassment of any student or employee of a public K-12 institution during any education program or activity, during a school-related or school-sponsored program or activity, on a school bus, or through the use of data or software accessed through a computer, computer system, or computer network of a public K-12 educational institution. The bill defines "bullying" and "harassment" and also specifies that statutory definitions of computer crimes and stalking are also applicable to the provisions of the bill.

The bill requires the Department of Education (DOE) to adopt a model bullying and harassment policy by October 1, 2008 and, by December 1, 2008, each school district is required to adopt a policy that is in substantial conformity with the department's model policy. Students, parents, teachers, administrators, school staff, volunteers, community representatives, and local law enforcement agencies must be involved in the development of the district's policy. The bill lists the minimum required components of the policy that include, among others, consequences for committing acts of bullying or harassment, consequences for wrongfully and intentionally accusing others of such acts, a procedure for reporting and investigating acts of bullying and harassment, a procedure for immediate notification to parents of the victim of such acts, a procedure to refer victims and perpetrators for counseling, a procedure for including incidents of bullying or harassment in the school's safety and discipline reports to DOE, a procedure for reporting to the victim's parents the actions taken to protect the victim, and a procedure for publicizing the policy. The bill specifies that a school employee, school volunteer, student, or parent who promptly reports in good faith an act of bullying or harassment to the appropriate school official and who makes this report in compliance with the procedures set forth in the policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident. In addition, the bill provides that the physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action.

The bill provides that, for the 2009-2010 school year, each school district's Safe Schools funding is contingent upon DOE's approval of the district's bullying and harassment policy. To obtain approval, the district policy must substantially conform with the department's policy. Beginning with the 2010-2011 school year, a school district's annual allocation of Safe Schools funding is contingent upon the district's compliance with all reporting requirements. By January 1 of each year, the Commissioner of Education must submit a report to the Governor, Senate President, and House Speaker on the implementation of these provisions that includes data on district reports of bullying and harassment.

HB 687 – SERVICE-DISABLED VETERAN BUSINESS ENTERPRISES

by Proctor (*SB 108 by Fasano*)

AMENDS: s. 288,705, F.S.

CREATES: An unnumbered section of Florida Statutes

EFFECTIVE: November 11, 2008

THIS BILL HAS SCHOOL BOARD POLICY IMPLICATIONS

The bill states the Legislature's intent to rectify the economic disadvantage of service-disabled veterans by providing opportunities for business enterprises owned by them. The bill defines "service-disabled veteran" as a veteran who is a permanent Florida resident and who has a service-connected disability of 10 percent or greater or who has been terminated from military service by reason of disability. The term "service-disabled veteran business enterprise" is defined as an independently owned and operated business that employs 200 or fewer permanent full-time employees, has a total net worth of \$5 million or less, is organized to engage in commercial transactions, is domiciled in Florida, is at least 51 percent owned by one or more service-disabled veterans, and is controlled and managed on a daily basis by one or more service-disabled veterans or, in certain cases, by the spouse or care-giver of the veteran.

The bill requires state agencies to award a competitive contract for the procurement of commodities or contractual services to a certified service-disabled veteran business enterprise if the bid, proposal, or reply of the business is equal to other competitors with respect to all relevant considerations including price, quality, and service. In the case of competing certified service-disabled veteran business enterprises or businesses that are entitled to this or another vendor preference, if the bids or proposals are equal with respect to all relevant considerations including price, quality, or service then the business having the smallest net worth must receive the award. Political subdivisions of the state are encouraged to offer similar considerations but are not required to do so.

HB 697 – BUILDING STANDARDS

by Aubuchon (*SB 560 by Constantine*)

AMENDS: ss. 163.04, 163.3177, 336.41, 377.806, 489.105, 553.36, 553.37, 553.381, 553.415, 553.71, 553.73, 553.74, 553.75, 553.77, 553.775, 553.80, 553.842, 553.844, 553.885, 718.113, F.S.

CREATES: ss. 553.886, 553.9061, F.S.

REPEALS: ss. 553.731, 627.351(6)(a)6, F.S.

EFFECTIVE: July 1, 2008

The bill makes several revisions to the Florida Building Code and implements recommendations of the Florida Energy Commission. Of interest to school boards, the bill clarifies that the definitions of a manufactured building, a modular building, or a factory-built building are synonymous. The criteria governing the construction or modification of manufactured buildings is revised to provide that no manufactured building in this state may be installed unless it is approved and bears the Department of Community Affairs (DCA) insignia and a manufacturer's data plate. DCA is directed to develop an insignia and to develop minimum criteria for the manufacturer's data that must be affixed to all newly constructed buildings by the manufacturer or the inspection agency before the building leaves the plant. With regard to factory-built schools, DCA must require that an insignia bearing the department's name and state seal, and a manufacturer's data plate must be affixed to all newly constructed factory-built school buildings. DCA may charge a fee for issuing such insignia, and the insignia and data plate must be permanently

affixed to the new factory-built school by the manufacturer. In the case of existing factory-built buildings altered to comply with the requirements for relocatables used as classroom space, DCA must ensure that the insignia and data plate are permanently affixed. The bill also amends the definitions within the Florida Building Code by defining “temporary” as including, but not limited to, buildings identified, but not designated as permanent structures, on an approved development order.

The bill also specifies that, as a precondition to receiving any state affordable housing funding for projects or programs within the jurisdiction, a county in which the gap between the buying power of a family of four and the median county home sales price exceeds \$170,000 must certify to the Department of Community Affairs (DCA) by July 1 of each year that it has adopted a plan to ensure affordable workforce housing for families with incomes exceeding 140 percent of the area median income and identified adequate sites for such housing. The bill also provides that the Florida Building Commission must select the most current version of the International Energy Conservation Code (IECC) as a foundation code so long as the IECC is modified by the commission to maintain the efficiencies of the Florida Energy Efficiency Code for Building Construction. The commission is authorized to implement recommendations on an energy efficiency standard to be adopted by the commission for the construction of all new residential, commercial, and government building. The bill also creates a schedule of increases in the energy performance of buildings subject to the Florida Energy Efficiency Code for Building Construction.

HB 856 – DISABILITY HISTORY AND AWARENESS PILOT PROJECT

by Fasano (HB 91 by Richardson)

CREATES: s. 1003.4205, F.S.

EFFECTIVE: July 1, 2008

THIS BILL HAS SCHOOL BOARD POLICY IMPLICATIONS

The bill authorizes district school boards to provide disability history and awareness instruction during the first two weeks of October each year. These two weeks must be designated as “Disability History and Awareness Weeks.” During this 2-week period, students may be provided intensive instruction to expand their knowledge, understanding, and awareness of individuals with disabilities, the history of disability, and the disability rights movement. The instruction may be integrated into the existing school curriculum by supplementing lesson plans, holding school assemblies, or providing other school-related activities. The instruction may be delivered by qualified school personnel or by knowledgeable guest speakers, with a particular focus on including individuals with disabilities. The goals of disability history and awareness instruction include better treatment for individuals with disabilities, encouragement to individuals with disabilities to develop increased self-esteem, and reaffirmation of the local, state, and federal commitment to the full inclusion in society of, and the equal opportunity for, all individuals with disabilities. The bill sets similar provisions for state postsecondary institutions.

HB 879 – SUCCESS IN EARLY LEARNING ACT

by Kelly (SB 1670 by Gaetz)

AMENDS: ss. 411.01, 402.27, 409.178, 1002.55, 1002.61, 1002.63, F.S.

EFFECTIVE: July 1, 2008

THIS BILL HAS SCHOOL BOARD POLICY IMPLICATIONS

The bill revises statutes governing publicly-funded early learning and prekindergarten education programs. The bill provides that an early learning coalition board may use any method of telecommunications to conduct meetings, including establishing a quorum, provided that the public is given proper notice of a telecommunications meeting and reasonable access to observe and, when appropriate, participate. The bill transfers responsibility for the statewide child care resource and referral network and the Child Care Executive Partnership Program from the Department of Children and Family Services to the Agency for Workforce Innovation. The bill also provides that the chair or executive director of a Children's Service Council or Juvenile Welfare Board may be a voting member of an Early Learning Coalition, provided that the rent of office space, vehicles, equipment, or other items from the council or board is the only financial transaction between the coalition and the board.

