

By the Committee on Appropriations

576-03476-17

20172516__

1 A bill to be entitled
2 An act relating to education funding; amending s.
3 11.45, F.S.; requiring the Auditor General to conduct
4 annual audits of the Florida School for the Deaf and
5 the Blind; amending s. 413.615, F.S.; extending the
6 date for future legislative review and repeal of
7 provisions governing the Florida Endowment for
8 Vocational Rehabilitation; amending s. 1011.62, F.S.;
9 revising the student membership surveys to be used for
10 the funding model for certain students; requiring the
11 300 lowest-performing elementary schools to provide a
12 specified summer school program; requiring that the
13 designation of the 300 lowest-performing schools be
14 based on the prior year's state reading assessment;
15 requiring certain schools on the list to maintain the
16 program for a specified time; revising the schools
17 that may be considered small, isolated schools to
18 include elementary schools that meet certain
19 requirements, for the purpose of determining the
20 annual allocation to each district; revising the
21 computation of the district sparsity index for school
22 districts that meet certain criteria; deleting
23 obsolete language; requiring the amount calculated for
24 the federally connected student supplement for an
25 eligible school district to be recalculated during the
26 year; requiring certain school districts to delineate
27 certain reading strategies in their comprehensive
28 reading plans; requiring the total allocation to be
29 prorated under certain circumstances; providing that

576-03476-17

20172516__

30 certain state allocations to school districts may not
31 be the basis for a positive allocation adjustment for
32 a specified year; amending s. 1013.64, F.S.; revising
33 capital outlay full-time equivalent membership;
34 revising the calculation of capital outlay membership;
35 amending s. 1013.738, F.S.; revising the purposes for
36 which the High Growth District Capital Outlay
37 Assistance Grant Program funds may be used; revising
38 the school district qualification criteria for the
39 grant; revising the funding methodology; amending ss.
40 1011.71 and 1013.54, F.S.; conforming cross-
41 references; providing effective dates.

42
43 Be It Enacted by the Legislature of the State of Florida:

44
45 Section 1. Upon the expiration and reversion of the
46 amendment to section 11.45, Florida Statutes, pursuant to
47 section 36 of chapter 2016-62, Laws of Florida, paragraph (d) of
48 subsection (2) of section 11.45, Florida Statutes, is amended to
49 read:

50 11.45 Definitions; duties; authorities; reports; rules.—

51 (2) DUTIES.—The Auditor General shall:

52 (d) Annually conduct financial audits of the accounts and
53 records of all district school boards in counties with
54 populations of fewer than 150,000, according to the most recent
55 federal decennial statewide census, and the Florida School for
56 the Deaf and the Blind.

57
58 The Auditor General shall perform his or her duties

576-03476-17

20172516__

59 independently but under the general policies established by the
60 Legislative Auditing Committee. This subsection does not limit
61 the Auditor General's discretionary authority to conduct other
62 audits or engagements of governmental entities as authorized in
63 subsection (3).

64 Section 2. Subsection (14) of section 413.615, Florida
65 Statutes, is amended to read:

66 413.615 Florida Endowment for Vocational Rehabilitation.—

67 (14) REPEAL.—This section is repealed October 1, 2018 ~~2017~~,
68 unless reviewed and saved from repeal by the Legislature.

69 Section 3. Upon the expiration and reversion of the
70 amendments to section 1011.62, Florida Statutes, pursuant to
71 section 23 of chapter 2016-62, Laws of Florida, paragraphs (e),
72 (f), and (h) of subsection (1), paragraph (b) of subsection (7),
73 paragraphs (a), (c), and (d) of subsection (9), and paragraph
74 (c) of subsection (13) of section 1011.62, Florida Statutes, are
75 amended, paragraph (d) is added to subsection (13) of that
76 section, and paragraph (b) of subsection (15) of that section is
77 amended, to read:

78 1011.62 Funds for operation of schools.—If the annual
79 allocation from the Florida Education Finance Program to each
80 district for operation of schools is not determined in the
81 annual appropriations act or the substantive bill implementing
82 the annual appropriations act, it shall be determined as
83 follows:

