Senator Simmons moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

Section 1. Subsections (24) and (25) of section 1001.42, Florida Statutes, are amended, and a new subsection (25) is added to that section, to read:

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

(24) EMPLOYMENT CONTRACTS.—If a school district enters into a contract or employment agreement, or renewal or renegotiation of an existing contract or employment agreement, with an
officer, agent, employee, or contractor which contains a provision for severance pay, the contract or employment agreement must include the provisions of s. 215.425. A district school board may not enter into an employment contract that requires the district to pay from state funds an employee an amount in excess of 1 year of the employee’s annual salary for termination, buyout, or any other type of contract settlement. This subsection does not prohibit the payment of earned leave and benefits in accordance with the district’s leave and benefits policies which were accrued by the employee before the contract terminates.

(25) INTERLOCAL AGREEMENTS.—Each district school board shall enter into an interlocal agreement as provided in s. 163.01 for the purpose of establishing the School District Consortium and maximizing the purchasing power for goods and services. A consortium may be statewide or regional, as appropriate to achieve the lowest cost.

(26) ADOPT RULES.—Adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this section.

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

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

(2) Each district school board of each of such districts shall enter into an employment contract with the district school superintendent and shall adopt rules relating to his or her appointment; however, if the employment contract contains a provision for severance pay, it must include the provisions required by s. 215.425.
school board may not enter into an employment contract that
requires the district to pay from state funds a superintendent
an amount in excess of 1 year of the superintendent’s annual
salary for termination, buyout, or any other type of contract
settlement. This subsection does not prohibit the payment of
earned leave and benefits in accordance with the district’s
leave and benefits policies which were accrued by the
superintendent before the contract terminates.

Section 3. Paragraph (a) of subsection (20) of section
1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—
(20) SERVICES.—
(a)1. A sponsor shall provide certain administrative and
educational services to charter schools. These services shall
include contract management services; full-time equivalent and
data reporting services; exceptional student education
administration services; services related to eligibility and
reporting duties required to ensure that school lunch services
under the federal lunch program, consistent with the needs of
the charter school, are provided by the school district at the
request of the charter school, that any funds due to the charter
school under the federal lunch program be paid to the charter
school as soon as the charter school begins serving food under
the federal lunch program, and that the charter school is paid
at the same time and in the same manner under the federal lunch
program as other public schools serviced by the sponsor or the
school district; test administration services, including payment
of the costs of state-required or district-required student
assessments; processing of teacher certificate data services;
and information services, including equal access to student
information systems that are used by public schools in the
district in which the charter school is located. Student
performance data for each student in a charter school,
including, but not limited to, FCAT scores, standardized test
scores, previous public school student report cards, and student
performance measures, shall be provided by the sponsor to a
charter school in the same manner provided to other public
schools in the district.

2. A total administrative fee for the provision of such
services shall be calculated based upon up to 5 percent of the
available funds defined in paragraph (17)(b) for all students,
except that when 75 percent or more of the students enrolled in
the charter school are exceptional students as defined in s.
1003.01(3), the 5 percent of those available funds shall be
calculated based on unweighted full-time equivalent students.
However, a sponsor may only withhold up to a 5-percent
administrative fee for enrollment for up to and including 250
students. For charter schools with a population of 251 or more
students, the difference between the total administrative fee
calculation and the amount of the administrative fee withheld
may only be used for capital outlay purposes specified in s.
1013.62(2).

3. For high-performing charter schools, as defined in ch.
2011-232, a sponsor may withhold a total administrative fee of
up to 2 percent for enrollment up to and including 250 students
per school.

4. In addition, a sponsor may withhold only up to a 5-
percent administrative fee for enrollment for up to and
including 500 students within a system of charter schools which meets all of the following:

a. Includes both conversion charter schools and nonconversion charter schools;

b. Has all schools located in the same county;

c. Has a total enrollment exceeding the total enrollment of at least one school district in the state;

d. Has the same governing board; and

e. Does not contract with a for-profit service provider for management of school operations.

5. The difference between the total administrative fee calculation and the amount of the administrative fee withheld pursuant to subparagraph 4. may be used for instructional and administrative purposes as well as for capital outlay purposes specified in s. 1013.62(2).

6. For a high-performing charter school system that also meets the requirements in subparagraph 4., a sponsor may withhold a 2-percent administrative fee for enrollments up to and including 500 students per system.