The bill also revises provisions for private providers of the Voluntary Prekindergarten (VPK) Program by requiring that the private VPK provider must be accredited by an accrediting association that has written accreditation standards that meet or exceed the state's licensing standards and that require at least one on-site visit to the provider or school before accreditation is granted. The bill authorizes public and private VPK providers to assign a substitute instructor to temporarily replace a credentialed instructor if the substitute instructor is of good moral character and has been screened before employment in accordance with level 2 background screening requirements in chapter 435. However, this provision does not supersede employment requirements for instructional personnel in public schools which are more stringent. AWI must adopt rules to implement this provision that must include required qualifications of substitute instructors and the circumstances and time limits for which a VPK provider may assign a substitute instructor.

HB 909 – AD VALOREM TAXATION

by Nehr (*SB 2080 by Haridopolos*)

AMENDS: ss. 193.011, 193.461, 194.001, 194.035, 194.037, 195.002, 195.052, F.S.

EFFECTIVE: September 1, 2008

The bill codifies several recommendations made in Auditor General Report 2006-007 concerning value adjustment boards (VAB). The bill requires the Department of Revenue (DOR) to develop a uniform policies and procedures manual for use by VABs, special magistrates, and taxpayers in VAB proceedings. The membership of a county's VAB is revised so that the membership will be comprised of two members of the governing body of the county elected from the membership of the board of the governing body, one member of the school board as elected from the membership of the school board, and two citizen members, one of whom must be appointed by the governing body of the county and must own homestead property within the county and one of whom must be appointed by the school board and must own a business occupying commercial space located within the school district. A citizen member may not be a member or an employee of any taxing authority, and may not be a person who represents property owners in any administrative or judicial review of property taxes. The bill also specifies that the VAB's appointed private counsel may not represent the property appraiser, the tax collector, any taxing authority, or any property owner in any administrative or judicial review of property taxes. The bill requires that, before appointing a special magistrate, a VAB must verify the special magistrate's qualifications and ensure that the selection of special magistrates is based solely upon the experience and qualifications of the special magistrate and is not influenced by the property appraiser. The special magistrate is required to accurately and completely preserve all testimony and the recommendations of the special magistrate must include proposed findings of fact, conclusions of law, and reasons for upholding or overturning the determination of the property appraiser. The bill requires DOR to provide and conduct training for special magistrates at least once each state fiscal year in at least five locations throughout the state. DOR must charge tuition fees for this training in an amount sufficient to fund the costs to conduct training. However, if a county having a population less than 75,000 does not appoint a special magistrate to hear each petition, the person(s) designated to hear petitions or the VAB's appointed counsel must attend the training but is not be required to pay the tuition fee.

SB 1070 – INTERGOVERNMENTAL COOPERATION

by King (*HB 455 by Proctor*)

AMENDS: ss. 163.01, 1003.02, 1006.261, F.S.

EFFECTIVE: Upon becoming a law

THIS BILL HAS SCHOOL BOARD POLICY IMPLICATIONS

The bill authorizes district school boards to enter into interlocal agreements for the use or maintenance of facilities or equipment on a cost reimbursement basis. The bill specifically authorizes school boards to enter into an interlocal agreement for the transportation of students, for building rental, and for maintenance and upkeep of school plants. The bill also provides that a school board may enter into an interlocal agreement for the use of school buses for other public purposes in addition to serving the transportation disadvantaged. In such cases, the interlocal agreement must provide for reimbursement

of the school district for the fixed and operating costs incurred that are attributable to the use of the buses or attributable to the maintenance or other activities conducted by the school board. Further, the bill requires a public agency to indemnify and hold harmless the school board for any liability arising from the use of the school buses pursuant to an interlocal agreement.

HB 1203 – INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN

by Proctor (SB 2546 by Storms)

CREATES: ss. 1000.36, 1000.37, 1000.38, 1000.39, F.S.

EFFECTIVE: July 1, 2008, or upon enactment of the compact into law by nine other states, whichever date occurs later

THIS BILL HAS SCHOOL BOARD POLICY IMPLICATIONS

The bill creates the Interstate Compact on Educational Opportunity for Military Children (Compact) and directs the Governor to execute the Compact with any other state(s) legally joining. The purpose of the Compact is to remove barriers to educational success imposed on children of military families because of frequent moves and deployment of their parents. The compact applies to the school age children of active duty members of the uniformed services, including members of the National Guard and Reserve on active duty orders, members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one year after medical discharge or retirement, and members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one year after death.

The Compact provides that schools must share educational records in a timely manner. If the child's official educational records cannot be released at the time of transfer, the sending school must provide the parent with an unofficial copy of the educational records to be used until the official record is validated. The receiving school must enroll the student and place the student at grade level in the receiving school commensurate with the student's grade level in the sending school at the time of transition. Upon enrollment, the student must be provided reasonable time to obtain any required immunizations. The Compact also provides that when a student transfers before or during the school year, the receiving school must initially honor placement of the student in educational courses based on the student's enrollment in the sending school or educational assessments conducted at the sending school. However, the receiving school may perform subsequent evaluations to ensure appropriate placement and continued enrollment. The Compact requires the receiving state to initially provide comparable services to a student with disabilities based on his or her current Individual Education Plan. Again, the receiving school may perform subsequent evaluations to ensure appropriate placement. The Compact provides school districts with flexibility in waiving course or program prerequisites for placement in courses or programs. With respect to attendance, the Compact provides that a student whose parent has been called to duty, is on leave from active duty, or has immediately returned from deployment, must be granted additional excused absences at the discretion of the district superintendent to visit with his or her parent. With respect to graduation, the Compact requires school districts to waive specific courses required for graduation if similar course work has been satisfactorily completed in another state. Districts must also provide an alternative means of acquiring required course work. States must accept exit or end-of-course exams required for graduation from the sending state, national norm-referenced achievement tests, or alternative testing, in lieu of testing requirements for graduation in the receiving state. Further, the districts must ensure the receipt of a diploma from the sending district if the student transfers in his or her senior year, is ineligible to graduate from the receiving district, and meets the graduation requirements of the sending district.

The Compact provides for the creation of an Interstate Commission on Educational Opportunity for Military Children to provide general oversight of the agreement, create and enforce rules governing the compact's operation, and provide a venue for solving interstate issues and disputes. In addition to creating the Compact, the bill requires the Governor to designate a Compact Commissioner to be responsible for the administration and management of the state's participation in the compact and serve as Florida's voting representative on the Interstate Commission on Educational Opportunity for Military Children. The bill also requires the Governor to designate a Military Family Education Liaison responsible for assisting military

families and the state in facilitating the implementation of the Compact. In addition, the bill creates the State Advisory Council to make recommendations for compliance with the compact. The membership of the State Advisory Council must include the Commissioner of Education or his or her designee, the superintendent, or his or her designee, for the school district with the highest percentage per capita of military children during the previous school year, two members appointed by the Commissioner of Education, one member appointed by the Senate President, one member appointed by the House Speaker, the Compact Commissioner, and the Military Family Education Liaison.

SB 1276 – EDUCATIONAL FACILITIES

by Bennett

AMENDS: ss. 1011.71, 1013.45, F.S.

EFFECTIVE: July 1, 2008

THIS BILL HAS SCHOOL BOARD POLICY IMPLICATIONS

The bill amends provisions relating to flexibility in the use of the district school tax during the 2008-2009 fiscal year by providing that the required class size compliance calculation consider only the number of students served in educational facilities provided and operated by the district. This provision expires July 1, 2009 (*HB 5083 contains additional provisions relating to this issue*). The bill also increases the threshold for day-labor contracts from \$200,000 to \$280,000 for construction, renovation, remodeling, or maintenance of educational facilities. Beginning January 2009, this threshold amount must be adjusted annually based upon changes in the Consumer Price Index. Finally, the bill authorizes community colleges located within specified areas of critical state concern to construct dormitories for up to 100 students.

