



2010 Legislative Briefing

FOR THE DUVAL COUNTY PUBLIC SCHOOLS

Report No. 5

MILLER CONSULTING GROUP

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REPORT INFORMATION

This is a report of the 2010 Legislative Session. The LEGISLATIVE BRIEFING is provided periodically during the regular session of the Florida Legislature.

Martin Miller

FIFTH WEEK OF SESSION

This week was less productive in terms of passing bills than it was in news stories.

The Senate and House met two days to debate and pass their respective budgets and budget related bills. No other meetings were held and no bills other than those related to the budget were heard or passed.

Of course the budget is always newsworthy; however, it was news on another front that overshadowed the budget.

First, the Federal Government announced the winners of the Race To The Top grants (RTTT) and Florida was not one of them. This was a shock to Florida as well as the rest of the education world who had expected Florida to be one of the recipients.

No more shocked was Commissioner Eric Smith who had been touting the grant for months and at nearly every committee meeting. Much of the education agenda for 2010 was based on Florida getting the grant.

This was especially true in regard to the Teacher Quality bill (SB 6 and HB 7189). Our concerns that we did not have the money to develop the EOC's that would be required for the implementation of the concepts in the bill were met with responses from leaders and staffers that we could use RTTT money. Guess not.

The USDOE announcement on the grants stated

that the winning states had support from "key stakeholders," including teacher unions.

In Florida, the FEA opposed the RTTT grant as did many district unions. DTU was one of a few that signed the memo of understanding.

There is a second round and that application must be in by June 1.

This news on RTTT cast a shadow on the Teacher Quality bills as momentum grew to oppose the bill. Except for those in the business world, it was hard to find a person supporting the bill. Many could be found supporting the concepts, but not the detail.

Even among some business groups, there was agreement that many details in the bill were troublesome but those problems, according to these groups, could be worked out next year. Unfortunately, some of those "details" will begin July 1, 2010.

The contractual provisions will not impact current teachers but will impact every teacher employed beginning this next fiscal year beginning July 1. These provisions require the first year contract for new teachers to be "at will" contracts – can be fired at any time without cause. After this contract only annual contracts may be offered to teachers for the rest of their careers.

After four additional years, these teachers will have to have had two out of three of the past evaluations at the Effective or Highly Effective levels in order to be eligible for another contract. Even then, the administration will not be required to provide another contract.

For returning teachers (those under annual contract and who will be able to earn their Professional Services Contract, those currently on PSC and those on Continuing Contract) a provision relating to renewal of certification will impact them directly.

Under the certificate renewal provisions, a teacher must have 4 out of the last 5 years at the Effective or Highly Effective levels to be eligible for renewal. That means only one year during that five year period may a teacher have a rating of Needs Improvement.

The cost of the EOC's has been a major issue as well. We understand that districts may purchase the exams or develop them through consortia. However, the DOE states that it will be able to develop three of the required EOC's in the next three years for a cost of over \$1 million. Although Duval is way ahead of the rest of the districts in exam development, we have about 400 left to create, field test, and validate at a cost of about \$16 million. These must be developed in the same time frame as the DOE's for the development of their three tests.

There will be a 5% Performance Fund created in 11-12 to assist districts. This will be carved out of our total FEFP. This \$42 million fund for Duval must be used for development of tests, development of the appraisal system, development of the performance pay system, and for adjustments for teacher salaries on the new performance pay system. This \$42 million dollar cut out will happen in the year that the Federal stimulus dollars (about \$1 billion statewide) will be lost (10-11 is the last year).

Tomorrow (Monday), the house is holding another hearing, this time before the House Education Policy Council. The Council agenda has two bills listed: HB 7053 (High School Standards) and HB 7189 (Teacher Quality). The hearing is scheduled for 12:30 PM to 8:15 PM.

BUDGET AND RETIREMENT ISSUES

The two chambers are about \$3 billion apart in their passed appropriations bills. The Senate bill (SB 2700) contains gambling dollars and a higher matching rate for Medicaid. The House bill (HB5001) has neither of these. A deal was reached late this week on gambling and, if passed by both houses, will realize about \$400 million for the budget that the House is not considering.

