

PCS HB 665

ORIGINAL

YEAR

1 A bill to be entitled
 2 An act relating to maximum class size; amending s.
 3 1002.33, F.S.; revising requirements for charter
 4 school compliance with maximum class size
 5 requirements; amending s. 1002.451, F.S.; revising
 6 requirements for district innovation school of
 7 technology compliance with maximum class size
 8 requirements; amending s. 1003.03, F.S.; calculating a
 9 school district's class size categorical allocation
 10 reduction at the school average when maximum class
 11 size requirements are not met; revising the
 12 calculation; providing for the expenditure of funds;
 13 requiring a school district that exceeds class size
 14 maximums to post its plan for compliance on the
 15 district website and provide the plan to the school
 16 advisory committee of each noncompliant school;
 17 authorizing a noncompliant school to post the plan on
 18 its website; providing an effective date.

19
 20 Be It Enacted by the Legislature of the State of Florida:

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 22 Section 1. Paragraph (b) of subsection (16) of section
 23 1002.33, Florida Statutes, is amended to read:

24 1002.33 Charter schools.—

25 (16) EXEMPTION FROM STATUTES.—

26 (b) Additionally, a charter school shall be in compliance

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27 with the following statutes:

28 1. Section 286.011, relating to public meetings and
29 records, public inspection, and criminal and civil penalties.

30 2. Chapter 119, relating to public records.

31 3. Section 1003.03, relating to the maximum class size,
32 ~~except that the calculation for compliance pursuant to s.~~
33 ~~1003.03 shall be the average at the school level.~~

34 4. Section 1012.22(1)(c), relating to compensation and
35 salary schedules.

36 5. Section 1012.33(5), relating to workforce reductions.

37 6. Section 1012.335, relating to contracts with
38 instructional personnel hired on or after July 1, 2011.

39 7. Section 1012.34, relating to the substantive
40 requirements for performance evaluations for instructional
41 personnel and school administrators.

42 Section 2. Paragraph (a) of subsection (5) of section
43 1002.451, Florida Statutes, is amended to read:

44 1002.451 District innovation school of technology
45 program.—

46 (5) EXEMPTION FROM STATUTES.—

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

50 1. Laws pertaining to the following:

51 a. Schools of technology, including this section.

52 b. Student assessment program and school grading system.

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53 c. Services to students who have disabilities.
 54 d. Civil rights, including s. 1000.05, relating to
 55 discrimination.
 56 e. Student health, safety, and welfare.
 57 2. Laws governing the election and compensation of
 58 district school board members and election or appointment and
 59 compensation of district school superintendents.
 60 3. Section 1003.03, governing maximum class size, ~~except~~
 61 ~~that the calculation for compliance pursuant to s. 1003.03 is~~
 62 ~~the average at the school level.~~
 63 4. Sections 1012.22(1)(c) and 1012.27(2), relating to
 64 compensation and salary schedules.
 65 5. Section 1012.33(5), relating to workforce reductions,
 66 for annual contracts for instructional personnel. This
 67 subparagraph does not apply to at-will employees.
 68 6. Section 1012.335, relating to contracts with
 69 instructional personnel hired on or after July 1, 2011, for
 70 annual contracts for instructional personnel. This subparagraph
 71 does not apply to at-will employees.
 72 7. Section 1012.34, relating to requirements for
 73 performance evaluations of instructional personnel and school
 74 administrators.
 75 Section 3. Subsection (4) of section 1003.03, Florida
 76 Statutes, is amended to read:
 77 1003.03 Maximum class size.—
 78 (4) ACCOUNTABILITY.—

79 (a) If the department determines that the number of
 80 students assigned to any individual class exceeds the class size
 81 maximum, as required in subsection (1) and as determined at the
 82 school average, based upon the October student membership
 83 survey, the department shall:

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

88 2. Determine the number of FTE students which exceeds the
 89 maximum for each grade group calculated at the school average.

90 ~~2.3.~~ Multiply the total number of FTE students which
 91 exceeds the maximum for each grade group calculated at the
 92 school average by the district's FTE dollar amount of the class
 93 size categorical allocation for that year and calculate the
 94 total for all three grade groups.

95 ~~3.4.~~ Multiply the total number of FTE students which
 96 exceeds the maximum for all classes calculated at the school
 97 average by an amount equal to 50 percent of the base student
 98 allocation adjusted by the district cost differential for ~~each~~
 99 ~~of the 2010-2011 through 2013-2014 fiscal years and by an amount~~
 100 ~~equal to the base student allocation adjusted by the district~~
 101 ~~cost differential in the 2014-2015 fiscal year and thereafter.~~

102 ~~4.5.~~ Reduce the district's class size categorical
 103 allocation by an amount equal to the sum of the calculations in
 104 subparagraphs 2. and 3. ~~and 4.~~

105 (b) The amount of funds reduced shall be the lesser of the
 106 amount calculated in paragraph (a) or the undistributed balance
 107 of the district's class size categorical allocation. The Florida
 108 Education Finance Program Appropriation Allocation Conference
 109 shall verify the department's calculation in paragraph (a). The
 110 commissioner may withhold distribution of the class size
 111 categorical allocation to the extent necessary to comply with
 112 paragraph (a).

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

121 (d) Upon approval of the reduction calculation in
 122 paragraphs (a)-(c), each district shall expend an amount of
 123 funds equal to the amount of the reduction calculation in the
 124 noncompliant schools to comply with the requirements in
 125 subsection (1) as determined at the school average ~~the~~
 126 ~~commissioner must prepare a reallocation of the funds made~~
 127 ~~available for the districts that have fully met the class size~~
 128 ~~requirements. The funds shall be reallocated by calculating an~~
 129 ~~amount of up to 5 percent of the base student allocation~~
 130 ~~multiplied by the total district FTE students. The reallocation~~

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131 ~~total may not exceed 25 percent of the total funds reduced.~~

132 (e) Each district that has not complied with the
 133 requirements in subsection (1) as determined at the school
 134 average shall submit to the commissioner by February 1 a plan
 135 certified by the district school board that describes the
 136 specific actions that the district will take in order to fully
 137 comply with the requirements in subsection (1) by October of the
 138 following school year. The plan shall be posted on the district
 139 website and provided to the school advisory committee of all
 140 noncompliant schools. A noncompliant school may post the plan on
 141 its website ~~If a district submits the certified plan by the~~
 142 ~~required deadline, the funds remaining after the reallocation~~
 143 ~~calculation in paragraph (d) shall be added back to the~~
 144 ~~district's class size categorical allocation based on each~~
 145 ~~qualifying district's proportion of the total reduction for all~~
 146 ~~qualifying districts for which a reduction was calculated in~~
 147 ~~paragraphs (a) - (c). However, no district shall have an amount~~
 148 ~~added back that is greater than the amount that was reduced.~~

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

152 Section 4. This act shall take effect July 1, 2015.