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HB 641, Engrossed 2

2020 Legislature

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2
3 An act relating to funds for the operation of schools;
4 amending s. 1007.27, F.S.; removing a limitation on
5 the number of semester credit hours a student may be
6 awarded in certain programs; amending s. 1011.62,
7 F.S.; revising the annual allocation to school
8 districts to include an additional calculation of
9 full-time equivalent membership for students who earn
10 a College Board Advanced Placement Capstone Diploma
11 beginning in a specified fiscal year; conforming
12 provision to changes made by the act; creating the
13 teacher salary increase allocation; providing that
14 each school district shall receive the teacher salary
15 allocation based on a certain calculation; providing
16 restrictions on the use of funds from the teacher
17 salary allocation; defining the term, "minimum base
18 salary"; providing funding priority for certain
19 instructional personnel; prohibiting a school district
20 or charter school from reducing the base minimum
21 salary; providing an exception; providing that each
22 school district and charter school must submit a
23 proposed salary distribution plan for approval to the
24 district school board or charter school governing
25 body, as applicable; providing that each school

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26 | district and charter school governing body shall
27 | submit a preliminary report of the distribution plans
28 | to the Department of Education by a certain date;
29 | requiring that final reports must be filed by a
30 | certain date; providing the department must submit a
31 | report that contains specified information to the
32 | Governor, the President of the Senate, and the Speaker
33 | of the House of Representatives by a certain date;
34 | requiring a district school board or a charter school
35 | governing board that is unable to meet reporting
36 | requirements to provide written notification to the
37 | department or a district school board, as applicable,
38 | and requiring the notification to include specified
39 | information; prohibiting funds from being included in
40 | the calculated amount for specified scholarships;
41 | deleting the Florida Best and Brightest Allocation;
42 | repealing s. 1012.731, F.S., relating to the Florida
43 | Best and Brightest Teacher Program; repealing s.
44 | 1012.732, F.S., relating to the Florida Best and
45 | Brightest Principal Program; amending s. 1006.33,
46 | F.S.; providing the department may establish
47 | timeframes for the advertisement and submission of
48 | bids for instructional materials for the 2020 adoption
49 | cycle; providing an expiration date; providing
50 | effective dates.

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

Section 1. Subsections (7) and (8) of section 1007.27, Florida Statutes, are amended to read:

1007.27 Articulated acceleration mechanisms.—

(7) The International Baccalaureate Program shall be the curriculum in which eligible secondary students are enrolled in a program of studies offered through the International Baccalaureate Program administered by the International Baccalaureate Office. The State Board of Education and the Board of Governors shall specify in the statewide articulation agreement required by s. 1007.23(1) the cutoff scores and International Baccalaureate Examinations which will be used to grant postsecondary credit at Florida College System institutions and universities. Any changes to the articulation agreement, which have the effect of raising the required cutoff score or of changing the International Baccalaureate Examinations which will be used to grant postsecondary credit, shall only apply to students taking International Baccalaureate Examinations after such changes are adopted by the State Board of Education and the Board of Governors. ~~Students shall be awarded a maximum of 30 semester credit hours pursuant to this subsection.~~ The specific course for which a student may receive such credit shall be specified in the statewide articulation

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76 | agreement required by s. 1007.23(1). Students enrolled pursuant
77 | to this subsection shall be exempt from the payment of any fees
78 | for administration of the examinations regardless of whether or
79 | not the student achieves a passing score on the examination.

80 | (8) The Advanced International Certificate of Education
81 | Program and the International General Certificate of Secondary
82 | Education (pre-AICE) Program shall be the curricula in which
83 | eligible secondary students are enrolled in programs of study
84 | offered through the Advanced International Certificate of
85 | Education Program or the International General Certificate of
86 | Secondary Education (pre-AICE) Program administered by the
87 | University of Cambridge Local Examinations Syndicate. The State
88 | Board of Education and the Board of Governors shall specify in
89 | the statewide articulation agreement required by s. 1007.23(1)
90 | the cutoff scores and Advanced International Certificate of
91 | Education examinations which will be used to grant postsecondary
92 | credit at Florida College System institutions and universities.
93 | Any changes to the cutoff scores, which changes have the effect
94 | of raising the required cutoff score or of changing the Advanced
95 | International Certification of Education examinations which will
96 | be used to grant postsecondary credit, shall apply to students
97 | taking Advanced International Certificate of Education
98 | examinations after such changes are adopted by the State Board
99 | of Education and the Board of Governors. ~~Students shall be~~
100 | ~~awarded a maximum of 30 semester credit hours pursuant to this~~

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101 ~~subsection.~~ The specific course for which a student may receive
 102 such credit shall be determined by the Florida College System
 103 institution or university that accepts the student for
 104 admission. Students enrolled in either program of study pursuant
 105 to this subsection shall be exempt from the payment of any fees
 106 for administration of the examinations regardless of whether the
 107 student achieves a passing score on the examination.