The Senate has included in one of its related bills, SB 2022, a required contribution for all state

workers (including school board employees) toward their FRS retirement. The rate would be .25 %. The House includes in one of its related bills (HB 5703), the elimination of the health insurance subsidy of up to \$150. This would apply to new retirees effective July 1 and to all current retirees on January 1, 2011.

Overall, the Senate bill has about 1.32% more state, local, and stabilization dollars than does the House. In terms of the per unweighted FTE, the House has -.76% and the Senate has +.57% more than in the current budget. These numbers do NOT translate the same for Duval as they do statewide.

For **Duval County**, the numbers are:

	<u>Senate</u>	<u>House</u>
Total Potential Dollars:	\$850,425,409	\$854,321,046
Total Potential Change:	- \$14.5 million	- \$10.6 million
Total Per Student:	\$ 6946.16	\$6977.98
Total Per Student Change:	- \$61.63	- \$29.91
Percent Per Student Change:	- .88%	- .43%

The conference process is not likely to begin until the week after this week. The Senate wants to wait for news from the Feds on Medicaid.

RE the conforming bills (SB 1368 and HB 5101), the following major issues are in dispute or are of major importance:

Charter Schools: (See sections 5 in House bill and 6 in Senate bill)

House bill reduces our 5% administrative fee by paying only for the first 250 students rather than the current 500. Senate does the same but allows the fee for up to 500 students in a "system of charter schools."

Class Size: (See sections 9, 10, 11 in House bill)

and 12 and 13 in Senate bill)

Biggest issue is penalty. House would reduce our CSR operating categorical by a proportionate amount and Senate would reduce our FEFP by the total cost of each student over the cap.

Instructional Materials: (See sections 15, 16, 17 in House bill and 17, 18, 19 in Senate bill)

Both would require that instructional materials adopted after 12 – 13 in grades 9 – 12 be provided primarily in electronic format.

School Grading System (High Schools): (See section 21 in Senate bill. Not in House bill.)

The Senate bill would require the “successful completion” in accelerated courses versus the current “participation” in accelerated courses to be used as one of the criteria for determining the HS grade.

Accelerated Weights and bonuses: (See section 19 in House bill and 24 in Senate bill)

House bill would reduce weight for Industry Certification from .3 to .16; would require 100% of IB allocated funds to be spent on administrative costs (exam fees and professional development) and bonuses and the remainder to be provided to school generating the funds. The Senate would reduce IB, AP, and AICE weight from .16 to .1, reduce bonuses to \$25, low performing additional bonus to \$250 from \$500, and reduce the bonus cap from \$2000 to \$1000; would make other changes in AP and AICE; and would require 80% of funds provided for industry certification to be spent on the program.

District School Tax: (See section 22 in House bill and 29 in Senate bill)

The House bill would require a referendum on the .25 critical needs millage every other year and the Senate would remove the requirement.

See the bills or the attached chart for other areas impacted by the proposed legislation.

Addenda:

Conforming Bill Comparison, page 4

Budget Comparison, page 16

If you have any questions or comments, please let me know. I can be reached at my e mail address below.

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Conforming Bill – Comparison