7. Sponsors shall not charge charter schools any additional fees or surcharges for administrative and educational services in addition to the maximum 5-percent administrative fee withheld pursuant to this paragraph.

8. The sponsor of a virtual charter school may withhold a fee of up to 5 percent. The funds shall be used to cover the cost of services provided under subparagraph 1. and for the school district’s local instructional improvement system pursuant to s. 1006.281 or other technological tools that are required to access electronic and digital instructional
materials.

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

1003.03 Maximum class size.—

(4) ACCOUNTABILITY.—

(a) If the department determines that the number of students assigned to any individual class exceeds the class size maximum, as required in subsection (1), based upon the October student membership survey, the department shall:

1. Identify, for each grade group, the number of classes in which the number of students exceeds the maximum and the total number of students which exceeds the maximum for all classes.

2. Determine the number of FTE students which exceeds the maximum for each grade group.

3. Multiply the total number of FTE students which exceeds the maximum for each grade group by the district’s FTE dollar amount of the class size categorical allocation for that year and calculate the total for all three grade groups.

4. Multiply the total number of FTE students which exceeds the maximum for all classes by an amount equal to 50 percent of the base student allocation adjusted by the district cost differential for the 2010-2011 fiscal year through the 2013-2014 fiscal year and by an amount equal to the base student allocation adjusted by the district cost differential beginning in the 2014-2015 fiscal year and thereafter.

5. Reduce the district’s class size categorical allocation by an amount equal to the sum of the calculations in subparagraphs 3. and 4.

Section 5. Subsection (12) of section 1003.52, Florida
Statutes, is amended to read:

1003.52 Educational services in Department of Juvenile Justice programs.—

(12)(a) Funding for eligible students enrolled in juvenile justice education programs shall be provided through the Florida Education Finance Program as provided in s. 1011.62 and the General Appropriations Act. Funding shall include, at a minimum:

1. Weighted program funding or the basic amount for current operation multiplied by the district cost differential as provided in s. 1011.62(1)(r) and (2);

2. The supplemental allocation for juvenile justice education as provided in s. 1011.62(10);

3. A proportionate share of the district’s exceptional student education guaranteed allocation, the supplemental academic instruction allocation, and the instructional materials allocation;

4. An amount equivalent to the proportionate share of the state average potential discretionary local effort for operations, which shall be determined as follows:
   a. If the district levies the maximum discretionary local effort and the district’s discretionary local effort per FTE is less than the state average potential discretionary local effort per FTE, the proportionate share shall include both the discretionary local effort and the compression supplement per FTE. If the district’s discretionary local effort per FTE is greater than the state average per FTE, the proportionate share shall be equal to the state average; or
   b. If the district does not levy the maximum discretionary local effort and the district’s actual discretionary local
effort per FTE is less than the state average potential discretionary local effort per FTE, the proportionate share shall be equal to the district’s actual discretionary local effort per FTE. If the district’s actual discretionary local effort per FTE is greater than the state average per FTE, the proportionate share shall be equal to the state average potential local effort per FTE; and

5. A proportionate share of the district’s proration to funds available, if necessary. The district school board shall fund the educational program in a Department of Juvenile Justice facility at the same or higher level of funding for equivalent students in the district school system based on the funds generated by state funding through the Florida Education Finance Program for such students. It is the intent of the Legislature that the school district maximize its available local, state, and federal funding to a juvenile justice program.

(a) Juvenile justice educational programs shall be funded in the appropriate FEFP program based on the educational services needed by the student for Department of Juvenile Justice programs in accordance with s. 1011.62.

(b) Juvenile justice educational programs to receive the appropriate FEFP funding for Department of Juvenile Justice programs shall include those operated through a contract with the Department of Juvenile Justice and which are under purview of the Department of Juvenile Justice quality assurance standards for education.

(c) Consistent with the rules of the State Board of Education, district school boards are required to request an alternative FTE survey for Department of Juvenile Justice
programs experiencing fluctuations in student enrollment.

(d) FTE count periods shall be prescribed in rules of the State Board of Education and shall be the same for programs of the Department of Juvenile Justice as for other public school programs. The summer school period for students in Department of Juvenile Justice programs shall begin on the day immediately following the end of the regular school year and end on the day immediately preceding the subsequent regular school year. Students shall be funded for no more than 25 hours per week of direct instruction.

