A bill to be entitled
An act relating to maximum class size; amending s. 1002.31, F.S.; deleting a provision relating to compliance with maximum class size requirements for certain public schools of choice; amending s. 1002.33, F.S.; revising requirements for charter school compliance with maximum class size requirements; amending s. 1002.451, F.S.; revising requirements for district innovation school of technology compliance with maximum class size requirements; amending s. 1003.03, F.S.; calculating a school district's class size categorical allocation reduction at the school average when maximum class size requirements are not met; providing an exemption from the reduction of a school district's class size categorical allocation for specified fiscal years; requiring an updated plan for compliance with class size requirements from certain districts for a specified fiscal year; amending s. 1011.6202, F.S.; revising requirements for compliance with maximum class size requirements for a school participating in the Principal Autonomy Pilot Project Program; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:
Section 1. Subsection (5) of section 1002.31, Florida Statutes, is amended to read:

1002.31 Controlled open enrollment; Public school parental choice.—

(5) For a school or program that is a public school of choice under this section, the calculation for compliance with maximum class size pursuant to s. 1003.03(4) is the average number of students at the school level.

Section 2. Paragraph (b) of subsection (16) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(16) EXEMPTION FROM STATUTES.—

(b) Additionally, a charter school shall be in compliance with the following statutes:

1. Section 286.011, relating to public meetings and records, public inspection, and criminal and civil penalties.
2. Chapter 119, relating to public records.
3. Section 1003.03, relating to the maximum class size, except that the calculation for compliance pursuant to s. 1003.03 shall be the average at the school level.
4. Section 1012.22(1)(c), relating to compensation and salary schedules.
5. Section 1012.33(5), relating to workforce reductions.
6. Section 1012.335, relating to contracts with instructional personnel hired on or after July 1, 2011.
7. Section 1012.34, relating to the substantive requirements for performance evaluations for instructional personnel and school administrators.

Section 3. Paragraph (a) of subsection (5) of section 1002.451, Florida Statutes, is amended to read:

1002.451 District innovation school of technology program.—

(5) EXEMPTION FROM STATUTES.—

(a) An innovation school of technology is exempt from chapters 1000-1013. However, an innovation school of technology shall comply with the following provisions of those chapters:

1. Laws pertaining to the following:
   a. Schools of technology, including this section.
   b. Student assessment program and school grading system.
   c. Services to students who have disabilities.
   d. Civil rights, including s. 1000.05, relating to discrimination.
   e. Student health, safety, and welfare.

2. Laws governing the election and compensation of district school board members and election or appointment and compensation of district school superintendents.

3. Section 1003.03, governing maximum class size, except that the calculation for compliance pursuant to s. 1003.03 is the average at the school level.

4. Sections 1012.22(1)(c) and 1012.27(2), relating to
compensation and salary schedules.

5. Section 1012.33(5), relating to workforce reductions, for annual contracts for instructional personnel. This subparagraph does not apply to at-will employees.

6. Section 1012.335, relating to contracts with instructional personnel hired on or after July 1, 2011, for annual contracts for instructional personnel. This subparagraph does not apply to at-will employees.

7. Section 1012.34, relating to requirements for performance evaluations of instructional personnel and school administrators.

Section 4. 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 calculated at the school average.
2. Multiply the total number of FTE students which exceeds the maximum for each grade group calculated at the school average 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.

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

4. Reduce the district's class size categorical allocation by an amount equal to the sum of the calculations in subparagraphs 2. and 3. and 4. (b) The amount of funds reduced shall be the lesser of the amount calculated in paragraph (a) or the undistributed balance of the district's class size categorical allocation. The Florida Education Finance Program Appropriation Allocation Conference shall verify the department's calculation in paragraph (a). The commissioner may withhold distribution of the class size categorical allocation to the extent necessary to comply with paragraph (a).