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

576-03476-17

20172516__

88 (e) *Funding model for exceptional student education*
89 *programs.*—

90 1.a. The funding model uses basic, at-risk, support levels
91 IV and V for exceptional students and career Florida Education
92 Finance Program cost factors, and a guaranteed allocation for
93 exceptional student education programs. Exceptional education
94 cost factors are determined by using a matrix of services to
95 document the services that each exceptional student will
96 receive. The nature and intensity of the services indicated on
97 the matrix shall be consistent with the services described in
98 each exceptional student's individual educational plan. The
99 Department of Education shall review and revise the descriptions
100 of the services and supports included in the matrix of services
101 for exceptional students and shall implement those revisions
102 before the beginning of the 2012-2013 school year.

103 b. In order to generate funds using one of the two weighted
104 cost factors, a matrix of services must be completed at the time
105 of the student's initial placement into an exceptional student
106 education program and at least once every 3 years by personnel
107 who have received approved training. Nothing listed in the
108 matrix shall be construed as limiting the services a school
109 district must provide in order to ensure that exceptional
110 students are provided a free, appropriate public education.

111 c. Students identified as exceptional, in accordance with
112 chapter 6A-6, Florida Administrative Code, who do not have a
113 matrix of services as specified in sub-subparagraph b. shall
114 generate funds on the basis of full-time-equivalent student
115 membership in the Florida Education Finance Program at the same
116 funding level per student as provided for basic students.

576-03476-17

20172516__

117 Additional funds for these exceptional students will be provided
118 through the guaranteed allocation designated in subparagraph 2.

119 2. For students identified as exceptional who do not have a
120 matrix of services and students who are gifted in grades K
121 through 8, there is created a guaranteed allocation to provide
122 these students with a free appropriate public education, in
123 accordance with s. 1001.42(4)(1) and rules of the State Board of
124 Education, which shall be allocated initially to each school
125 district in the amount provided in the General Appropriations
126 Act. These funds shall be supplemental to the funds appropriated
127 for the basic funding level, and the amount allocated for each
128 school district shall be recalculated ~~once~~ during the year,
129 based on actual student membership from ~~the October~~ FTE surveys
130 survey. Upon recalculation, if the generated allocation is
131 greater than the amount provided in the General Appropriations
132 Act, the total shall be prorated to the level of the
133 appropriation based on each district's share of the total
134 recalculated amount. These funds shall be used to provide
135 special education and related services for exceptional students
136 and students who are gifted in grades K through 8. A district's
137 expenditure of funds from the guaranteed allocation for students
138 in grades 9 through 12 who are gifted may not be greater than
139 the amount expended during the 2006-2007 fiscal year for gifted
140 students in grades 9 through 12.

141 (f) *Supplemental academic instruction; categorical fund.*—

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

576-03476-17

20172516__

146 2. The categorical fund is ~~funds for supplemental academic~~
147 ~~instruction shall be allocated annually to each school district~~
148 ~~in the amount provided in the General Appropriations Act. These~~
149 ~~funds shall be~~ in addition to the funds appropriated on the
150 basis of FTE student membership in the Florida Education Finance
151 Program and shall be included in the total potential funds of
152 each district. These funds shall be used to provide supplemental
153 academic instruction to students enrolled in the K-12 program.
154 ~~For the 2014-2015 fiscal year,~~ Each school district that has one
155 or more of the 300 lowest-performing elementary schools based on
156 the state reading assessment for the prior year shall use these
157 funds, together with the funds provided in the district's
158 research-based reading instruction allocation and other
159 available funds, to provide an additional hour of instruction
160 beyond the normal school day for each day of the entire school
161 year and to provide a 60-hour summer school program, for
162 intensive reading instruction for the students in each of these
163 schools. This additional hour of instruction must be provided by
164 teachers or reading specialists who have demonstrated
165 effectiveness ~~are effective~~ in teaching reading or by a K-5
166 mentoring reading program that is supervised by a teacher who
167 has demonstrated effectiveness in ~~is effective at~~ teaching
168 reading. Students enrolled in these schools who have level 5
169 assessment scores may participate in the additional hour of
170 instruction on an optional basis. Exceptional student education
171 centers may ~~shall~~ not be included in the 300 schools. The
172 designation of the 300 lowest-performing elementary schools must
173 be based on the state reading assessment for the prior year. In
174 addition, a school that was on the list of the 300 lowest-