(e) Each juvenile justice education program must receive all federal funds for which the program is eligible.

Section 6. Subsection (2) of section 1006.40, Florida Statutes, is amended to read:

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

(2) Each district school board must purchase current instructional materials to provide each student with a major tool of instruction in core courses of the subject areas of mathematics, language arts, science, social studies, reading, and literature for kindergarten through grade 12. Such purchase must be made within the first 2 years after the effective date of the adoption cycle; however, upon request of a school district, the Commissioner of Education may provide a waiver of the 2-year requirement if the school district demonstrates that the content of the instructional materials is provided by alternative means.

Section 7. Paragraph (c) of subsection (1) and subsection
of section 1011.61, Florida Statutes, are amended to read:

1011.61 Definitions.—Notwithstanding the provisions of s. 1000.21, the following terms are defined as follows for the purposes of the Florida Education Finance Program:

(1) A “full-time equivalent student” in each program of the district is defined in terms of full-time students and part-time students as follows:

(c)1. A “full-time equivalent student” is:

a. A full-time student in any one of the programs listed in s. 1011.62(1)(c); or

b. A combination of full-time or part-time students in any one of the programs listed in s. 1011.62(1)(c) which is the equivalent of one full-time student based on the following calculations:

(I) A full-time student in a combination of programs listed in s. 1011.62(1)(c) shall be a fraction of a full-time equivalent membership in each special program equal to the number of net hours per school year for which he or she is a member, divided by the appropriate number of hours set forth in subparagraph (a)1. or subparagraph (a)2. The sum of the fractions for each program may not exceed the maximum value set forth in subsection (4). The difference between that fraction or sum of fractions and the maximum value as set forth in subsection (4) for each full-time student is presumed to be the balance of the student’s time not spent in such special education programs and shall be recorded as time in the appropriate basic program.

(II) A prekindergarten handicapped student shall meet the requirements specified for kindergarten students.
(III) A full-time equivalent student for students in kindergarten through grade 5 in a virtual instruction program under s. 1002.45 or a virtual charter school under s. 1002.33 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.

(IV) A full-time equivalent student for students in grades 6 through 12 in a virtual instruction program under s. 1002.45(1)(b)1., 2., or 3. or a virtual charter school under s. 1002.33 shall consist of six full credit completions in programs listed in s. 1011.62(1)(c)1.b. or c. and 3. Credit completions may be a combination of full-credit courses or half-credit courses. Beginning in the 2014-2015 fiscal year, when s. 1008.22(3)(g) is implemented, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment shall be adjusted after the student completes the end-of-course assessment.

(V) A Florida Virtual School full-time equivalent student shall consist of six full credit completions or the prescribed level of content that counts toward promotion to the next grade in the programs listed in s. 1011.62(1)(c)1.a. and b. for kindergarten through grade 8 and the programs listed in s. 1011.62(1)(c)1.c. for grades 9 through 12. Credit completions may be a combination of full-credit courses or half-credit courses. Beginning in the 2014-2015 fiscal year, when s. 1008.22(3)(g) is implemented, the reported full-time equivalent students and associated funding of students enrolled in courses requiring passage of an end-of-course assessment shall be
adjusted after the student completes the end-of-course assessment.

(VI) Each successfully completed full-credit course earned through an online course delivered by a district other than the one in which the student resides shall be calculated as 1/6 FTE.

(VII) Each successfully completed credit earned under the alternative high school course credit requirements authorized in s. 1002.375, which is not reported as a portion of the 900 net hours of instruction pursuant to subparagraph (1)(a)1., shall be calculated as 1/6 FTE.

2. A student in membership in a program scheduled for more or less than 180 school days or the equivalent on an hourly basis as specified by rules of the State Board of Education is a fraction of a full-time equivalent membership equal to the number of instructional hours in membership divided by the appropriate number of hours set forth in subparagraph (a)1.; however, for the purposes of this subparagraph, membership in programs scheduled for more than 180 days is limited to students enrolled in juvenile justice education programs and the Florida Virtual School.

The department shall determine and implement an equitable method of equivalent funding for experimental schools and for schools operating under emergency conditions, which schools have been approved by the department to operate for less than the minimum school day.