(c) In lieu of the reduction calculation in paragraph (a), if the Commissioner of Education has evidence that a district
was unable to meet the class size requirements despite appropriate efforts to do so or because of an extreme emergency, the commissioner may recommend by February 15, subject to approval of the Legislative Budget Commission, the reduction of an alternate amount of funds from the district's class size categorical allocation.

(d) Upon approval of the reduction calculation in paragraphs (a)-(c), the commissioner must prepare a reallocation of the funds made available for the districts that have fully met the class size requirements. The funds shall be reallocated by calculating an amount of up to 5 percent of the base student allocation multiplied by the total district FTE students. The reallocation total may not exceed 25 percent of the total funds reduced.

(e) Each district that has not complied with the requirements in subsection (1) shall submit to the commissioner by February 1 a plan certified by the district school board that describes the specific actions the district will take in order to fully comply with the requirements in subsection (1) by October of the following school year. If a district submits the certified plan by the required deadline, the funds remaining after the reallocation calculation in paragraph (d) shall be added back to the district's class size categorical allocation based on each qualifying district's proportion of the total reduction for all qualifying districts for which a reduction was
calculated in paragraphs (a)-(c). However, no district shall have an amount added back that is greater than the amount that was reduced.

(f) The department shall adjust school district class size reduction categorical allocation distributions based on the calculations in paragraphs (a)-(e).

(g) A district that has not complied with the requirements in subsection (1) based on the October student membership survey for the 2017-2018 school year and has timely submitted the required plan under paragraph (e) may not have its class size categorical allocation reduced for the 2017-2018 and 2018-2019 fiscal years. The district shall have until the October student membership survey for the 2018-2019 school year to comply with subsection (1); however, the district must provide an updated plan by February 1, 2019, to the commissioner to ensure the district is working to comply with the requirements of subsection (1).

Section 5. Paragraph (b) of subsection (3) of section 1011.6202, Florida Statutes, is amended to read:

1011.6202 Principal Autonomy Pilot Program Initiative.—The Principal Autonomy Pilot Program Initiative is created within the Department of Education. The purpose of the pilot program is to provide the highly effective principal of a participating school with increased autonomy and authority to operate his or her school in a way that produces significant improvements in
student achievement and school management while complying with constitutional requirements. The State Board of Education may, upon approval of a principal autonomy proposal, enter into a performance contract with up to seven district school boards for participation in the pilot program.

(3) EXEMPTION FROM LAWS.—

(b) A participating school shall comply with the provisions of chapters 1000-1013, and rules of the state board that implement those provisions, pertaining to the following:

1. Those laws relating to the election and compensation of district school board members, the election or appointment and compensation of district school superintendents, public meetings and public records requirements, financial disclosure, and conflicts of interest.

2. Those laws relating to the student assessment program and school grading system, including chapter 1008.

3. Those laws relating to the provision of services to students with disabilities.

4. Those laws relating to civil rights, including s. 1000.05, relating to discrimination.

5. Those laws relating to student health, safety, and welfare.

6. Section 1001.42(4)(f), relating to the uniform opening date for public schools.

7. Section 1003.03, governing maximum class size, except
that the calculation for compliance pursuant to s. 1003.03 is
the average at the school level for a participating school.

8. Sections 1012.22(1)(c) and 1012.27(2), relating to
compensation and salary schedules.

9. Section 1012.33(5), relating to workforce reductions
for annual contracts for instructional personnel. This
subsection does not apply to at-will employees.

10. Section 1012.335, relating to annual contracts for
instructional personnel hired on or after July 1, 2011. This
subsection does not apply to at-will employees.

11. Section 1012.34, relating to personnel evaluation
procedures and criteria.

12. Those laws pertaining to educational facilities,
including chapter 1013, except that s. 1013.20, relating to
covered walkways for relocatables, and s. 1013.21, relating to
the use of relocatable facilities exceeding 20 years of age, are
eligible for exemption.

13. Those laws pertaining to participating school
districts, including this section and ss. 1011.69(2) and
1012.28(8).

Section 6. This act shall take effect July 1, 2017.