576-03476-17

20172516__

175 performing elementary schools for the immediately prior academic
176 year and that has improved its performance such that the school
177 is no longer on such list shall maintain the program for 2
178 additional academic years. After this requirement has been met,
179 supplemental instruction strategies may include, but are not
180 limited to: use of a modified curriculum, reading instruction,
181 after-school instruction, tutoring, mentoring, a reduction in
182 class size ~~reduction~~, an extended school year, intensive skills
183 development in summer school, and other methods of ~~for~~ improving
184 student achievement. Supplemental instruction may be provided to
185 a student in any manner and at any time during or beyond the
186 regular 180-day term identified by the school as being the most
187 effective and efficient way to best help that student progress
188 from grade to grade and to graduate.

189 3. Categorical funds for supplemental academic instruction
190 shall be provided annually in the Florida Education Finance
191 Program as specified in the General Appropriations Act. These
192 funds shall be provided as a supplement to the funds
193 appropriated for the basic funding level and shall be included
194 in the total funds of each district. The allocation shall
195 consist of a base amount that has a workload adjustment based on
196 changes in unweighted FTE. In addition, districts that have
197 elementary schools included in the 300 lowest-performing schools
198 designation shall be allocated additional funds to assist those
199 districts in providing intensive reading instruction to students
200 in those schools. The amount provided shall be based on each
201 district's level of per-student funding in the reading
202 instruction allocation and the supplemental academic instruction
203 categorical fund and on the total FTE for each of the schools.

576-03476-17

20172516__

204 The categorical funding shall be recalculated during the fiscal
205 year following an updated designation of the 300 lowest-
206 performing elementary schools and shall be based on actual
207 student membership from the FTE surveys. Upon recalculation of
208 funding for the supplemental academic instruction categorical
209 fund, if the total allocation is greater than the amount
210 provided in the General Appropriations Act, the allocation shall
211 be prorated to the level provided to support the appropriation,
212 based on each district's share of the total.

213 ~~4.3.~~ Effective with the 1999-2000 fiscal year, funding on
214 the basis of FTE membership beyond the 180-day regular term
215 shall be provided in the FEFP only for students enrolled in
216 juvenile justice education programs or in education programs for
217 juveniles placed in secure facilities or programs under s.
218 985.19. Funding for instruction beyond the regular 180-day
219 school year for all other K-12 students shall be provided
220 through the supplemental academic instruction categorical fund
221 and other state, federal, and local fund sources with ample
222 flexibility for schools to provide supplemental instruction to
223 assist students in progressing from grade to grade and
224 graduating.

225 ~~5.4.~~ The Florida State University School, as a lab school,
226 is authorized to expend from its FEFP or Lottery Enhancement
227 Trust Fund allocation the cost to the student of remediation in
228 reading, writing, or mathematics for any graduate who requires
229 remediation at a postsecondary educational institution.

230 ~~6.5.~~ Beginning in the 1999-2000 school year, dropout
231 prevention programs as defined in ss. 1003.52, 1003.53(1)(a),
232 (b), and (c), and 1003.54 shall be included in group 1 programs

576-03476-17

20172516__

233 under subparagraph (d)3.