HB 1313 – STUDENTS WITH DISABILITIES

by Precourt (*SB 2700 by Wise*)

AMENDS: ss. 1002.33, 1002.39, 1003.01, 1003.21, 1003.438, 1004.55, 1007.02, 1007.264, F.S.

EFFECTIVE: July 1, 2008

The bill revises terminology for exceptional students to conform to federal law or accepted practice. The bill updates terminology in provisions throughout the Florida K-20 Education Code relating to students with disabilities, including provisions relating to eligibility requirements for special programs for students with disabilities, eligibility requirements for special programs and related services for children with disabilities who are three years of age or older and for children with disabilities who are younger than three years of age, special high school graduation requirements for students with disabilities, admission, graduation, and upper level division requirements of public postsecondary educational institutions for students with disabilities, and student eligibility requirements for the John M. McKay Scholarships for Students with Disabilities Program.

SB 1414 – SUPPLEMENTAL EDUCATIONAL SERVICES

by Diaz de la Portilla (*HB 65 by Gonzalez*)

AMENDS: s. 1008.331, F.S.

EFFECTIVE: July 1, 2008

THIS BILL HAS SCHOOL BOARD POLICY IMPLICATIONS

The bill requires the Department of Education (DOE) to annually designate a performance grade of "A," "B," "C," "D," or "F," for each state-approved Supplemental Educational Services (SES) provider. The SES provider's grade must be based on a combination of student learning gains and student proficiency levels, as measured by the statewide assessment and norm-referenced tests approved by DOE for students in kindergarten through grade 3. Beginning with the 2007-2008 school year, DOE must assign a grade to each state approved SES provider and by March 1 report the grades to the supplemental educational services providers, the school districts, parents, and the public. The bill also requires that a school district with a student population in excess of 300,000 (Miami-Dade) may only charge an SES provider facility rental fees for the actual hours that the classrooms are used for tutoring by the provider.

SB 1588 – PROPERTY TAXATION

by Haridopolos

AMENDS: ss. 193.114, 193.1142, 193.155, 193.1554, 193.1555, 193.1556, 194.011, 196.031, 196.183, 197.3632, 200.065, 200.185, F.S.

REPEALS: s. 9, ch. 2007-339, Laws of Florida

EFFECTIVE: Upon becoming a law except as otherwise expressly provided and applies to the 2008 and subsequent tax rolls

The bill amends and clarifies HB 1-B (Chapter 2007-321, L.O.F.) enacted in Special session 2007-B that imposes limitations on the maximum millage that may be levied by local governments other than school districts and implements Amendment 1 to the State Constitution, which was approved by the voters in January 2008. The bill makes a variety of technical corrections and also imposes additional limitations of the maximum millage rate that may be levied by local governments other than school districts in FY 2008-2009. Of particular interest to school boards, the bill clarifies what data must be included in the real property assessment roll to specify the data must distinctly indicate, among several other items, the school district assessed value, the non-school district assessed value, the difference between just value and school district and non-school district assessed value for each statutory provision resulting in such difference, the school taxable value, the non-school taxable value, the amount of each exemption or discount causing a difference between assessed and taxable value, the value of new construction, and the millage for each taxing authority levying tax on the property.

The bill also requires that, by February 1, 2009, the Department of Revenue must report to the Senate President and House Speaker on the effect of recent changes in law on the Notice of Proposed Property Taxes. The report must examine the consistency, completeness, and accuracy of the information being provided to taxpayers in light of recently enacted exemptions from property tax and assessment increase limitations, and must examine the effect of these exemptions and assessment increase limitations on school and non-school taxable value and the maximum millage levy limitations.

The bill also clarifies the rules under which a Save-Our-Homes differential may be transferred to a new homestead, specifically authorizes a taxpayer who objects to the assessment placed on his or her property to appeal the assessment to the value adjustment board, provides specific instructions for the order in which homestead exemptions are applied, clarifies that the maximum millage rate is adjusted for "change" in per capita Florida personal income instead of "growth", changes the calculation of the maximum millage rate that a county, municipality, or special district may levy by a majority vote, and provides for appropriation of funds to fiscally constrained counties.

SB 1712 – ETHICS IN EDUCATION ACT

by Carlton

AMENDS: ss. 24.121, 112.3173, 121.091, 1001.10, 1001.32, 1001.42, 1001.452, 1001.51, 1001.54, 1002.32, 1002.33, 1002.36, 1002.421, 1003.413, 1003.53, 1004.92, 1006.61, 1008.33, 1008.345, 1010.215, 1011.18, 1012.27, 1012.32, 1012.33, 1012.34, 1012.56, 1012.79, 1012.795, 1012.796, 1012.98, 1013.03, F.S.

CREATES: ss. 794.09, 800.05, 1012.315, F.S.

EFFECTIVE: July 1, 2008

THIS BILL HAS SCHOOL BOARD POLICY IMPLICATIONS

The bill establishes and amends state and local policies and procedures relating to the screening, hiring, and termination of educators. The bill requires each school district, charter school, the Florida School for the Deaf and the Blind, and private schools that accept scholarship students to screen potential applicants for instructional personnel and school-based administrator positions by contacting previous employers, reviewing the certification history of the individual, and performing criminal history records checks on these individuals. The bill establishes a list of crimes that would disqualify an individual, if convicted, from obtaining or retaining a teaching certificate or instructional employment involving direct contact with students. DOE is directed to provide technical assistance to these schools in the development of policies, procedures, and training related to employment practices and standards of ethical conduct for instructional

personnel and school administrators. DOE must provide authorized staff of these specified schools with access to electronic verification of information from the Professional Practices' Database of Disciplinary Actions Against Educators and the DOE's Teacher Certification Database.

The bill requires school boards to adopt policies establishing standards of ethical conduct for instructional personnel and school administrators. The policies must require all instructional personnel and school administrators to complete training on the standards, must establish the duty of instructional personnel and school administrators to report, and procedures for reporting, alleged misconduct by other instructional personnel and school administrators which affects the health, safety, or welfare of a student, and must include an explanation of the liability protections provided in law. The bill requires each district school board, charter school, and private school that accepts scholarship students to post these policies and procedures in a prominent place at each school site and on each school's Internet website, if available. The bill prohibits a district school board, or any of its employees, from entering into a confidentiality agreement regarding terminated or dismissed instructional personnel or school administrators, or personnel or administrators who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student. In addition, a district school board, or any of its employees, may not provide instructional personnel or school administrators with employment references or discuss the performance of the personnel or administrator with prospective employers in another educational setting, without disclosing that individual's misconduct. The bill specifies that any part of an agreement or contract that has the purpose or effect of concealing misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student is void, is contrary to public policy, and may not be enforced. The bill specifies that an elected or appointed school board official forfeits his or her salary for 1 year if the school board official knowingly signs and transmits to any state official a false or incorrect report of alleged misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student or if the school board official knowingly fails to adopt policies that require instructional personnel and school administrators to report alleged misconduct. The bill establishes similar provisions for charter schools and private schools that accept scholarship students. The sponsor of a charter school that fails to comply with these provisions must terminate the charter. DOE must suspend payment of funds to a private school that fails to comply with these provisions and must prohibit the school from enrolling new scholarship students for 1 fiscal year and until the school complies.

The bill provides that any public officer or employee forfeits his or her right to any state retirement benefits if convicted of a felony committed on or after October 1, 2008, defined in s. 800.04 relating to lewd and lascivious offenses against a victim younger than 16 years of age, or defined in chapter 794 relating to sexual battery against a victim younger than 18 years of age, through the use or attempted use of power, rights, privileges, duties, or position of the member's public office or employment position, except for an individual's accumulated contributions up to the time of the conviction. However, the individual would retain any contributions accumulated prior to the conviction.