(4) The maximum value for funding a student in kindergarten through grade 12 or in a prekindergarten program for exceptional children as provided in s. 1003.21(1)(e), except for a student
as set forth in sub-sub-subparagraph (1)(c)1.b.(I), is one full-time equivalent student membership for a school year or equivalent.

Section 8. Paragraph (f) of subsection (1), paragraph (b) of subsection (6), subsection (9), and paragraph (b) of subsection (13) of section 1011.62, Florida Statutes, are amended to read:

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

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

(f) Supplemental academic instruction; categorical fund.—

1. There is created a categorical fund to provide supplemental academic instruction to students in kindergarten through grade 12. This paragraph may be cited as the “Supplemental Academic Instruction Categorical Fund.”

2. Categorical funds for supplemental academic instruction shall be allocated annually to each school district in the amount provided in the General Appropriations Act. These funds shall be in addition to the funds appropriated on the basis of FTE student membership in the Florida Education Finance Program and shall be included in the total potential funds of each district. These funds shall be used to provide supplemental
academic instruction to students enrolled in the K-12 program. For the 2012-2013 and 2013-2014 fiscal years, each school district that has elementary schools designated as having a grade of “D” or “F” or elementary schools that are on the Persistently Low Achieving list shall use these funds, together with the funds provided in the school district’s research-based reading instruction allocation and other available funds, to provide an additional hour of instruction beyond the normal school day for each day of the entire school year for the purpose of providing intensive reading instruction for the students in such elementary schools. After this requirement has been met, supplemental instruction strategies may include, but are not limited to: modified curriculum, reading instruction, after-school instruction, tutoring, mentoring, class size reduction, extended school year, intensive skills development in summer school, and other methods for improving student achievement. Supplemental instruction may be provided to a student in any manner and at any time during or beyond the regular 180-day term identified by the school as being the most effective and efficient way to best help that student progress from grade to grade and to graduate.

3. Effective with the 1999-2000 fiscal year, funding on the basis of FTE membership beyond the 180-day regular term shall be provided in the FEFP only for students enrolled in juvenile justice education programs or in education programs for juveniles placed in secure facilities or programs under s. 985.19. Funding for instruction beyond the regular 180-day school year for all other K-12 students shall be provided through the supplemental academic instruction categorical fund.
and other state, federal, and local fund sources with ample flexibility for schools to provide supplemental instruction to assist students in progressing from grade to grade and graduating.

4. The Florida State University School, as a lab school, is authorized to expend from its FEFP or Lottery Enhancement Trust Fund allocation the cost to the student of remediation in reading, writing, or mathematics for any graduate who requires remediation at a postsecondary educational institution.

5. Beginning in the 1999-2000 school year, dropout prevention programs as defined in ss. 1003.52, 1003.53(1)(a), (b), and (c), and 1003.54 shall be included in group 1 programs under subparagraph (d)3.

(6) CATEGORICAL FUNDS.—

(b) If a district school board finds and declares in a resolution adopted at a regular meeting of the school board that the funds received for any of the following categorical appropriations are urgently needed to maintain school board specified academic classroom instruction, the school board may consider and approve an amendment to the school district operating budget transferring the identified amount of the categorical funds to the appropriate account for expenditure:

1. Funds for student transportation.
2. Funds for safe schools.
3. Funds for supplemental academic instruction if the required additional hour of instruction beyond the normal school day for each day of the entire school year has been provided for elementary schools designated as having a grade of “D” or “F” or elementary schools that are on the Persistently Low Achieving
4. Funds for research-based reading instruction if the required additional hour of instruction beyond the normal school day for each day of the entire school year has been provided for the lowest-performing students pursuant to paragraph (9)(a).

5. Funds for instructional materials if all instructional material purchases necessary to provide updated materials aligned to Next Generation Sunshine State Standards and benchmarks and that meet statutory requirements of content and learning have been completed for that fiscal year, but no sooner than March 1. Funds available after March 1 may be used to purchase hardware for student instruction.