234 (h) *Small, isolated ~~high~~ schools.*—Districts that ~~which~~ levy
235 the maximum nonvoted discretionary millage, exclusive of millage
236 for capital outlay purposes levied pursuant to s. 1011.71(2),
237 may calculate full-time equivalent students for small, isolated
238 district-operated ~~high~~ schools by multiplying the number of
239 unweighted full-time equivalent students times 2.75 if; ~~provided~~
240 the school has attained a grade of "C" or better, pursuant to s.
241 1008.34, for the previous school year. The following schools may
242 be considered small, isolated schools under this paragraph:

243 1. A ~~For the purpose of this section, the term "small,~~
244 ~~isolated high school" means Any high school that~~ which is
245 located at least ~~no less than~~ 28 miles by the shortest route
246 from another high school; ~~which~~ has been serving students
247 primarily in basic studies provided by sub-subparagraphs (c)1.b.
248 and c. and may include subparagraph (c)4.; and ~~which~~ has a
249 membership of at least 28, but no more than 100, students, ~~but~~
250 ~~no fewer than 28 students,~~ in grades 9 through 12; or—

251 2. A district elementary school with a grade configuration
252 of kindergarten through grade 5, but which may also include
253 prekindergarten, grade 6, grade 7, or grade 8, which is located
254 at least 35 miles by the shortest route from another elementary
255 school within the district; has been serving students primarily
256 in basic studies provided by sub-subparagraphs (c)1.a. and b.
257 and may include subparagraph (c)4.; has a student population in
258 which 75 percent or greater of students are eligible for free
259 and reduced-price school lunch; and has a membership of at least
260 28, but no more than 100, students.

261 (7) DETERMINATION OF SPARSITY SUPPLEMENT.—

576-03476-17

20172516__

262 (b) The district sparsity index shall be computed by
263 dividing the total number of full-time equivalent students in
264 all programs in the district by the number of senior high school
265 centers in the district, not in excess of three, which centers
266 are approved as permanent centers by a survey made by the
267 Department of Education. For districts with a full-time
268 equivalent student membership of at least 20,000, but no more
269 than 24,000, the index shall be computed by dividing the total
270 number of full-time equivalent students in all programs by the
271 number of permanent senior high school centers in the district,
272 not in excess of four.

273 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

274 (a) The research-based reading instruction allocation is
275 created to provide comprehensive reading instruction to students
276 in kindergarten through grade 12. ~~For the 2014-2015 fiscal year,~~
277 ~~in~~ Each school district that has one or more of the 300 lowest-
278 performing elementary schools based on the state reading
279 assessment, ~~priority~~ shall give priority ~~be given~~ to providing
280 an additional hour per day of intensive reading instruction
281 beyond the normal school day for each day of the entire school
282 year and to provide a 60-hour summer school program for the
283 students in each school. The designation of the 300 lowest-
284 performing elementary schools must be based on the state reading
285 assessment for the prior year. In addition, a school that was on
286 the list of the 300 lowest performing elementary schools for the
287 immediately prior academic year and that has improved its
288 performance such that the school is no longer on such list shall
289 maintain the program for 2 additional academic years. Students
290 enrolled in these schools who have level 5 assessment scores may

576-03476-17

20172516__

291 participate in the additional hour of instruction on an optional
292 basis. Exceptional student education centers may ~~shall~~ not be
293 included in the 300 schools. The intensive reading instruction
294 delivered in this additional hour and for other students shall
295 include: research-based reading instruction that has been proven
296 to accelerate progress of students exhibiting a reading
297 deficiency; differentiated instruction based on screening,
298 diagnostic, progress monitoring, or student assessment data to
299 meet students' specific reading needs; explicit and systematic
300 reading strategies to develop ~~development in~~ phonemic awareness,
301 phonics, fluency, vocabulary, and comprehension, with more
302 extensive opportunities for guided practice, error correction,
303 and feedback; and the integration of social studies, science,
304 and mathematics-text reading, text discussion, and writing in
305 response to reading. ~~For the 2012-2013 and 2013-2014 fiscal~~
306 ~~years, a school district may not hire more reading coaches than~~
307 ~~were hired during the 2011-2012 fiscal year unless all students~~
308 ~~in kindergarten through grade 5 who demonstrate a reading~~
309 ~~deficiency, as determined by district and state assessments,~~
310 ~~including students scoring Level 1 or Level 2 on the statewide,~~
311 ~~standardized reading assessment or, upon implementation, the~~
312 ~~English Language Arts assessment, are provided an additional~~
313 ~~hour per day of intensive reading instruction beyond the normal~~
314 ~~school day for each day of the entire school year.~~