Issue/Section	CS/HB 5101	Issue/Section	CS/SB 1368, 1 ST Engrossed
Section 1 Discretionary Sales Surtaxes s. 212.055	Removes language requiring freeze on noncapital local school property taxes.	Section 1 Discretionary Sales Surtaxes s. 212.055	Identical
Section 2 Nontransferable Appropriations; exceptions s. 216.292	Deletes authorization of the transfer of funds from Executive Officer of Governor from public school operations to FCO appropriation for CSR.	Section 2 Nontransferable Appropriations; exceptions s. 216.292	Similar; repeals language.
	Not Included	Section 3 School Board Members Compensation s. 1001.395	School board members salaries remain at calculated amount or district's beginning salary for teachers who hold baccalaureate degrees, whichever is less.
Section 3 Regional Consortia s. 1001.451	If amount appropriated is insufficient to provide \$50,000 then funds available must be prorated. Language limiting to just 2009/10 FY deleted.	Section 4 Regional Consortia s. 1001.451	Authorizes appropriation to be less than \$50,000 and, if so, is prorated among eligible districts and members.
Section 4 Developmental Research Schools s. 1002.32	Incorporates 1.5 and discretionary supermajority vote .25 in calculation for funding. Increases value of current year's taxable value for school purposes from 95% to 96%.	Section 5 Developmental Research Schools s. 1002.32	Incorporates 1.5 and discretionary supermajority vote .25 in calculation for funding.
Section 5 Charter Schools s. 1002.33	Capital outlay funds authorized in s. 1011.71(2) that have been shared w/ charter school-in-workplace prior to 7/1/2010 are deemed to have met authorized expenditure requirements for such funds. Authorizes sponsor to withhold 5% admin fee for up to and including 250 rather than 500 students. For charter schools w/ population of 251 rather than 501 or more student, the difference between total admin fee calculation and amount of admin fee withheld may only be used for CO purposes.	Section 6 Charter Schools s. 1002.33	<ul style="list-style-type: none"> • Specifies that charter schools are NOT exempt from statutes re to maximum class size. • In addition to exemption from assessment of fees, also exempt from "exactions." • Re to Capital Outlay funding – Capital outlay funds which have been shared w/ charter school-in-the-workplace prior to 7/1/2010 are deemed to have met the authorized expenditure requirements for such funds. • Authorizes sponsor to withhold 5% admin fee for up to and including 250 rather than 500 students. For charter schools w/ population of 251 rather than 501 or more student, the difference between total admin fee calculation and amount of admin fee withheld may only

Issue/Section	CS/HB 5101	Issue/Section	CS/SB 1368, 1 ST Engrossed
			<p>be used for CO purposes.</p> <ul style="list-style-type: none"> • New language authorizing sponsor to withhold only up to 5% admin fee for enrollment for up to/including 500 student within system for system of charter schools which meet all of the following: includes conversion/nonconversion school; located in same municipality in same county; total enrollment exceeds total enrollment of at least one county school district; has same governing board; and does not contract w/ for-profit provider for management services. Difference between total admin fee calculation and amount of admin fee withhold may be used for instructional/admin purposes and CO purposes.
<p>Section 6 FL Virtual School s. 1002.37</p>	<p>Incorporates 1.5 and discretionary supermajority vote .25 in calculation for funding.</p> <p>Increases maximum allowable nonvoted discretionary millage for operations by value of 95% to 96%.</p>	<p>Section 7 FL Virtual School s. 1002.37</p>	<p>Half-credits earned by students 20 weeks or more after beginning the course, and credits earned by student 40 weeks or more after beginning the course, are not eligible to be funded and may not be reported.</p> <p>Incorporates 1.5 and discretionary supermajority vote .25 in calculation for funding.</p>
<p>Section 7 McKay Scholarships s. 1002.39</p>	<p>Requires private school to provide DOE documentation for student’s participation at least 30 days before any quarterly scholarship payment is due. Student not eligible to receive quarterly scholarship payment if private school fails to meet deadline.</p>		<p>Not Included</p>
<p>Section 8 School District Virtual Instruction Programs s. 1002.45</p>	<p>Amends student eligibility section. Student may enroll in district VIP program if: Student has sibling currently enrolled in district VIP program and that sibling was enrolled in such program at end of prior school year. Student’s parent provides notarized statement from physician who is treating student’s disability or medical condition which certifies that student’s welfare or welfare of other students in classroom will be jeopardized if student is required to regularly attend class in physical classroom setting.</p>	<p>Section 8 School District Virtual Instruction Programs s. 1002.45</p>	<ul style="list-style-type: none"> • Expands “approved provider” to a public community college. • Modifies program to include full-time or part-time student in grades 9-12 enrolled in dropout prevention and academic instruction program, DJJ education program, core-curricula courses to meet CSR, or community colleges. • If provider is community college, its instructors must meet certification requirements for instructional staff. <p>Community college provider may not report students who are served in school district virtual instruction program for funding under CCPF.</p>