The bill also revises procedures for filing complaints against instructional personnel and administrators. The bill provides that, if a superintendent determines that misconduct by instructional personnel or school administrators who hold an educator certificate affects the health, safety, or welfare of a student, and the misconduct warrants termination, the instructional personnel or school administrator may resign or be terminated and the superintendent must report the misconduct to DOE. The bill specifies that when an allegation of misconduct by instructional personnel or school administrators is received, if the alleged misconduct affects the health, safety, or welfare of a student, the district school superintendent, in consultation with the school principal, or upon the request of the Commissioner of Education, must immediately suspend the instructional personnel or school administrator from regularly assigned duties, with pay, and reassign the individual to a position that does not require direct contact with students. DOE must maintain each report of misconduct as a public record in the individual's certification files. Further, the bill requires that DOE must immediately investigate any legally sufficient complaint that involves misconduct by any certificated personnel which affects the health, safety, or welfare of a student, giving the complaint priority over other pending complaints. DOE must investigate and take action on such a

complaint filed against a person whose educator certificate has expired if the act or acts that are the basis for the complaint were allegedly committed while that person possessed an educator certificate.

The bill revises the membership of the Education Practices Commission to include sworn law enforcement officers, parents of public school students, and an administrator of a private school. The authority of the commission is expanded to include discipline of an educator who knowingly fails to report suspected or actual child abuse or misconduct by an educator and discipline of an educator that has been disqualified from educator certification based upon the list of crimes established in the bill that would disqualify an individual, if convicted, from obtaining or retaining a teaching certificate or instructional employment involving direct contact with students.

(The Legislature also passed Senate Memorial 1742 relating to Educator Ethics. The Memorial urges Congress to support the passage of laws establishing ethical standards for professional educators and to support a national clearinghouse to provide for the reporting of data concerning educator misconduct. A national database is necessary to promote the timely sharing of critical information among states and to provide for the safety and welfare of students. Copies of the Memorial must be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida congressional delegation.)

SB 1716 – THE FLORIDA COLLEGE SYSTEM

by Oelrich

AMENDS: ss. 1000.21, 1001.60, 1004.35, F.S.

CREATES: ss. 1004.87, 1004.875, F.S.

EFFECTIVE: July 1, 2008

The bill creates the Florida College System comprised of public postsecondary educational institutions that grant 2-year and 4-year academic degrees at the undergraduate level. The bill permits a community college to change the institution's name and use the term "college," if it has been granted the authority to award baccalaureate degrees or the local board of trustees and the State Board of Education approve the name change. If the State Board of Education approves the name change, the college must enter into an agreement with the State Board to maintain the college's primary mission responsibility for responding to community needs for postsecondary academic education and career degree education, maintain an open-door admissions policy for associate-level degree programs and workforce education, provide outreach to underserved populations, provide remedial education, and comply with the statewide articulation agreement that relates to 2-year and 4-year public degree-granting institutions.

The bill creates the Florida College System Task Force within the Division of Community Colleges in the Department of Education to make recommendations regarding the transition of community colleges to baccalaureate-degree granting colleges and the criteria for establishing and funding state colleges. The Commissioner of Education serves as chair of the Task Force comprised of 11 members appointed by the Commissioner to include presidents of public and non-public community colleges and universities and one at large member.

The bill also creates, beginning with the 2008-2009 fiscal year, the State College Pilot Project to be conducted in collaboration with the Florida College System Task Force. The purpose of the Pilot Project is to recommend to the Legislature an approval process for the transition of baccalaureate-degree granting community colleges to state colleges in order to meet the employment needs of Florida, criteria for the transition of institutions in the Florida College System to state colleges, and a funding model for the Florida College System. The bill names Chipola College, Daytona Beach College, Edison College, Indian River College, Miami Dade College, Okaloosa-Walton College, Polk College, Santa Fe College, and St. Petersburg College as participants in the Pilot Project. The participating institutions must maintain the institution's primary mission responsibility for responding to community needs for postsecondary academic education and career degree education, maintain an open-door admissions policy for associate-level degree programs and workforce education, require, as a condition of admission to upper division

programs, successful completion of the college-level communication and mathematics skills examination (CLAST) unless exceptions apply, continue to provide outreach to underserved populations, continue to provide remedial education, comply with all the provisions of the statewide articulation agreement, and deliver the programs in a cost effective manner. The bill specifies that participating colleges are also prohibited from participating in intercollegiate athletics beyond the 2-year level and from offering graduate degrees or graduate credit.

SB 1906 – ALTERNATIVE CREDIT FOR HIGH SCHOOL COURSES

by Gaetz

AMENDS: s. 1011.61, F.S.

CREATES: s. 1002.375, F.S. and an unnumbered section of Florida Statutes

EFFECTIVE: July 1, 2008

THIS BILL HAS SCHOOL BOARD POLICY IMPLICATIONS

The bill creates a pilot program to provide opportunities for high school students enrolled in career academies to simultaneously earn credit for specific math and science courses. The bill directs the Commissioner of Education to implement a pilot project beginning in the 2008-2009 school year which allows school districts to award alternative course credit for students enrolled in nationally or state-recognized industry certification programs. The Commissioner must establish criteria for districts that participate in the pilot program. By July 15, 2008, school districts interested in participating in the program must submit a letter of interest to the Commissioner identifying up to five nationally or state-recognized industry certification programs under which the district would like to award alternative credit in Algebra 1a, Algebra 1b, Algebra 1, Geometry, and Biology. The Commissioner must select up to three participating school districts by July 30, 2008. The bill specifies that alternative credits must be awarded for courses in which a student is not enrolled, but for which the student may earn academic credit by enrolling in another course or sequence of courses required to earn a nationally or state-recognized industry certificate of which the majority of the standards-based content in the course description is consistent with the alternative credit course description approved by DOE. The bill also specifies that an alternative credit course is not subject to the definition of credit under s. 1003.436, the time requirements of s. 1011.60(2), or the net hours of instruction requirements for purposes of determining full-time equivalency. In order to earn credit, each participating student must pass an end-of-course assessment that measures proficiency in the Sunshine State Standards addressed by the course. DOE is required to approve each end-of-course assessment and the minimum passing score for each assessment. School districts are required to report all enrollments and credits awarded for alternative education courses to the DOE. DOE must maintain a list of approved assessments and minimum passing scores for each approved course and this information must be incorporated into the Course Code Directory if approved by DOE. The bill requires that, by January 1, 2010, the Commissioner must submit a report to the Governor, the Senate President, and the House Speaker identifying the number of students choosing to earn alternative credit, the number of students that received alternative credit, and legislative recommendations for expanding the use of alternative credit for core academic courses required for high school graduation. The State Board of Education is directed to adopt rules to implement the pilot program.

The bill also encourages school districts to enter into partnerships with local businesses for purposes of mentorship opportunities, the development of employment options and additional funding sources, and other mutual benefits. As a pilot program through June 30, 2011, the bill authorizes the Palm Beach County school district to recognize its business partners by publicly displaying the businesses' names on school district property in unincorporated areas. The district must make every effort to display its business partners' names in a manner that is consistent with the county standards for uniformity in size, color, and placement of signs. The bill specifies that if these provisions relating to the recognition of business partners are inconsistent with the county ordinances or regulations relating to signs in the unincorporated areas or inconsistent with chapter 125, chapter 166, or chapter 479, Florida Statutes, the provisions of this bill prevail.

SB 1908 – SCHOOL STANDARDS, ACCOUNTABILITY AND GRADING

by Gaetz, Lynn, and Wise

AMENDS: ss. 220.187, 1000.21, 1001.03, 1001.452, 1003.41, 1003.413, 1003.428, 1003.429, 1003.43, 1003.433, 1003.63, 1004.85, 1004.91, 1004.99, 1007.21, 1007.235, 1008.22, 1008.30, 1008.31, 1008.34, 1008.341, 1008.345, 1008.36, 1012.56, 1012.57, 1012.586, 1012.71, 1013.12, F.S.