(9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

(a) The research-based reading instruction allocation is created to provide comprehensive reading instruction to students in kindergarten through grade 12. For the 2012-2013 and 2013-2014 fiscal years, priority shall be given to providing an additional hour per day of intensive reading instruction beyond the normal school day for each day of the entire school year to each school district’s lowest-performing students. The intensive reading instruction delivered in this additional hour shall include: research-based reading instruction that has been proven to accelerate progress of students exhibiting a reading deficiency; differentiated instruction based on student assessment data to meet students’ specific reading needs; explicit and systematic reading development in phonemic awareness, phonics, fluency, vocabulary, and comprehension, with more extensive opportunities for guided practice, error correction, and feedback; and the integration of social studies,
science, and mathematics-text reading, text discussion, and writing in response to reading. For the 2012-2013 and 2013-2014 fiscal years, a school district may not hire more reading coaches than were hired during the 2011-2012 fiscal year unless all students in kindergarten through grade 5 who demonstrate a reading deficiency, as determined by district and state assessments, including students scoring Level 1 or Level 2 on FCAT Reading, are provided an additional hour per day of intensive reading instruction beyond the normal school day for each day of the entire school year.

(b) Funds for comprehensive, research-based reading instruction shall be allocated annually to each school district in the amount provided in the General Appropriations Act. Each eligible school district shall receive the same minimum amount as specified in the General Appropriations Act, and any remaining funds shall be distributed to eligible school districts based on each school district’s proportionate share of K-12 base funding.

(c) Funds allocated under this subsection must be used to provide a system of comprehensive reading instruction to students enrolled in the K-12 programs, which may include the following:

1. The provision of effective or highly effective reading teachers to provide an additional hour per day of intensive reading instruction to the lowest-performing elementary school students.

2. Kindergarten through grade 5 reading intervention teachers to provide intensive intervention during the school day and in the required extra hour for students identified as having
a reading deficiency.

3. The provision of highly qualified reading coaches to specifically support teachers in making instructional decisions based on student data, and improve teacher delivery of effective reading instruction, intervention, and reading in the content areas based on student need.

4. Professional development for school district teachers in scientifically based reading instruction, including strategies to teach reading in content areas and with an emphasis on technical and informational text.

5. The provision of summer reading camps for all students in kindergarten through grade 2 who demonstrate a reading deficiency as determined by district and state assessments, and students in grades 3 through 5 who score at Level 1 on FCAT Reading.

6. The provision of supplemental instructional materials that are grounded in scientifically based reading research.

7. The provision of intensive interventions for middle and high school students in kindergarten through grade 12 who have been identified as having a reading deficiency or who are reading below grade level as determined by the FCAT.

(d) Annually, by a date determined by the Department of Education but before May 1, school districts shall submit a K-12 comprehensive reading plan for the specific use of the research-based reading instruction allocation in the format prescribed by the department for review and approval by the Just Read, Florida! Office created pursuant to s. 1001.215. The plan annually submitted by school districts shall be deemed approved unless the department rejects the plan on or before June 1. If a
school district and the Just Read, Florida! Office cannot reach agreement on the contents of the plan, the school district may appeal to the State Board of Education for resolution. School districts shall be allowed reasonable flexibility in designing their plans and shall be encouraged to offer reading intervention remediation through innovative methods, including career academies. The plan format shall be developed with input from school district personnel, including teachers and principals, and shall allow courses in core, career, and alternative programs that deliver intensive reading remediation through integrated curricula, provided that the teacher is deemed highly qualified to teach reading or working toward that status. No later than July 1 annually, the department shall release the school district’s allocation of appropriated funds to those districts having approved plans. A school district that spends 100 percent of this allocation on its approved plan shall be deemed to have been in compliance with the plan. The department may withhold funds upon a determination that reading instruction allocation funds are not being used to implement the approved plan. The department shall monitor and track the implementation of each district plan, including conducting site visits and collecting specific data on expenditures and reading improvement results. By February 1 of each year, the department shall report its findings to the Legislature.

(13) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR CURRENT OPERATION.—The total annual state allocation to each district for current operation for the FEFP shall be distributed periodically in the manner prescribed in the General Appropriations Act.
(b) The amount thus obtained shall be the net annual allocation to each school district. However, if it is determined that any school district received an underallocation or overallocation for any prior year because of an arithmetical error, assessment roll change required by final judicial decision, full-time equivalent student membership error, or any allocation error revealed in an audit report, the allocation to that district shall be appropriately adjusted. Beginning with audits for the 2001-2002 fiscal year, if the adjustment is the result of an audit finding in which group 2 FTE are reclassified to the basic program and the district weighted FTE are over the weighted enrollment ceiling for group 2 programs, the adjustment shall not result in a gain of state funds to the district. Beginning with the 2011-2012 fiscal year, if a special program cost factor is less than the basic program cost factor, an audit adjustment may not result in the reclassification of the special program FTE to the basic program FTE. If the Department of Education audit adjustment recommendation is based upon controverted findings of fact, the Commissioner of Education is authorized to establish the amount of the adjustment based on the best interests of the state.