Issue/Section	CS/HB 5101	Issue/Section	CS/SB 1368, 1 ST Engrossed
	Not Included	Section 9 School-year PreK Program/Private Providers s. 1002.55	Private PreK provider must have at least one credentialed instructor (CDA) for classroom composed of 12 children or fewer. Each PreK class must have at least 4 students and may not exceed 24 (rather than 18) students. Each PreK class composed of 13 or more students must have additional instructor who meets training requirement (CDA, etc.).
	Not Included	Section 10 School-year PreK Program/Public Schools s. 1002.63	Each public school PreK provider's classes may not exceed 24 (rather than 18) students. To improve educational outcomes, for each PreK class composed of 13 or more students, must have an additional PreK instructors who has met statutory training requirements (CDA, etc.).
	Not Included	Section 11 Funding; Financial and Attendance Reporting s. 1002.71	Beginning w/ 2010/11 FY, each early learning coalition may retain no more than 4.5 (rather than 4.85) percent of funds for administering VPK Education Program.
Section 9 School District Planning for Meeting Class Size Requirements New Section	For 2010/11, each school board must develop two plans: (a) Plan based on current requirements at beginning of school year and continued if Joint Resolution amending CSR is NOT approved. (b) Contingency plan based on requirements of Joint Resolution to be implemented at discretion of the school board if the Joint Resolution is approved at 2010 general election. Prior to adoption of 2010/11 district school budget, each school board must hold public hearings/provide info to parents on district's website, and through other means, on district's plans, including: <ul style="list-style-type: none"> • Review of school attendance zones to ensure maximum use of facilities while minimizing additional use of transportation. • Impact on district's budget. 		Not Included

Issue/Section	CS/HB 5101	Issue/Section	CS/SB 1368, 1 ST Engrossed
	<ul style="list-style-type: none"> Potential impact on budget if district fails to comply. <p>District in compliance with CSR as of 2009/10 are exempt from the requirements of this section.</p>		
<p>Section 10 Maximum Class Size s. 1003.03</p>	<p>Amends section assuming CSR Joint Resolution passes and the requirements remain at school level. Assigned to teacher teaching core-curriculum: PreK-3 – 18 students with hard cap of 21 4-8 – 22 students with hard cap of 27 9-12 – 25 students with hard cap of 30</p> <p>Implementation: DOE must calculate 2010/11 class size based on Feb. 2011 student membership survey. Calculation for compliance shall be # of student assigned to each teacher in an individual classroom. Each teacher assigned to individual classroom shall be included. Effective 2011/12, and annually thereafter, DOE shall calculate based on October student membership survey.</p> <p>Implementation Options – School boards must adopt policies to encourage students to participate in school district virtual instruction program.</p> <p>Accountability: For 2010/11, if at time of Feb 2011 student membership survey, class size exceed the maximums, DOE shall</p> <ul style="list-style-type: none"> Identify, for each grade group, # of FTE students that exceeds maximum # of students assigned to any teacher in individual class; Multiply total # of FTE students that exceed the maximum class size for each grade group by district’s FTE student dollar amount of CSR operating categorical allocation for that year and calculate total for all 3 grade groups. Reduce district’s CSR categorical allocation by the amount reached above. <p>For 2011/12, and annual thereafter, if at</p>	<p>Section 13 Maximum Class Size s. 1003.03</p>	<p>Amends section assuming CSR Joint Resolution passes and requirements remain at school level. Constitutional Class Size Maximums – Average # of students at school level assigned to each teacher who is teaching core-curricula courses in public school classrooms for PreK-3 may not exceed 18 students and a maximum # of students assigned to a teacher in individual class may not exceed 21 students; same language for grades 4-8 except average # is 22 students with cap of 27 students per individual class; same language for grades 9-12 except # of students is 25 with cap of 30 students per individual class.</p> <p>Implementation: DOE shall annually calculate CS based upon October student membership survey, except that calculation for 2010/11 shall be based on Feb. student membership survey. Calculation for compliance for each of three grade groupings shall be number of students assigned to each teacher in individual class and average number of students at school level assigned to each teacher. Each teacher assigned to any classroom shall be included in calculation for compliance.</p> <p>Implementation Options: School boards must adopt policies to encourage students to participate in school district virtual instruction program.</p> <p>Accountability: If DOE determines that # of students assigned to any individual class exceeds classroom maximum, or if school average is greater than school level maximum, DOE shall identify for each of 3 grade groups:</p> <ol style="list-style-type: none"> Number of FTE students in individual classroom greater than classroom maximum and number of FTE students greater than school level average, not including number of FTE that are great than classroom maximum.