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

319 1. The provision of an additional hour per day of intensive

576-03476-17

20172516__

320 reading instruction to students in the 300 lowest-performing
321 elementary schools by teachers and reading specialists who have
322 demonstrated effectiveness ~~are effective~~ in teaching reading.

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

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

332 4. Professional development for school district teachers in
333 scientifically based reading instruction, including strategies
334 to teach reading in content areas and with an emphasis on
335 technical and informational text, to help school district
336 teachers earn a certification or an endorsement in reading.

337 5. The provision of summer reading camps for all students
338 in kindergarten through grade 2 who demonstrate a reading
339 deficiency as determined by district and state assessments, and
340 students in grades 3 through 5 who score at Level 1 on the
341 statewide, standardized reading assessment or, upon
342 implementation, the English Language Arts assessment.

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

345 7. The provision of intensive interventions for students in
346 kindergarten through grade 12 who have been identified as having
347 a reading deficiency or who are reading below grade level as
348 determined by the statewide, standardized assessment.

576-03476-17

20172516__

349 (d)1. Annually, by a date determined by the Department of
350 Education but before May 1, school districts shall submit a K-12
351 comprehensive reading plan for the specific use of the research-
352 based reading instruction allocation in the format prescribed by
353 the department for review and approval by the Just Read,
354 Florida! Office created pursuant to s. 1001.215. The plan
355 annually submitted by school districts shall be deemed approved
356 unless the department rejects the plan on or before June 1. If a
357 school district and the Just Read, Florida! Office cannot reach
358 agreement on the contents of the plan, the school district may
359 appeal to the State Board of Education for resolution. School
360 districts shall be allowed reasonable flexibility in designing
361 their plans and shall be encouraged to offer reading
362 intervention through innovative methods, including career
363 academies. The plan format shall be developed with input from
364 school district personnel, including teachers and principals,
365 and shall allow courses in core, career, and alternative
366 programs that deliver intensive reading remediation through
367 integrated curricula, provided that the teacher is deemed highly
368 qualified to teach reading or working toward that status. No
369 later than July 1 annually, the department shall release the
370 school district's allocation of appropriated funds to those
371 districts having approved plans. A school district that spends
372 100 percent of this allocation on its approved plan shall be
373 deemed to have been in compliance with the plan. The department
374 may withhold funds upon a determination that reading instruction
375 allocation funds are not being used to implement the approved
376 plan. The department shall monitor and track the implementation
377 of each district plan, including conducting site visits and

576-03476-17

20172516__

378 collecting specific data on expenditures and reading improvement
379 results. By February 1 of each year, the department shall report
380 its findings to the Legislature.

381 2. Each school district that has a school designated as one
382 of the 300 lowest-performing elementary schools as specified in
383 paragraph (a), including a school that is maintaining the
384 program because it has improved performance so that the school
385 is no longer on such list, shall specifically delineate in the
386 comprehensive reading plan, or in an addendum to the
387 comprehensive reading plan, the implementation design and
388 reading intervention strategies that will be used for the
389 required additional hour of reading instruction. The term
390 "reading intervention" includes evidence-based strategies
391 frequently used to remediate reading deficiencies and also
392 includes individual instruction, tutoring, mentoring, or the use
393 of technology that targets specific reading skills and
394 abilities.