Section 9. Paragraph (e) of subsection (2) of section 1011.71, Florida Statutes, is amended to read:

1011.71 District school tax.—

(2) In addition to the maximum millage levy as provided in subsection (1), each school board may levy not more than 1.5 mills against the taxable value for school purposes for district schools, including charter schools at the discretion of the school board, to fund:
(e) Payments for educational facilities and sites due under a lease-purchase agreement entered into by a district school board pursuant to s. 1003.02(1)(f) or s. 1013.15(2), not exceeding, in the aggregate, an amount equal to three-fourths of the proceeds from the millage levied by a district school board pursuant to this subsection. For the 2009-2010 fiscal year, the three-fourths limit is waived for lease-purchase agreements entered into before June 30, 2009, by a district school board pursuant to this paragraph.

Section 10. Paragraph (a) of subsection (10) of section 1013.03, Florida Statutes, is amended to read:

1013.03 Functions of the department and the Board of Governors.—The functions of the Department of Education as it pertains to educational facilities of school districts and Florida College System institutions and of the Board of Governors as it pertains to educational facilities of state universities shall include, but not be limited to, the following:

(10)(a) Review and validate surveys proposed or amended by the boards and recommend to the Commissioner of Education, or the Chancellor of the State University System, as appropriate, for approval, surveys that meet the requirements of this chapter.

1. The term “validate” as applied to surveys by school districts means to review inventory data as submitted to the department by district school boards; provide for review and inspection, where required, of student stations and aggregate square feet of inventory changed from satisfactory to unsatisfactory or changed from unsatisfactory to satisfactory;
compare new school inventory to allocation limits provided by this chapter; review cost projections for conformity with cost limits set by s. 1013.64(6); compare total capital outlay full-time equivalent enrollment projections in the survey with the department’s projections; review facilities lists to verify that student station and auxiliary facility space allocations do not exceed the limits provided by this chapter and related rules; review and confirm the application of uniform facility utilization factors, where provided by this chapter or related rules; utilize the documentation of programs offered per site, as submitted by the board, to analyze facility needs; confirm that need projections for career and adult educational programs comply with needs documented by the Department of Education; and confirm the assignment of full-time student stations to all space except auxiliary facilities, which, for purposes of exemption from student station assignment, include the following:

a. Cafeterias.
b. Multipurpose dining areas.
c. Media centers.
d. Auditoriums.
e. Administration.
f. Elementary, middle, and high school resource rooms, up to the number of such rooms recommended for the applicable occupant and space design capacity of the educational plant in the State Requirements for Educational Facilities, beyond which student stations must be assigned.
g. Elementary school skills labs, up to the number of such rooms recommended for the applicable occupant and space design capacity.
capacity of the educational plant in the State Requirements for Educational Facilities, beyond which student stations must be assigned.

   h. Elementary school art and music rooms.

The Commissioner of Education may grant a waiver from the requirements of this subparagraph if a district school board determines that such waiver will make possible a substantial savings of funds or will be advantageous to the welfare of the educational system. The district school board shall present a full statement to the commissioner which sets forth the facts that warrant the waiver. If the commissioner denies a request for a waiver, the district school board may appeal such decision to the State Board of Education.

2. The term “validate” as applied to surveys by Florida College System institutions and universities means to review and document the approval of each new site and official designation, where applicable; review the inventory database as submitted by each board to the department, including noncareer, and total capital outlay full-time equivalent enrollment projections per site and per college; provide for the review and inspection, where required, of student stations and aggregate square feet of space changed from satisfactory to unsatisfactory; utilize and review the documentation of programs offered per site submitted by the boards as accurate for analysis of space requirements and needs; confirm that needs projected for career and adult educational programs comply with needs documented by the Department of Education; compare new facility inventory to allocations limits as provided in this chapter; review cost
projections for conformity with state averages or limits designated by this chapter; compare student enrollment projections in the survey to the department’s projections; review facilities lists to verify that area allocations and space factors for generating space needs do not exceed the limits as provided by this chapter and related rules; confirm the application of facility utilization factors as provided by this chapter and related rules; and review, as submitted, documentation of how survey recommendations will implement the detail of current campus master plans and integrate with local comprehensive plans and development regulations.