Issue/Section	CS/HB 5101	Issue/Section	CS/SB 1368, 1 ST Engrossed
	<p>the time of the 3rd FEFP calculation a school district’s class size exceeds the maximum, DOE shall reduce the district’s CSR operating categorical allocation as calculated above.</p> <p>Retains Commissioner’s authority to recommend 50% reduction in penalty.</p> <p>In lieu of reduction calculation, if district has been unable to meet CS requirements, despite appropriate efforts, due to extreme emergency or other causes beyond the control of district, Commissioner may recommend budget amendment, subject to approval of LBC, to reduce an alternative amount of funds from CSR operating categorical.</p>		<ol style="list-style-type: none"> 2. Multiply total number of FTE students which exceed maximum class size for each grade group by district’s FTE dollar amount of CSR allocation for that year and calculate total dollar amount for all 3 grade groups. 3. Multiply total number of FTE students as calculated in 1. Above which exceed the maximum by the amount of BSA adjusted by DCD. 4. Reduce district’s CSR operating categorical allocation by amount equal to sum of calculations in 2. and 3. Commissioner authorized to withhold distribution of CSR allocation funds to extent necessary to comply w/ this section. <p>If Commissioner has evidence that district has been unable to meet CSR despite appropriate efforts to do so or because of extreme emergency, Commissioner may recommend budget amendment for approval by LBC. March 1 and Feb. 15 dates do not apply to 2010/11 FY.</p>
<p>Section 11 Maximum Class Size s. 1003.3</p>	<p>Amends section assuming CSR Joint Resolution does NOT and requirements are at the class-by-class level.</p> <p>Implementation: DOE shall calculate 2010/11 CS based on Feb. 2011 student membership survey. Calculation shall be # of students assigned to each teacher in individual classroom. Each teacher assigned to classroom shall be included in calculation.</p> <p>Effective w/ 2011/12 school year, DOE must calculate class size based on October student membership survey. Calculation for compliance for each of three grade groupings shall be # of students assigned to each teacher in individual classroom. Each teacher assigned to classroom shall be included in calculation.</p> <p>Implementation Options – School boards must adopt policies to encourage students to participate in school district virtual instruction program.</p>	<p>Section 12 Maximum Class Size s. 1003.03</p>	<p>Amends section assuming CSR Joint Resolution does NOT and requirements are at the class-by-class level.</p> <p>Implementation: DOE must annually calculate CS measures based upon October student membership survey, except that calculation for 2010/11 shall be based on February student membership survey.</p> <p>Implementation Options: School boards must adopt policies to encourage students to participate in school district virtual instruction program.</p> <p>Accountability: If DOE determines that # of students assigned to any individual class exceed CS maximum, at the time of the 3rd FEFP calculation, except in 2010/11 at the time of the fourth calculation, DOE shall</p> <ol style="list-style-type: none"> 1. Identify number of classes in which # of students exceed maximum and total # of students that exceed maximum for all classes. 2. Determine # of FTE students that exceed maximum for each grade group by district’s FTE dollar amount for CSR allocation for that year and calculate total

Issue/Section	CS/HB 5101	Issue/Section	CS/SB 1368, 1 ST Engrossed
	<p>Accountability: For 2010/11, if at time of Feb 2011 student membership survey, class size exceed the maximums, DOE shall</p> <ul style="list-style-type: none"> • Identify, for each grade group, # of FTE students that exceeds maximum # of students assigned to any teacher in individual class; • Multiply total # of FTE students that exceed the maximum class size for each grade group by district's FTE student dollar amount of CSR operating categorical allocation for that year and calculate total for all 3 grade groups. • Reduce district's CSR categorical allocation by the amount reached above. <p>For 2011/12, and annual thereafter, if at the time of the 3rd FEFP calculation a school district's class size exceeds the maximum, DOE shall reduce the district's CSR operating categorical allocation as calculated above.</p> <p>Retains Commissioner's authority to recommend 50% reduction in penalty.</p> <p>In lieu of reduction calculation, if district has been unable to meet CS requirements, despite appropriate efforts, due to extreme emergency or other causes beyond the control of district, Commissioner may recommend budget amendment, subject to approval of LBC, to reduce an alternative amount of funds from CSR operating categorical.</p>		<p>for all 3 grade groups.</p> <ol style="list-style-type: none"> 3. Multiply total # of FTE students that exceed maximum for all classes by amount of BSA adjusted by DCD. 4. Reduce district's CSR operations allocation by an amount equal to sum of calculations in 3 & 4 above. <p>Commissioner authorized to withhold distribution of CS allocation reduction funds to extent necessary to comply with this section.</p> <p>In lieu of reduction calculation above, if Commissioner has evidence that district was unable to meet CSR despite appropriate efforts to do so or because of extreme emergency, Commissioner may recommended budget amendment subject to approval of LBC.</p> <p>The March 1 and February 15 dates relating to verification of calculations in do not apply for the 2010/11 FY.</p>
	Not Included	<p>Section 14 Industry-Certified Career Education Programs s. 1003.492</p>	<p>In addition to list of industry certifications being approved by Workforce Florida, they must be approved by DOE and updated annually.</p>
<p>Section 12 Gifted Student Education s. 1003.572</p>	<p>For students in grades K-12, each school board shall annually report to DOE by school and grade level: The # of students classified as gifted. Reporting shall separately identify # of gifted students set forth in SBE rule and</p>		Not Included