395 (13) FEDERALLY CONNECTED STUDENT SUPPLEMENT.—The federally
396 connected student supplement is created to provide supplemental
397 funding for school districts to support the education of
398 students connected with federally owned military installations,
399 National Aeronautics and Space Administration (NASA) real
400 property, and Indian lands. To be eligible for this supplement,
401 the district must be eligible for federal Impact Aid Program
402 funds under s. 8003 of Title VIII of the Elementary and
403 Secondary Education Act of 1965. The supplement shall be
404 allocated annually to each eligible school district in the
405 ~~amount provided in the~~ General Appropriations Act. The
406 supplement shall be the sum of the student allocation and an

576-03476-17

20172516__

407 exempt property allocation.

408 (c) The exempt property allocation shall be equal to the
409 tax-exempt value of federal impact aid lands reserved as
410 military installations, real property owned by NASA, or eligible
411 federally owned Indian lands located in the district, ~~as of~~
412 ~~January 1 of the previous year,~~ multiplied by the millage
413 authorized and levied under s. 1011.71(2).

414 (d) The amount allocated for each eligible school district
415 shall be recalculated during the year, using actual student
416 membership, as amended, from the most recent February survey and
417 the tax-exempt valuation from the most recent assessment roll.
418 Upon recalculation, if the total allocation is greater than the
419 amount provided in the General Appropriations Act, it must be
420 prorated to the level of the appropriation based on each
421 district's share of the total recalculated amount.

422 (15) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR
423 CURRENT OPERATION.—The total annual state allocation to each
424 district for current operation for the FEFP shall be distributed
425 periodically in the manner prescribed in the General
426 Appropriations Act.

427 (b) The amount thus obtained shall be the net annual
428 allocation to each school district. However, if it is determined
429 that any school district received an under allocation or over
430 allocation ~~underallocation or overallocation~~ for any prior year
431 because of an arithmetical error, assessment roll change
432 required by final judicial decision, full-time equivalent
433 student membership error, or any allocation error revealed in an
434 audit report, the allocation to that district shall be
435 appropriately adjusted. An under allocation in a prior year

576-03476-17

20172516__

436 caused by a school district's error may not be the basis for a
437 positive allocation adjustment for the current year. Beginning
438 with the 2011-2012 fiscal year, if a special program cost factor
439 is less than the basic program cost factor, an audit adjustment
440 may not result in the reclassification of the special program
441 FTE to the basic program FTE. If the Department of Education
442 audit adjustment recommendation is based upon controverted
443 findings of fact, the Commissioner of Education is authorized to
444 establish the amount of the adjustment based on the best
445 interests of the state.

446 Section 4. Effective upon becoming a law, notwithstanding
447 the expiration and reversion of section 1013.64, Florida
448 Statutes, in section 36 of chapter 2016-62, Laws of Florida,
449 subsection (3) of section 1013.64, Florida Statutes, is
450 reenacted and amended to read:

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

456 (3) (a) Each district school board shall receive an amount
457 from the Public Education Capital Outlay and Debt Service Trust
458 Fund to be calculated by computing the capital outlay membership
459 as determined by the department. Such membership must include,
460 but is not limited to:

- 461 1. K-12 students and prekindergarten exceptional education
462 students for whom the school district provides the educational
463 facility, except hospital- and homebound part-time students; and
- 464 2. Students who are career education students, and adult

576-03476-17

20172516__

465 disabled students and who are enrolled in school district career
466 centers.

467 (b) The capital outlay full-time equivalent membership
468 shall be determined for prekindergarten exceptional education
469 students, kindergarten through the 12th grade, and for career
470 centers by counting the reported unweighted full-time equivalent
471 student membership for the second and third surveys, with each
472 survey limited to 0.5 full-time equivalents per student and
473 comparing the results on a school-by-school basis with the
474 Florida Inventory of School Houses. ~~If the prior academic year's~~
475 ~~third survey count is higher than the current year's second~~
476 ~~survey count when comparing the results on a school-by-school~~
477 ~~basis with the Florida Inventory of School Houses, the prior~~
478 ~~year's third survey count shall be used on a school-by-school~~
479 ~~basis for determining the current capital outlay membership. The~~
480 ~~Florida Inventory of School Houses shall be updated with the~~
481 ~~current capital outlay membership count as soon as practicable~~
482 ~~after verification of the capital outlay membership.~~