Section 11. Paragraph (f) of subsection (2) of section 1013.35, Florida Statutes, is amended to read:

1013.35 School district educational facilities plan; definitions; preparation, adoption, and amendment; long-term work programs.—

(2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL FACILITIES PLAN.—

(f) Commencing on October 1, 2002, and Not less than once every 5 years thereafter, the district school board shall have contract with a qualified, independent third party to conduct a financial management and performance audit conducted of the educational planning and construction activities of the district. An audit conducted by the Office of Program Policy Analysis and Government Accountability and the Auditor General pursuant to s. 1008.35 satisfies this requirement.

Section 12. Notwithstanding the amendments made by this act to s. 1003.03(4)(a)4., Florida Statutes, for the 2011-2012 fiscal year, the calculation required by that subparagraph shall
subsection is amended as follows:

and insert:

be an amount equal to 50 percent of the base student allocation
adjusted by the district cost differential. This section shall

and act unto be entitled

be a

amount equal to 50 percent of the base student allocation
adjusted by the district cost differential. This section shall take effect upon this act becoming a law.

Section 13. Notwithstanding the required review by the Legislative Budget Commission pursuant to s. 1003.03(4)(c), Florida Statutes, and s. 41 of chapter 2011-55, Laws of Florida, for the 2011-2012 fiscal year, the alternate compliance calculation amounts to the class size operating categorical fund authorized by s. 1003.03(4)(c), Florida Statutes shall be the reduction calculation required by s. 1003.03(4), Florida Statutes. The Commissioner of Education shall modify payments to districts as required by s. 1003.03(4), Florida Statutes, for the 2011-2012 fiscal year. This section shall take effect upon this act becoming a law.

Section 14. 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, 2012.
district with an officer, agent, employee, or contractor which contains a provision for severance pay include provisions in s. 215.425, F.S., relating to limitations on extra compensation, bonuses, and severance pay; requiring that each district school board enter into an interlocal agreement for the purpose of establishing the School District Consortium; amending s. 1001.50, F.S.; requiring that any employment contract entered into by a district school board with a district school superintendent which contains a provision for severance pay include provisions in s. 215.425, F.S.; amending s. 1002.33, F.S.; revising provisions relating to the calculation of the total administrative fee for providing administrative and educational services to charter schools; amending s. 1003.03, F.S.; extending dates relating to calculations for the class size maximum; amending s. 1003.52, F.S.; providing for the funding of juvenile justice education programs; amending s. 1006.40, F.S.; authorizing the Commissioner of Education to waive a requirement relating to the purchase of current instructional materials for school districts under certain circumstances; amending s. 1011.61, F.S.; revising the definition of the term “full-time equivalent student” for full-time students enrolled in a combination of certain programs; revising provisions relating to the funding of students in kindergarten through grade 12 or exceptional children in a prekindergarten program to
conform to changes made by the act; amending s. 1011.62, F.S.; requiring that each school district having low-performing elementary schools use funds from the supplemental academic instruction categorical fund, along with the school district’s research-based reading instruction allocation, to provide an additional hour of instruction per day for intensive reading instruction; requiring that the Department of Education monitor and track the implementation of each school district’s comprehensive reading plan and report its findings to the Legislature by a specified date each year; revising provisions relating to the total allocation of state funds to each district for current operations; amending s. 1011.71, F.S.; deleting an obsolete fiscal year reference; amending s. 1013.03, F.S.; authorizing the Commissioner of Education to grant waivers to district school boards from certain requirements relating to the validation of surveys and inventory data under certain circumstances; amending s. 1013.35, F.S.; requiring that each district school board have a financial management and performance audit conducted of the district’s educational planning and construction activities; requiring that the calculation required in s. 1003.03(4)(a)4., F.S., be an amount equal to 50 percent of the base student allocation adjusted by the district cost differential for a specified fiscal year; specifying the formula to be used for the 2011-2012 fiscal year in calculating the alternate
compliance calculation amounts to the class size operating categorical fund, notwithstanding certain other provisions of law; requiring that the Commissioner of Education modify payments to school districts; providing effective dates.