

SB 30-A — Quality Education/Class Size Reduction

by Senators Constantine, Carlton, and Bullard

This bill implements the class size requirements of s. 1, Art. IX, State Constitution, which provides that, beginning in the 2010 school year, the maximum number of students assigned per teacher for prekindergarten through grade 3 may not exceed 18 students, grades 4 through 8 may not exceed 22 students, and grades 9 through 12 may not exceed 25 students. The bill provides a roadmap for school districts and the state to meet the constitutional requirements relating to class size reduction. Specifically, the bill:

Class Size Implementation and Accountability

- Defines “core-curricula” and “extra-curricular” courses for purposes of identifying courses that are subject to the class size requirements. Only core-curricula courses are subject to the class size requirements.
- Requires school districts that are not in compliance with the maximum class size requirements beginning with FY 2003-2004 to reduce the average number of students per classroom for each of the three grade groupings, prekindergarten through grade 3, grades 4 through 8, and grades 9 through 12. The reduction in the average number of students must be calculated at the district level for FY 2003-2004 through 2005-2006, at the school level for FY 2006-2007 through 2007-2008, and at the individual classroom level for FY 2008-2009 through 2009-2010.
- Requires that school districts, before adopting their 2004-2005 budgets, must conduct public hearings to review school district attendance zones.
- Requires school districts to consider implementation of certain options to meet the class size reductions.
- Requires the Executive Office of the Governor, beginning in FY 2003-2004, to transfer a proportionate amount of undistributed funds of school districts that do not meet the two-student-per-year reductions, from the district’s class size reduction operating categorical allocation to the district’s fixed capital outlay appropriation to meet class size reduction requirements. However, the Legislative Budget Commission may approve an alternate transfer amount if the State Board of Education determines that a district has been unable to meet class size reduction requirements despite appropriate efforts.
- Requires, beginning in the 2005-2006 school year, each district that has not met the two-student-per-year reduction to implement year-round schools, double sessions, rezoning, or maximization of instructional staff through changing teacher loads, using adjunct educators, returning district employees with professional certification to the classroom, or operating beyond specified hours or more than one session per day.

Bonding and Categorical Funding of Class Size Reduction

- Creates the Class Size Reduction Operating Categorical Fund as allocated in the General Appropriations Act. Any funds not required to meet the class size requirements may be used for any lawful operating expense with priority given to teacher salary increases and implementation of the differentiated pay model for teachers.
- Creates the Classrooms for Kids Program, which provides for the allocation of capital outlay funds as appropriated in the General Appropriations Act to be used to provide educational facilities to reduce class size.
- Creates the District Effort Recognition Program, which provides capital outlay grants to eligible districts from funds appropriated in the General Appropriations Act. Eligibility is limited to school districts in which the voters through referendum have provided local funds for district capital outlay projects. School districts that do not meet the constitutional class size requirements must use the funds for capital outlay to reduce class size. Districts that have met the class size requirements may use the funds for any lawful capital outlay purpose.
- Creates the Class Size Reduction Lottery Revenue Bond Program, which authorizes the issuance of lottery revenue bonds to finance educational facilities for class size reduction.
- Revises the Equity in School-Level Funding Act to provide that an average of 90 percent of the funds generated by all schools in a district shall be allocated to those schools and a minimum of 80 percent of the funds generated by a particular school shall remain at the school.
- Revises the cost-per-student stations for public schools in 2002 dollars as adjusted annually by the Consumer Price Index.
- Creates the “Florida Qualified Public Educational Facilities Private Activity Bond Allocation Act” to implement federal law requirements relating to private activity bonds for qualified educational facilities.

Alternative Educational Settings

- Funds the Florida Virtual School through the Florida Education Finance Program based on credits successfully completed.
- Creates the Florida Business and Education in School Together (Florida BEST) Program to encourage businesses to house K-3 public schools in their facilities.

Charter Schools

- Revises the charter school district pilot program into a statewide program. Charter school districts may be formed if a minimum of 50 percent of the schools in the district earn an “A” or “B” and no school earns a “D” or “F” for two consecutive years. Charter school districts are provided greater institutional flexibility.
- Repeals the cap on the number of charter schools that may be approved in a school district.

Corporate Scholarships

- Revises the cap on the corporate income tax credit scholarship program to \$88 million each state fiscal year for scholarships to certain students who qualify for free or reduced-price school lunches under the National School Lunch Act.

High School Graduation

- Establishes accelerated high school graduation options beginning in the 2003-2004 school year that allows students three options: completion of the general requirements for high school graduation in current law, completion of a 3-year standard college preparatory program that requires a minimum of 18 academic credits, or completion of a 3-year career preparatory program that requires a minimum of 18 academic credits.
- Provides an exemption from the 135 hours of bona fide instruction for high school graduation requirements to 120 hours for a school in which the district school board has implemented block scheduling.