CREATES: s. 1003.4285, F.S.

EFFECTIVE: July 1, 2008, except as otherwise provided in the act

THIS BILL HAS SCHOOL BOARD POLICY IMPLICATIONS

This omnibus bill addresses a variety of education issues that had been the subject of separate bills during the session and were combined into one bill during the final days of the session.

Curriculum Standards – The bill directs the State Board of Education to review the Sunshine State Standards and replace them with the Next Generation Sunshine State Standards that establish the core content of the curricula to be taught in this state and that specify the core content knowledge and skills that K-12 public school students are expected to acquire. The Next Generation Sunshine State Standards must establish the core curricular content for language arts, science, mathematics, social studies, visual and performing arts, physical education, health, and foreign languages. The bill specifies several elements that must be included in the core curricular content of these subjects and provides that the Next Generation Sunshine State Standards must identify the core curricular content that a student is expected to learn for each subject at each individual grade level in order to acquire the broad background knowledge needed for reading comprehension. In addition, the Standards must be rigorous and relevant and provide for the logical, sequential progression of core curricular content that incrementally increases a student's core content knowledge and skills over time. The Standards must also integrate skills in several areas, must be organized according to a uniform structure and format that is consistent for each subject, and must be aligned to expectations for success in postsecondary education and high-skill, high-wage employment.

The bill provides that, by December 31, 2008, the State Board of Education (SBE) must establish an expedited schedule for adoption of the Next Generation Sunshine State Standards and must establish by rule a schedule for the periodic review and revision of the standards. The SBE must adopt the new Standards for each subject by December 31, 2011. The Commissioner must develop and submit to the SBE proposed Next Generation Sunshine State Standards, and periodically submit proposed revisions to the standards, for adoption by the state board according to the schedules established by the SBE. In developing the proposed standards, the Commissioner must consult with renowned experts on K-12 curricular standards and content in each subject and must also consider standards that are implemented by other states or nations. The commissioner must submit the proposed standards for review and comment by Florida educators, school administrators, representatives of community colleges and state universities, and leaders in business and industry. Upon finalizing the proposed standards, the Commissioner must submit the standards to the Governor, Senate President, and House Speaker at least 21 days before the SBE considers adoption of the proposed standards.

The bill also provides that, as the Sunshine State Standards are replaced by the Next Generation Sunshine State Standards, the SBE must align the subject area examinations for educator certification to the Next Generation Sunshine State Standards.

Statewide Assessment Program – The bill revises the statewide assessment program to provide that end-of-course assessments for a subject may be administered in addition to the comprehensive assessments required for that subject. An end-of-course assessment must be rigorous, statewide, standardized, and developed or approved by DOE. The content knowledge and skills assessed by comprehensive and end-of-course assessments must be aligned to the core curricular content established in the Sunshine State Standards. The commissioner may select one or more nationally developed comprehensive examinations, which may include, but need not be limited to, examinations for a College Board Advanced Placement course, International Baccalaureate course, or Advanced International Certificate of Education course or industry approved examinations to earn national industry certifications

for use as end-of-course assessments if the commissioner determines that the content knowledge and skills assessed by the examinations meet or exceed the grade-level expectations for the core curricular content established for the course in the Next Generation Sunshine State Standards. The commissioner may collaborate with the American Diploma Project in the adoption or development of rigorous end-of-course assessments that are aligned to the Next Generation Sunshine State Standards.

The bill requires that, beginning with the 2008-2009 school year, the commissioner must discontinue administration of the selected response test items on the comprehensive assessments of writing. Beginning with the 2012-2013 school year, the comprehensive assessments of writing shall be composed of a combination of selected-response test items, short-response performance tasks, and extended-response performance tasks, which must measure a student's content knowledge of writing, including, but not limited to, paragraph and sentence structure, sentence construction, grammar and usage, punctuation, capitalization, spelling, parts of speech, verb tense, irregular verbs, subject-verb agreement, and noun-pronoun agreement.

The bill requires the Commissioner to establish schedules for the administration of statewide assessments and the reporting of student test results. By August 1 of each year, the commissioner must notify each school district in writing, and publish on the department's website, the testing and reporting schedules for, at a minimum, the school year following the upcoming school year. The testing and reporting schedules must require that there is the latest possible administration of statewide assessments and the earliest possible reporting to the school districts of student test results which is feasible within available technology and specific appropriations. However, test results must be made available no later than the final day of the regular school year for students. Beginning with the 2010-2011 school year, a comprehensive statewide assessment of writing must not be administered earlier than the week of March 1 and a comprehensive statewide assessment of any other subject must not be administered earlier than the week of April 15. In addition, a statewide standardized end-of-course assessment must be administered within the last 2 weeks of the course.

The bill provides that, beginning with the 2008-2009 school year, a district school board must prohibit each public school from suspending a regular program of curricula for purposes of administering practice tests or engaging in other test-preparation activities for a statewide assessment. However, a district school board may authorize a public school to (1) distribute to students the sample test books and answer keys published by DOE, (2) provide individualized instruction in test-taking strategies, without suspending the school's regular program of curricula, for a student who scores at Level 1 or Level 2 on a prior administration of the statewide assessment, (3) provide individualized instruction in the content knowledge and skills assessed, without suspending the school's regular program of curricula, for a student who scores at Level 1 or Level 2 on a prior administration of the statewide assessment or a student who is identified as having a deficiency in the content knowledge and skills assessed, (4) incorporate test-taking exercises and strategies into curricula for intensive reading and mathematics intervention courses, and (5) administer a practice test or engaging in other test-preparation activities for the statewide assessment which are determined necessary to familiarize students with the organization of the assessment, the format of the test items, and the test directions, or which are otherwise necessary for the valid and reliable administration of the assessment, as set forth in rules adopted by the State Board of Education with specific reference to these provisions.

The bill provides that, if the Commissioner revises a statewide assessment and the revisions require the SBE to modify the assessment's proficiency levels or passing scores required for a standard high school diploma, until the state board adopts the modifications by rule, the commissioner must use calculations for scoring the assessment which adjust student scores on the revised assessment for statistical equivalence to student scores on the former assessment. If the commissioner revises a statewide assessment and the revisions require the SBE to modify the passing scores required for a standard high school diploma, the commissioner may, with approval of the state board, discontinue administration of the former assessment upon the graduation of students participating in the final regular administration of the former assessment. The state board must adopt by rule passing scores for the revised assessment which

are statistically equivalent to passing scores on the discontinued assessment for a student required to attain passing scores on the discontinued assessment.

Designation of School Grades – The bill provides that, beginning with the 2009-2010 school year for schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, 50 percent of the school grade must be based on a combination of student achievement scores, student learning gains, and improvement of the lowest 25th percentile of students in the school in reading, math, or writing on the FCAT. The remaining 50 percent of the school grade must be based on (1) the high school graduation rate of the school, (2) as valid data becomes available, the performance and participation of the school's students in College Board Advanced Placement courses, International Baccalaureate courses, dual enrollment courses, and Advanced International Certificate of Education courses; and the students' achievement of industry certification in a career and professional academy, (3) postsecondary readiness of the school's students as measured by the SAT, ACT, or the common placement test, (4) the high school graduation rate of at-risk students who scored at Level 2 or lower on the grade 8 FCAT Reading and Mathematics examinations, (5) as valid data becomes available, the performance of the school's students on statewide standardized end-of-course assessments, and (6) the growth or decline in each of these components from year to year. The bill specifies that the criteria for high school grades must give added weight to the graduation rate of all eligible at-risk students and that, in order for a high school to be designated as having a grade of "A", the school must demonstrate that at-risk students in the school are making adequate progress.