108 Section 2. Paragraph (n) of subsection (1), and
 109 subsections (11) and (18) of section 1011.62, Florida Statutes,
 110 are amended to read:

111 1011.62 Funds for operation of schools.—If the annual
 112 allocation from the Florida Education Finance Program to each
 113 district for operation of schools is not determined in the
 114 annual appropriations act or the substantive bill implementing
 115 the annual appropriations act, it shall be determined as
 116 follows:

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

121 (n) *Calculation of additional full-time equivalent*
 122 *membership based on college board advanced placement scores of*
 123 *students and earning college board advanced placement capstone*
 124 *diplomas.*—A value of 0.16 full-time equivalent student
 125 membership shall be calculated for each student in each advanced

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126 placement course who receives a score of 3 or higher on the
 127 College Board Advanced Placement Examination for the prior year
 128 and added to the total full-time equivalent student membership
 129 in basic programs for grades 9 through 12 in the subsequent
 130 fiscal year. A value of 0.3 full-time equivalent student
 131 membership shall be calculated for each student who receives a
 132 College Board Advanced Placement Capstone Diploma and meets the
 133 requirements for a standard high school diploma under s.
 134 1003.4282. Such value shall be added to the total full-time
 135 equivalent student membership in basic programs for grades 9
 136 through 12 in the subsequent fiscal year. Each district must
 137 allocate at least 80 percent of the funds provided to the
 138 district for advanced placement instruction, in accordance with
 139 this paragraph, to the high school that generates the funds. The
 140 school district shall distribute to each classroom teacher who
 141 provided advanced placement instruction:

142 1. A bonus in the amount of \$50 for each student taught by
 143 the Advanced Placement teacher in each advanced placement course
 144 who receives a score of 3 or higher on the College Board
 145 Advanced Placement Examination.

146 2. An additional bonus of \$500 to each Advanced Placement
 147 teacher in a school designated with a grade of "D" or "F" who
 148 has at least one student scoring 3 or higher on the College
 149 Board Advanced Placement Examination, regardless of the number
 150 of classes taught or of the number of students scoring a 3 or

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151 higher on the College Board Advanced Placement Examination.

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153 Bonuses awarded under this paragraph shall be in addition to any
 154 regular wage or other bonus the teacher received or is scheduled
 155 to receive. For such courses, the teacher shall earn an
 156 additional bonus of \$50 for each student who has a qualifying
 157 score.

158 (11) VIRTUAL EDUCATION CONTRIBUTION.—The Legislature may
 159 annually provide in the Florida Education Finance Program a
 160 virtual education contribution. The amount of the virtual
 161 education contribution shall be the difference between the
 162 amount per FTE established in the General Appropriations Act for
 163 virtual education and the amount per FTE for each district and
 164 the Florida Virtual School, which may be calculated by taking
 165 the sum of the base FEFP allocation, the discretionary local
 166 effort, the state-funded discretionary contribution, the
 167 discretionary millage compression supplement, the research-based
 168 reading instruction allocation, the teacher salary increase
 169 allocation ~~best and brightest teacher and principal allocation~~,
 170 and the instructional materials allocation, and then dividing by
 171 the total unweighted FTE. This difference shall be multiplied by
 172 the virtual education unweighted FTE for programs and options
 173 identified in s. 1002.455 and the Florida Virtual School and its
 174 franchises to equal the virtual education contribution and shall
 175 be included as a separate allocation in the funding formula.

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176 (18) TEACHER SALARY INCREASE ALLOCATION.—The Legislature
177 may annually provide in the Florida Education Finance Program a
178 teacher salary increase allocation to assist school districts in
179 their recruitment and retention of classroom teachers and other
180 instructional personnel. The amount of the allocation shall be
181 specified in the General Appropriations Act.

182 (a) Each school district shall receive an allocation based
183 on the school district's proportionate share of the base FEFP
184 allocation. Each school district shall provide each charter
185 school within its district its proportionate share calculated
186 pursuant to s. 1002.33(17)(b).

187 (b) Allocation funds are restricted in use as follows:

188 1. Each school district and charter school shall use its
189 share of the allocation to increase the minimum base salary for
190 full-time classroom teachers, as defined in s. 1012.01(2)(a),
191 plus certified prekindergarten teachers funded in the Florida
192 Education Finance Program, to at least \$47,500, or to the
193 maximum amount achievable based on the allocation and as
194 specified in the General Appropriations Act. ~~The term "minimum~~
195 ~~base salary" means the lowest annual base salary reported on the~~
196 ~~salary schedule for a full-time classroom teacher. No full-time~~
197 ~~classroom teacher shall receive a salary less than the minimum~~
198 ~~base salary as adjusted by this subparagraph. This subparagraph~~
199 does not apply to substitute teachers.

200 2. In addition, each school district shall use its share

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201 of the allocation to provide salary increases, as funding
202 permits, for the following personnel:

203 a. Full-time classroom teachers, as defined in s.
204 1012.01(2)(a), plus certified prekindergarten teachers funded in
205 the Florida Education Finance Program, who did not receive an
206 increase or who received an increase of less than two percent
207 under subparagraph 1. or as specified in the General
208 Appropriations Act. This subparagraph does not apply to
209 substitute teachers.

210 b. Other full-time instructional personnel as defined in
211 s. 1012.01(2)(b)-(d).