483 (c) The capital outlay full-time equivalent membership by
484 grade level organization shall be used in making calculations.
485 The capital outlay full-time equivalent membership by grade
486 level organization for the 4th prior year must be used to
487 compute the base-year allocation. The capital outlay full-time
488 equivalent membership by grade-level organization for the prior
489 year must be used to compute the growth over the highest of the
490 3 years preceding the prior year. From the total amount
491 appropriated by the Legislature pursuant to this subsection, 40
492 percent shall be allocated among the base capital outlay full-
493 time equivalent membership and 60 percent among the growth

576-03476-17

20172516__

494 capital outlay full-time equivalent membership. The allocation
495 within each of these groups shall be prorated to the districts
496 based upon each district's percentage of base and growth capital
497 outlay full-time equivalent membership. The most recent 4-year
498 capital outlay full-time equivalent membership data shall be
499 used in each subsequent year's calculation for the allocation of
500 funds pursuant to this subsection. If a change, correction, or
501 recomputation of data during any year results in a reduction or
502 increase of the calculated amount previously allocated to a
503 district, the allocation to that district shall be adjusted
504 accordingly. If such recomputation results in an increase or
505 decrease of the calculated amount, such additional or reduced
506 amounts shall be added to or reduced from the district's future
507 appropriations. However, no change, correction, or recomputation
508 of data may ~~shall~~ be made subsequent to 2 years following the
509 initial annual allocation.

510 (d) Funds accruing to a district school board from the
511 provisions of this section shall be expended on needed projects
512 as shown by survey or surveys under the rules of the State Board
513 of Education.

514 (e) A district school board may lease relocatable
515 educational facilities for up to 3 years using nonbonded PECO
516 funds and for any time period using local capital outlay
517 millage.

518 (f) Funds distributed to the district school boards shall
519 be allocated solely based on paragraphs (a), (b), and (c) and
520 ~~the provisions of paragraphs (1) (a) and (2) (a) and paragraphs~~
521 ~~(a) - (c) of this subsection~~. No individual school district
522 projects may ~~shall~~ be funded off the top of funds allocated to

576-03476-17

20172516__

523 district school boards.

524 Section 5. Section 1013.738, Florida Statutes, is amended
525 to read:

526 1013.738 High Growth District Capital Outlay Assistance
527 Grant Program.—

528 (1) Subject to funds provided in the General Appropriations
529 Act, the High Growth District Capital Outlay Assistance Grant
530 Program is hereby established. Funds provided pursuant to this
531 section may only be used for the purposes identified in s.
532 1011.71(2) ~~to construct new student stations.~~

533 (2) In order to qualify for a grant, a school district must
534 meet the following criteria:

535 (a) The district must have levied the maximum ~~full 1.5~~
536 mills of nonvoted discretionary capital outlay millage
537 authorized in s. 1011.71(2) for each of the prior 5 ~~past 4~~
538 fiscal years.

539 (b) The district must receive revenue from a current voted
540 school capital outlay sales surtax or a portion of the local
541 government infrastructure surtax as authorized in s. 212.055.

542 (c) ~~(b) Fifty percent of~~ The revenue derived from the ~~2-mill~~
543 nonvoted discretionary capital outlay millage ~~for the past 4~~
544 ~~fiscal years~~, when divided by the district's ~~growth in~~ capital
545 outlay FTE students ~~over this period~~, produces a value that is
546 less than the statewide average maximum potential funds cost per
547 capital outlay FTE student station ~~calculated pursuant to s.~~
548 ~~1013.64(6)(b)1., and weighted by statewide growth in capital~~
549 ~~outlay FTE students in elementary, middle, and high schools for~~
550 the most recent past 4 fiscal year years.

551 (d) ~~(e)~~ The district must have equaled or exceeded the the

576-03476-17

20172516__

552 greater of one percent average growth or twice the statewide
553 average of growth in capital outlay FTE students over the prior
554 5-year this same 4-year period.