The bill provides that a school shall not receive a school grade if the number of its students tested and included in the school grading system are fewer than the minimum sample size necessary, based on accepted professional practice, for statistical reliability and prevention of the unlawful release of personally identifiable student data. Similarly, an alternative school shall not receive a school improvement rating if the number of its students for whom student performance data is available for the current year and previous year are fewer than the minimum sample size necessary for statistical reliability and prevention of the unlawful release of personally identifiable student data. The bill also provides that a school district that fails to assign the FCAT scores of each of its students to his or her home school or to the alternative school that receives a grade shall forfeit Florida School Recognition Program funds for 1 fiscal year. In addition, the bill requires that the collaboration between the home school and the alternative school must include an annual discussion between the principal of the alternative school and the principal of each student's home school concerning the most appropriate school assignment of the student. The bill also broadens eligibility for the School Recognition Program by providing that a school improving by more than one letter grade and sustaining the improvement the following year is eligible for the awards.

Secondary School Redesign Act – The bill adds to the policies that school boards must establish to implement provisions of the Secondary School Redesign Act to require that school board policies must also address an annual review of each high school student's electronic personal education plan created pursuant to s. 1003.4156 relating to general requirements for middle school promotion.

High School Graduation – The bill replaces the requirement for one credit in fine or performing arts with a requirement for one credit in fine or performing arts, speech and debate, or a practical arts course that incorporates artistic content and techniques of creativity, interpretation, and imagination. The bill specifies that eligible practical arts courses must be identified through the Course Code Directory. The bill also provides that, by the 2008-2009 school year, each standard high school diploma must include, as applicable, a designation of the student's major area of interest, a designation reflecting completion of four or more accelerated college credit courses in Advanced Placement, International Baccalaureate, Advanced International Certificate of Education, or dual enrollment courses, a designation reflecting career education certification, and/or a designation reflecting a Florida Ready to Work Credential.

Career Preparatory Instruction – The bill provides that an adult student who is enrolled in an apprenticeship program that is registered with the Department of Education in accordance with the provisions of chapter 446 is exempt from the provisions of s. 1004.91 relating to Career preparatory instruction.

Florida Ready to Work Certification Program – The bill provides that a Florida Ready to Work Credential must be awarded to a student who successfully passes assessments in Reading for Information, Applied Mathematics, and Locating Information or any other assessments of comparable rigor. Each assessment must be scored on a scale of 3 to 7. The bill creates credential levels such a bronze level credential requires a minimum score of 3 or above on each of the assessments, a silver-level credential requires a minimum score of 4 or above on each of the assessments, and a gold-level credential requires a minimum score of 5 or above on each of the assessments.

Readiness for Postsecondary Education and Articulation – The bill provides that the common placement test or a similar test may be administered to high school students (rather than second semester sophomores) who have chosen one of the established postsecondary destinations. In addition, the bill adds to the components of the district inter-institutional articulation agreement to require that the agreement include an identification of the responsibility of the postsecondary educational institution for assigning letter grades for dual enrollment courses and the responsibility of school districts for posting dual enrollment course grades to the high school transcript as assigned by the postsecondary institution awarding the credit.

The bill also provides that the SBE must adopt rules that require high schools to evaluate, before the beginning of grade 12, the college readiness of each student who indicates an interest in postsecondary education and scores at Level 2 or Level 3 on the reading portion of the grade 10 FCAT or Level 2, Level 3, or Level 4 on the mathematics portion of the grade 10 FCAT. High schools must perform this evaluation using results from the corresponding component of the common placement test, or an equivalent test identified by the SBE. DOE must purchase or develop the assessments necessary to perform these evaluations and must work with school districts to administer the assessments. The SBE must establish by rule the minimum test scores a student must achieve to demonstrate readiness. Students who demonstrate readiness by achieving the minimum test scores and enroll in a community college within 2 years of achieving such scores are not be required to enroll in remediation courses as a condition of acceptance to any community college. The high school must use the results of the test to advise the students of any identified deficiencies and provide 12th grade students access to appropriate remedial instruction prior to high school graduation. The remedial instruction must be a collaborative effort between secondary and postsecondary educational institutions. To the extent courses are available, the Florida Virtual School may be used to provided the remedial instruction.

Personnel – The bill revises foreign language certification requirements by providing that, included as acceptable means of demonstrating mastery of subject area knowledge are achievement of passing scores on subject area examinations required by state board rule, which may include, but need not be limited to, world languages in Arabic, Chinese, Farsi, French, German, Greek, Haitian Creole, Hebrew, Hindi, Italian, Japanese, Portuguese, Russian, and Spanish or completion of a bachelor's degree or higher and verification of the attainment of an oral proficiency interview score above the intermediate level and a written proficiency score above the intermediate level on a test administered by the American Council on the Teaching of Foreign Languages for which there is no Florida-developed examination.

The bill also substantially rewords the statute governing the Florida Teachers Lead Program. Among the changes brought about by this revision, the bill specifies that the funds may not be used to purchase equipment and deletes reference to the teacher having sole discretion regarding which classroom materials and supplies best meet the needs of the students, when they are needed, and where they are acquired. The bill specifies that the total amount of each teacher's share of the funds must be provided by September 30 of each year by any means determined appropriate by the school board or charter school board. The bill specifies that the funds received by a classroom teacher do no affect wages, hours, or terms and conditions of employment and provides that any teacher may decline receipt of or return the funds without explanation or cause. The bill requires teachers to keep receipts for no less than 4 years. The bill also specifies the wording of the statement that the teacher must sign in order to receive the funds.

School Advisory Councils – The bill revises requirements for the membership of the School Advisory Council by specifying that a majority of the members of each school advisory council must be persons who are not employed by the school district (rather than persons who are not employed by the school).

Inspection of School Property – The bill requires that each school cafeteria must post in a visible location and on the school website the school's semiannual sanitation certificate and a copy of its most recent sanitation inspection report.

SB 2422 – LOCAL GOVERNMENT FINANCE

by Alexander and Baker

AMENDS: ss. 218.401, 218.403, 218.405, 218.407, 218.409, 218.411, 218.412, F.S.

CREATES: ss. 218.418, 218.421, 218.422, F.S.

EFFECTIVE: Upon becoming a law, contingent on adoption of HB 7097

THIS BILL HAS SCHOOL BOARD POLICY IMPLICATIONS

The bill brings additional safeguards to the management of funds in the Local Government Surplus Funds Trust Fund (also known as the Local Government Investment Pool or LGIP) managed by the State Board of Administration (SBA) on behalf of local governments. The bill specifies that the primary objectives, in priority order, of investment activities shall be safety, liquidity, and competitive returns with minimization of risks. The bill creates a six-member Participant Local Government Advisory Council for the purposes of regularly reviewing the administration of the trust fund and making recommendations regarding such administration to the trustees. The members of the council shall be appointed by the SBA and subject to confirmation by the Senate. The bill also authorizes the SBA to contract with a professional money management firm to manage the trust fund.

The bill requires that, prior to any determination by a governing body to deposit surplus funds in the trust fund, SBA or a professional money management firm must provide to the governing body enrollment materials, including a trust fund profile containing impartial educational information describing the administration and investment policy of the trust fund. The bill requires that investment of funds must be in accordance with a written investment policy. The bill specifies that the SBA or a professional money management firm and all employees have an affirmative duty to immediately disclose any material impact to the trust fund to the participants. To ensure such disclosure, a system of internal controls must be established by the SBA, which must be documented in writing as part of the investment policy.