Instructional Staff

- Amends the Deferred Retirement Option Program (DROP) to authorize instructional personnel in K-12 and in the Florida School for the Deaf and the Blind to participate in DROP up to eight years at the discretion of the district school superintendent or the Board of Trustees of the Florida School for the Deaf and the Blind on an annual contractual basis.
- Requires school districts to implement a differentiated pay model for teachers in the 2004-2005 school year with four levels: associate teacher, professional teacher, lead teacher, and mentor teacher. The bill restricts school districts from assigning a higher percentage than the district average of first-time teachers, temporarily certified teachers, teachers in need of improvement, or out-of-field teachers to schools above the district average of minority and economically disadvantaged students or schools that are graded a "D" or "F."

If approved by the Governor, these provisions take effect July 1, 2003, except as otherwise expressly provided, and the provisions relating to the Deferred Retirement Option Program shall take effect June 1, 2003.

Vote: Senate 35-0; House 77-38

HB 51-A — State Universities/Board of Governors

by Rep. Mealor (SB 36-A by Senator Constantine)

This bill implements the requirements of s. 7, Art. IX, State Constitution, by enacting staggered terms for the members of the Statewide Board of Governors that governs the State University

System and the local boards of trustees that administer the state universities. The bill makes conforming changes to s. 1001.71, F.S., which provides membership criteria for the university boards of trustees.

The bill authorizes each university board of trustees to establish a nonrefundable admissions deposit in an amount not to exceed \$200 for an applicant who accepts admission to a state university. If the applicant enrolls in the state university, the admissions deposit would be credited towards tuition. If the applicant does not enroll, the admissions deposit would be used to provide financial assistance, scholarships, and student academic and career counseling services at the state university. Each state university that adopts the admissions deposit must also adopt a waiver provision for an applicant who demonstrates financial hardship.

The bill imposes a \$225,000 cap on state university president salaries using public funds. A state university president may be compensated above the cap as long as public funds are not used.

If approved by the Governor, these provisions take effect July 1, 2003.

Vote: Senate 38-0; House 115-1

HB 55-A — Charter Schools

by Rep. Baxley (SB 38-A by Senator Webster)

The bill provides guiding principles for the establishment and operation of charter schools including high standards of student achievement, increased accountability, and a specific emphasis on reading. The charter itself must contain specific information relating to the reading curriculum and show that instructional strategies are grounded in scientifically based reading research.

Beginning September 1, 2003, charter school applications must include specific content which: details how the school will use the guiding principles; demonstrates the alignment of Sunshine State Standards with curriculum; identifies goals and objectives for improving and measuring learning; describes the reading curriculum; and contains a financial plan for each requested year of operation. A school's failure to participate in the state's education accountability system created in s. 1008.31, F.S., is added as grounds for non-renewal or termination of a charter. The State Board of Education's time to review and make a decision on appeals of application denials is extended from 60 to 90 days. Except for charter schools developed with community colleges, the deadline for receiving and considering charter school applications is changed from October 1 to September 1. Existing caps on the number of charter schools that may be established are removed.

Charter schools must conduct internal audits and the auditors are required to notify the charter school governing board, the sponsor, and the Department of Education if the audit reveals a deficit financial position. Also, the auditor must report such findings in the form of an exit

interview to the principal and chair of the governing board within 7 working days of finding the deficit position. A final report must be provided to the entire governing board, the sponsor, and the Department of Education within 14 days after the exit interview.

The four state universities authorized to have lab schools are restricted to one lab school each. The restriction of one lab school per university does not apply to the following charter lab schools authorized prior to June 1, 2003: Florida State University Charter Lab Elementary School in Broward County; Florida Atlantic University Charter Lab 9-12 High School in Palm Beach County; and Florida Atlantic University Lab K-12 School in St. Lucie County. The role of the university as a sponsor is clarified in relation to the entity holding the charter. Community colleges may work with a school district to develop charter schools. Deadlines for community colleges applying to start such schools are eliminated and the school district may consider such an application at any time. If a community college offers secondary education at a charter school, it must provide an option for students to receive an associate degree. Students reported for FTE funding through the Florida Education Finance Program may not be reported by the community college as FTE.

The bill revises the charter school administrative services fee that may be charged by a school district from a uniform rate of 5 percent of available funds to the following: for the first 500 students in a charter school — 5 percent; for all students over 500 — the 5 percent of available funds shall be kept by the charter school and may only be used for capital outlay purposes as specified in s. 1013.62(2), F.S.

The bill establishes new eligibility criteria for charter schools to receive capital outlay funding. Also revised are the purposes for which a charter school may use state capital outlay funds and formulas are provided for the allocation of Charter School Capital Outlay Funds based upon whether the amount appropriated in any year is the same, less, or more than the amount appropriated for FY 2002-2003.

If approved by the Governor, these provisions take effect July 1, 2003.

Vote: Senate 39-0; House 86-30