555 ~~(d) The Commissioner of Education must have released all~~
556 ~~funds allocated to the district from the Classrooms First~~
557 ~~Program authorized in s. 1013.68, and these funds were fully~~
558 ~~expended by the district as of February 1 of the current fiscal~~
559 ~~year.~~

560 (e) The total capital outlay FTE students of the district
561 is greater than 24,000 ~~15,000~~ students.

562 (3) The funds provided in the General Appropriations Act
563 shall be allocated pursuant to the following methodology:

564 (a) For each eligible district, the Department of Education
565 shall sum ~~calculate~~ the calculated ~~value of 50 percent of the~~
566 ~~revenue derived from the maximum potential 2-mill nonvoted~~
567 ~~discretionary capital outlay millage and the revenue received~~
568 ~~from the voted sales surtax as provided in paragraph (2) (b) and~~
569 ~~divide that sum for the past 4 fiscal years divided by the~~
570 ~~number of increase in capital outlay FTE students for the same~~
571 ~~period.~~

572 (b) The Department of Education shall determine, for each
573 eligible district, the amount that must be added to the funds
574 per capital outlay FTE value ~~value~~ calculated pursuant to paragraph
575 (a) to produce the statewide weighted ~~weighted~~ average value per capital
576 outlay FTE for the revenues identified student station
577 ~~calculated~~ pursuant to paragraph (a) ~~(2) (b)~~.

578 (c) The value calculated for each eligible district
579 pursuant to paragraph (b) shall be ~~multiplied by the average~~
580 ~~increase in capital outlay FTE students for the past 4 fiscal~~

576-03476-17

20172516__

581 ~~years to determine~~ the maximum amount of a grant that may be
582 awarded to a district pursuant to this section.

583 (d) In the event the funds provided ~~in the General~~
584 ~~Appropriations Act~~ are insufficient to fully fund the maximum
585 grants calculated pursuant to this section ~~paragraph (c)~~, the
586 Department of Education shall allocate the funds based on each
587 district's prorated share of the total maximum award amount
588 calculated for all eligible districts.

589 Section 6. Paragraph (a) of subsection (2) of section
590 1011.71, Florida Statutes, is amended to read:

591 1011.71 District school tax.—

592 (2) In addition to the maximum millage levy as provided in
593 subsection (1), each school board may levy not more than 1.5
594 mills against the taxable value for school purposes for district
595 schools, including charter schools at the discretion of the
596 school board, to fund:

597 (a) New construction and remodeling projects, as set forth
598 in s. 1013.64(3)(d) ~~s. 1013.64(3)(b)~~ and (6)(b) and included in
599 the district's educational plant survey pursuant to s. 1013.31,
600 without regard to prioritization, sites and site improvement or
601 expansion to new sites, existing sites, auxiliary facilities,
602 athletic facilities, or ancillary facilities.

603 Section 7. Subsection (2) of section 1013.54, Florida
604 Statutes, is amended to read:

605 1013.54 Cooperative development and use of satellite
606 facilities by private industry and district school boards.—

607 (2) The commissioner shall appoint a review committee to
608 make recommendations and prioritize requests. If the project is
609 approved by the commissioner, the commissioner shall include up

576-03476-17

20172516__

610 to one-fourth of the cost of the project in the legislative
611 capital outlay budget request, as provided in s. 1013.60, for
612 the funding of capital outlay projects involving both
613 educational and private industry. The commissioner shall
614 prioritize any such projects for each fiscal year and,
615 notwithstanding the provisions of s. 1013.64(3)(e) ~~s.~~
616 ~~1013.64(3)(e)~~, limit the recommended state funding amount not to
617 exceed 5 percent off the top of the total funds recommended
618 pursuant to s. 1013.64(2) and (3).

619 Section 8. Except as otherwise expressly provided in this
620 act and except for this section, which shall take effect upon
621 this act becoming a law, this act shall take effect July 1,
622 2017.