The bill provides that the market value of the portfolio must be calculated daily and withdrawals from the trust fund must be based on a process that is transparent to participants and will ensure that advantages or disadvantages do not occur to parties making deposits or withdrawals on any particular day. The bill provides that the principal, and any part thereof, of each and every account constituting the trust fund shall be subject to payment at any time from the moneys in the trust fund. However, the executive director may, in good faith, on the occurrence of an event that has a material impact on liquidity or operations of the trust fund, for 48 hours limit contributions to or withdrawals from the trust fund to ensure that the board can invest moneys entrusted to it in exercising its fiduciary responsibility. Such action must be immediately disclosed to all participants, the trustees, the Joint Legislative Auditing Committee, the Investment Advisory Council, and the Participant Local Government Advisory Council. The trustees must convene an emergency meeting as soon as practicable from the time the executive director has instituted such measures and review the necessity of those measures. If the trustees agree with such measures, the trustees must vote to continue the measures for up to an additional 15 days. The bill requires the Auditor General to conduct an annual financial audit of the trust fund, which shall include testing for compliance with the investment policy. The completed audit must be provided to the participants, the SBA, the trustees, the Investment Advisory Council, the Participant Local Government Advisory Council, and the Joint Legislative Auditing Committee. As soon as practicable, but no later than 30 days after completion of the audit, the trustees must report to the Joint Legislative Auditing Committee that the trustees have reviewed the audit of the trust fund and must certify that any necessary items are being addressed by a corrective action plan that includes target completion dates.

The bill also creates the Fund B Surplus Funds Trust Fund. The Fund B Surplus Funds Trust Fund serves as a repository of distressed securities that may be subsequently impaired in the Local Government Surplus Funds Trust Fund. Securities transferred to this trust fund will be separated from the unimpaired ones until they can regain investment-grade status, return to par value, or be liquidated. The bill establishes immediate and full disclosure and auditing provisions for the Fund B Surplus Funds Trust Fund as apply to the Local Government Surplus Funds Trust Fund. (NOTE: HB 7097 is linked to SB 2422 to establish this trust fund.)

HB 5063 – FLORIDA RETIREMENT SYSTEM

by Grant

AMENDS: ss. 112.625, 121.021, 121.051, 121.35, 121.71, F.S.

CREATES: s. 121.355, F.S.

EFFECTIVE: July 1, 2008

This bill addresses the required employer retirement contribution rates for each membership class and subclass for both retirement plans of the Florida Retirement System. For the 2008-2009 fiscal year, contribution rates are maintained at same rate as has been in effect for the 2007-2008 fiscal year. Specifically, the contribution rate for regular class is 8.69%, special risk class is 19.76%, county elected officers is 15.37%, senior management class is 11.96%, and DROP is 9.80%.

The bill also provides that participants in the community college and university optional retirement annuity programs may elect during the 2009 calendar year to transfer their participation to the FRS. A member so doing will be responsible for the entire cost of the transfer and will have to exchange the annuity account, and other personal funds if so required, to indemnify the FRS for the full cost of the transfer.

HB 5083 – EDUCATION

by Sansom

AMENDS: ss. 121.021, 220.187, 1001.451, 1002.33, 1003.03, 1007.271, 1008.22, 1011.62, 1011.71, 1011.73, 1012.225, 1012.72, 1013.45, F.S.

EFFECTIVE: July 1, 2008

THIS BILL HAS SCHOOL BOARD POLICY IMPLICATIONS

The bill revises several public school funding statutes to conform them to provisions in the General Appropriations Act.

FCAT – The bill removes references to the FCAT in provisions relating to testing requirements for the Corporate Income Tax Credit Scholarship Program and directs DOE to maintain a list of nationally norm referenced tests identified for purposes of satisfying the testing requirement (*this provision is repeated in SB 1908*). The bill deletes the requirement that DOE annually report longitudinal performance of students on the norm referenced component of the FCAT.

Regional Consortium service Organizations – The bill provides that the appropriation for the 2008-2009 fiscal year for this purpose may be less than \$50,000 per school district and eligible member. If the amount appropriated is insufficient to provide \$50,000, the funds available must be prorated among all eligible districts and members. This provision expires July 1, 2009.

Merit Award Program – The bill prohibits a school district from withholding a portion of the Merit Award Program payment as an administrative fee. The bill specifies that each charter school must receive 100% of the funds for this purpose that have been awarded to that school. The bill also provides that districts that do not have an approved plan for the 2008-2009 school year may submit a plan for the 2008-2009 school year by October 1, 2008.

Maximum Class Size – The bill extends through 2008-2009 the calculation for compliance for each of the 3 grade groupings to be the average at the school level.

Revisions to the Calculation of Additional FTE Equivalent Membership – The bill deletes the provision that each semester of dual enrollment instruction that is eligible for high school and postsecondary credit shall be reported by school districts as 75 membership hours for purposes of FTE calculation and provides that instructional time for dual enrollment may vary from 900 hours but the school district may only report the student for a maximum of 1.0 full-time equivalent student membership, as provided in s. 1011.61(4). Dual enrollment full-time equivalent student membership shall be calculated in an amount equal to the hours of instruction that would be necessary to earn the full-time equivalent student membership for an equivalent course if it were taught in the school district.

The bill deletes the calculation of additional full time equivalent membership based on completion of high school level algebra courses by students in grades 6 - 8.

The bill provides that a value of 0.16 (rather than 0.24) full-time equivalent student membership shall be calculated for each student enrolled in an international baccalaureate course who receives a score of 4 or higher on a subject examination.

A value of 0.16 (rather than 0.24) full-time equivalent student membership shall be calculated for each student enrolled in a full credit Advanced International Certificate of Education course who receives a score of E or higher on a subject examination and a value of 0.08 (rather than 0.12) half-time equivalent student membership shall be calculated for each student enrolled in a half credit Advanced International Certificate of Education course who receives a score of E or higher on a subject examination.

A value of 0.16 (rather than 0.24) full-time equivalent student membership shall be calculated for each student enrolled in an advanced placement course who receives a score of 3 or higher on the College Board Advanced Placement Examination for the prior year and added to the total full-time equivalent student membership in basic programs for grades 9-12 in the subsequent year subject examination.

The bill revises provisions for successful completion of industry-certified career and professional academy programs to provide that a value of 0.3 full-time equivalent student membership shall be calculated for each student who completes an industry-certified career and professional academy program and who is issued the highest level of an industry certification and a high school diploma. The bill specifies that the additional full-time equivalent membership authorized under this provision may not exceed 0.3 per student. In addition, unless a different amount is specified in the General Appropriations Act, the appropriation for this calculation is limited to \$15 million (rather than \$30 million) annually.

Required Local Effort – The bill provides that the taxable value for school purposes certified by the Department of Revenue which is used in the fourth calculation with the annualized full-time student membership from the February student survey shall be the final taxable value used in the final calculation.

Categorical Funding Flexibility – The bill provides that, if a school board adopts a resolution declaring that funds are urgently needed to maintain specified academic classroom instruction, in addition to flexibility previously approved for funds provided for student transportation, safe schools, and supplemental instruction, a district may have flexibility in the use of funds for research based reading instruction and for instructional materials if all instruction material purchases have been completed for that fiscal year, but no sooner than March 1, 2009. The bill directs DOE to submit a report to the Legislature that identifies by district and by categorical fund the amount transferred and the specific academic classroom activity for which the funds were expended. In addition, if a district school board transfers funds from its research-based reading instruction allocation, the board must also submit to DOE an amendment describing the changes that the district is making to its reading plan. This provision expires July 1, 2009.

Declining Enrollment – The bill provides that, in those districts where there is a decline between prior year and current year unweighted FTE students, a percentage (rather than 50%) of the decline in the unweighted FTE students shall be multiplied by the prior year calculated FEFP per unweighted FTE student and shall be added to the allocation for that district.

District School Tax – The bill provides that each school board may levy not more than 1.75 mills (rather than 2 mills) against the taxable value for school purposes for district schools, including charter schools at the discretion of the school board. The bill specifies that, if the revenue from this millage is insufficient to make payments due under a lease-purchase agreement entered into prior to June 30, 2008 by a district school board, an amount up to 0.25 mills of the taxable value for school purposes within the school district shall be legally available for such payments, notwithstanding other restrictions on the use of such revenues imposed by law.