212 3. A school district or charter school may use funds
213 available after the requirements of subparagraph 1. are met to
214 provide salary increases pursuant to subparagraph 2.

215 4. A school district or charter school shall maintain the
216 minimum base salary achieved for classroom teachers provided
217 under subparagraph 1. and may not reduce the salary increases
218 provided under subparagraph 2. in any subsequent fiscal year,
219 unless specifically authorized in the General Appropriations
220 Act.

221 (c) Before distributing allocation funds received pursuant
222 to paragraph (a), each school district and each charter school
223 shall develop a salary distribution plan that clearly delineates
224 the planned distribution of funds pursuant to paragraph (b) in
225 accordance with modified salary schedules, as necessary, for the

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226 implementation of this subsection.

227 1. Each school district superintendent and each charter
228 school administrator must submit its proposed salary
229 distribution plan to the district school board or the charter
230 school governing body, as appropriate, for approval.

231 2. Each school district shall submit the approved district
232 salary distribution plan, along with the approved salary
233 distribution plan for each charter school in the district, to
234 the department by October 1 of each fiscal year.

235 (d) In a format specified by the department, provide as
236 follows:

237 1. By December 1, each school district shall provide a
238 preliminary report to the department that includes a detailed
239 summary explaining the school district's planned expenditure of
240 the entire allocation for the district received pursuant to
241 paragraph (a), the amount of the increase to the minimum base
242 salary for classroom teachers pursuant to paragraph (b), and the
243 school district's salary schedule for the prior fiscal year and
244 the fiscal year in which the base salary is increased. Each
245 charter school governing board shall submit the information
246 required under this subparagraph to the district school board
247 for inclusion in the school district's preliminary report to the
248 department.

249 2. By February 1, the department shall submit to the
250 Governor, President of the Senate, and the Speaker of the House,

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251 a statewide report on the planned expenditure of the teacher
252 salary increase allocation, which includes the detailed summary
253 provided by each school district and charter school.

254 3. By August 1, each school district shall provide a final
255 report to the department with the information required in
256 subparagraph 1. for the prior fiscal year. Each charter school
257 governing board shall submit the information required under this
258 subparagraph to the district school board for inclusion in the
259 school district's final report to the department.

260 (e) Although district school boards and charter school
261 governing boards are not precluded from bargaining over wages,
262 the teacher salary increase allocation must be used solely to
263 comply with the requirements of this section. A district school
264 board or charter school governing board that is unable to meet
265 the reporting requirements specified in paragraphs (c) or (d)
266 due to a collective bargaining impasse must provide written
267 notification to department or district school board, as
268 applicable, detailing the reasons for the impasse with a
269 proposed timeline and details for a resolution.

270 (f) Notwithstanding any other provision of law, funds
271 allocated under this subsection shall not be included in the
272 calculated amount for any scholarship awarded under chapter
273 1002.

274 ~~THE FLORIDA BEST AND BRIGHTEST TEACHER AND PRINCIPAL~~
275 ~~ALLOCATION.—~~

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276 ~~(a) The Florida Best and Brightest Teacher and Principal~~
277 ~~Allocation is created to recruit, retain, and recognize~~
278 ~~classroom teachers and instructional personnel who meet the~~
279 ~~criteria established in s. 1012.731 and reward principals who~~
280 ~~meet the criteria established in s. 1012.732. Subject to annual~~
281 ~~appropriation, each school district shall receive an allocation~~
282 ~~based on the district's proportionate share of FEFP base~~
283 ~~funding. The Legislature may specify a minimum allocation for~~
284 ~~all districts in the General Appropriations Act.~~

285 ~~(b) From the allocation, each district shall provide the~~
286 ~~following:~~

287 ~~1. A one-time recruitment award, as provided in s.~~
288 ~~1012.731(3)(a);~~

289 ~~2. A retention award, as provided in s. 1012.731(3)(b);~~
290 ~~and~~

291 ~~3. A recognition award, as provided in s. 1012.731(3)(c)~~
292 ~~from the remaining balance of the appropriation after the~~
293 ~~payment of all other awards authorized under ss. 1012.731 and~~
294 ~~1012.732.~~

295 ~~(c) From the allocation, each district shall provide~~
296 ~~eligible principals an award as provided in s. 1012.732(3).~~

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298 ~~If a district's calculated awards exceed the allocation,~~
299 ~~the district may prorate the awards.~~

300 Section 3. Section 1012.731, Florida Statutes, is

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301 repealed.

302 Section 4. Section 1012.732, Florida Statutes, is
 303 repealed.

304 Section 5. Effective upon becoming law, subsection (5) is
 305 added to section 1006.33, Florida Statutes, to read:

306 1006.33 Bids or proposals; advertisement and its
 307 contents.—

308 (5) Notwithstanding the requirements of this section and
 309 rules adopted to implement this section, for the 2020 adoption
 310 cycle, the department may establish timeframes for the
 311 advertisement and submission of bids for instructional
 312 materials. This subsection expires July 1, 2022.

313 Section 6. Except as otherwise provided in this act and
 314 except for this section, which shall take effect upon becoming a
 315 law, this act shall take effect July 1, 2020.

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