In addition, school districts that certify that they have met class size reduction requirements for the 2008-2009 fiscal year for K-12 students for whom the school district provides the educational facilities (*SB 1276 adds “and governs operations”*), and that the district does not need all of its discretionary 1.75-mill capital improvement revenue for capital outlay purposes, and that all of the district's instructional space needs for the next 5 years can be met from capital outlay sources that the district reasonably expects to receive, may expend, subject to the provisions of s. 200.065, up to \$65 per unweighted full-time equivalent student from the revenue generated by the 2008-2009 millage levy to fund 2008-2009 expenses for:

- (a) the purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.
- (b) Payment of the cost of premiums for property and casualty insurance necessary to insure school district educational and ancillary plants. Operating revenues that are made available through the payment of property and casualty insurance premiums from revenues generated under this subsection may be expended only for nonrecurring operational expenditures of the school district.

This provision expires July 1, 2009. (*A similar provision is also contained in SB 1276.*)

Excellent Teaching Program – The bill eliminates the fee subsidy of 90% of the fee charged for participating in the National Board for Professional Teaching Standards (NBPTS) certification program, eliminates the one-time portfolio preparation incentive of \$150, and eliminates the FRS contribution payment. The bill preserves the annual bonus equal to 10% of the prior fiscal year's statewide average teacher salary for each individual that holds NBPTS certification and preserves the annual bonus equal to 10% of the prior fiscal year's statewide average teacher salary for those NBPTS certificate holders who agree to provide 12 workdays of mentoring and related services. However, the bonuses for initial certification are limited to one 10-year period. In addition, the bill provides that, if the mentoring and related services are prorated, school districts may pay a portion or all of the balance. If funds are insufficient to pay in full the annual bonuses for certification, payments of bonuses for certification shall be prorated among the eligible recipients.

Prototype Facilities – The bill provides that, if a school district's 5-year educational facilities work plan includes the construction of two or more new schools for students in the same grade group and program, the district school board must require that prototype design and construction be used for the construction of these schools.

HB 7067 – VIRTUAL INSTRUCTION

by Pickens

AMENDS: ss. 1002.20, 1002.31, 1003.01, 1011.61, F.S.

CREATES: s. 1002.45, F.S.

EFFECTIVE: July 1, 2008

THIS BILL HAS SCHOOL BOARD POLICY IMPLICATIONS

The bill creates the school district virtual instruction program and requires that, beginning with the 2009-2010 school year, each school district must provide eligible students the option of participating in a virtual instruction program. The program must provide virtual instruction to full-time students enrolled in full-time virtual courses in kindergarten through grade 8 or in full-time or part-time virtual courses in grades 9 through 12. The bill provides that each school district's virtual instruction program may consist of one or more schools that are operated by the district or by contracted providers approved by DOE. School

districts are authorized to participate in multi-district contractual arrangements to provide such programs. In addition, a charter school may enter into a joint agreement with the school district for the charter school's students to participate in an approved district virtual instruction program. The bill provides that, by March 1, 2009 and annually thereafter, DOE must provide school districts with a list of providers approved to offer virtual instruction. The bill specifies that approved providers include the Florida Virtual School and current K-8 Virtual School Program providers. In order to be approved, any other contract provider must annually document that it:

- Is nonsectarian in its programs, admission policies, employment practices, and operations;
- Complies with the anti-discrimination provisions of s. 1000.05;
- Locates an administrative office in Florida, requires its administrative staff to be state residents, and requires all instructional staff members to be Florida certified teachers;
- Possesses prior, successful experience offering online courses to elementary, middle, or high school students;
- Utilizes an instructional model that relies on certified teachers, not parents, to provide at least 85 percent of the instruction to the student;
- Is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools, the Middle States Association of Colleges and Schools, the North Central Association of Colleges and Schools, or the New England Association of Colleges and Schools; and
- Complies with all requirements under this section of law.

The bill provides that each virtual instruction program operated or contracted by a school district must:

- Require all instructional staff to be certified professional educators under chapter 1012;
- Conduct a background screening of all employees or contracted personnel, as required by s. 1012.32, using state and national criminal history records;
- Align virtual course curriculum and course content to the Sunshine State Standards;
- Offer instruction that is designed to enable a student to gain proficiency in each virtually delivered course of study;
- Provide each student enrolled in the program with all the necessary instructional materials;
- Provide, when appropriate, each household having a full-time student enrolled in the program with all equipment necessary for participants in the program, including a computer, computer monitor, and printer, and access to or reimbursement for all necessary Internet services;
- Not require tuition or student registration fees.

The bill provides that, beginning with the 2010-2011 school year, except for courses offered by the Florida Virtual School, a school district may not increase the enrollment for its full-time virtual instruction program in excess of its prior school year enrollment unless the program for the previous school year is designated with a grade of "C" or better under the school grading system. The bill specifies that enrollment in a school district virtual instruction program is open to any student residing within the district's attendance area if the student has spent the prior school year in attendance at a public school in this state and was enrolled and reported by a public school district for funding during the preceding October and February for purposes of the FEFP surveys, or if the student is a dependent child of a member of the United States Armed Forces who was transferred within the last 12 months to this state pursuant to the parent's permanent change of station orders, or if the student was enrolled during the prior school year in a school district virtual instruction program or a K-8 Virtual School Program.

The bill provides that each student enrolled in a school district virtual instruction program must comply with compulsory attendance requirements and student attendance must be verified by the school district. The student must also take state assessment tests within the school district in which such student resides. The school district must provide the student with access to the district's testing facilities.

The bill revises the current definition of a virtual school full-time equivalent student to provide that a full-time equivalent student for students in grades K-8 in a school district virtual instruction program shall consist of a student who has successfully completed a basic program listed in s. 1011.62(1)(c)1.a. or b., and who is promoted to a higher grade level. A full-time equivalent student for students in grades 9-12 in a school district virtual instruction program shall consist of six full credit completions in programs listed in s. 1011.62(1)(c)1. and 4. Credit completions can be a combination of either full credits or half credits. The bill specifies that the school district must report full-time equivalent students for the school district virtual instruction program and for a charter school's participating students to DOE in a manner prescribed by the department, and funding must be provided through the FEFP. Full-time or part-time school district virtual instruction program courses provided under these provisions for students in grades 9 through 12 are limited to Department of Juvenile Justice programs, dropout prevention programs, and career and vocational programs.

The bill provides that, except for programs offered by the Florida Virtual School, each school district virtual instruction program must participate in the statewide assessment program and in the state's education performance accountability system. Each school district virtual instruction program shall be considered a school and must receive a school grade regardless of the number of individual providers participating in the district's program. However, the performance of part-time students in grades 9-12 will not be included for purposes of school grading but their performance must be included for school grading purposes by the nonvirtual school providing the student's primary instruction. A program that is designated with a grade of "D" or "F" must file a school improvement plan with the department for consultation to determine the causes for low performance and to develop a plan for correction and improvement. The bill specified that a school district must terminate its program, including all contracts with providers, if the program receives a grade of "D" or "F" for 2 years during any consecutive 4-year period. If a contract is not renewed or is terminated, the contracted provider is responsible for all debts of the program or school operated by the provider. A school district that terminates its program under these circumstances must also contract with a provider for the provision of virtual instruction until the school district receives approval from the department to operate a new school district virtual instruction program.

The bill provides that, for the 2008-2009 school year, each school district in the state may offer a school district virtual instruction program to provide full-time virtual courses in kindergarten through grade 8 or to provide full-time or part-time virtual courses in grades 9 through 12. Such program may be operated or contracted and must comply with all requirements of law, except that contracts may only be issued for virtual courses in kindergarten through grade 8 to the current providers of these services or, for virtual courses in grades 9 through 12, to providers who contracted with a regional consortium in the 2007-2008 school year to provide such services.

The bill clarifies that a provider of digital or online content or curriculum that is used to supplement the instruction of students who are not enrolled in a virtual instruction program is not required to meet the requirements of the provisions of the bill. In addition, the bill provides that any information provided by a school district to parents and students regarding the school district's virtual instruction program must include information about opportunities available at the Florida Virtual School. Finally, the bill directs the State Board of Education to adopt rules necessary to administer these provisions, including rules that prescribe school district and charter school reporting requirements.