Issue/Section	CS/HB 5101	Issue/Section	CS/SB 1368, 1 ST Engrossed
	<p>under DOE-approved district plan for increasing participation of underrepresented groups.</p> <p>Types of gifted student education services and # of student receiving each service.</p> <p>Reporting must separately identify gifted student education services (direct and differentiated) and indicate # of hours per week that each service is provided and if service is provided by teacher with gifted endorsement pursuant to SBE rule; student performance data; classify students by race, ethnicity, LEP, and free/reduced lunch.</p> <p>DOE must develop data elements to facilitate reporting and SBE must adopt rules.</p>		
	Not Included	<p>Section 15 Duties of District School Board, Superintendent, School Principal re Instructional Materials s. 1006.28</p>	Includes in definition of “adequate instructional materials” the term “electronic content”
<p>Section 13 Electronic Learning Management Systems s. 1006.281</p>	<p>Districts encouraged to have access to electronic learning management system that allows teachers, students and parents to access and utilize electronically available instructional materials and teaching and learning tools and resources, etc.</p> <p>To extent fiscally/technologically feasible, district’s electronic learning management system should allow for a single, authenticated sign-on that includes the following: Vertically searches/organizes standards-based instructional materials; Enables teachers to prepare lessons, individualize student instruction, etc. Provides communication to help teachers and parents better serve needs of students; Provides access for administrators to ensure quality of instruction in every classroom. DOE must provide assistance as requested by districts in employment of such a system.</p>	<p>Section 16 Electronic Learning Management Systems s. 1006.281</p>	Identical

Issue/Section	CS/HB 5101	Issue/Section	CS/SB 1368, 1 ST Engrossed
<p>Section 14 State Instructional Materials Committee s. 1006.29</p>	<p>Amends definition of “instructional materials” to include “electronic” textbooks.</p> <p>Publisher or manufacturer providing instructional materials as single bundle shall also make the materials available as separate and unbundled items, each priced individually.</p>	<p>Section 17 State Instructional Materials Committee s. 1006.29</p>	<p>Amends definition of “instructional materials” to include “electronic content.”</p> <p>Publisher or manufacturer providing instructional materials as single bundle shall also make the materials available as separate and unbundled items, each priced individually</p> <p>Adds language that any instructional materials adopted after 2012/13 for students in grades 9-12 shall be provided primarily in electronic format.</p>
<p>Section 15 Bids or Proposals; Advertisement and its Content s. 1006.33</p>	<p>Instructional materials adopted after 2012/2013 for students in grades 9-12 shall primarily be adopted and delivered in electronic format.</p> <p>Beginning in 2010/11 FY, the advertisement shall state that each bidder shall furnish “electronic” specimen copies of all instructional materials submitted. Any district school superintendent who requires samples in addition to samples in electronic format must request those samples through DOE.</p>	<p>Section 18 Bids or Proposals; Advertisement and its Content s. 1006.33</p>	<p>Advertisement shall state that “beginning in 2010/11, each bidder must furnish “electronic” specimen copies of all instructional materials submitted. Any school superintendent who requires samples in addition to electronic format must request those samples through DOE.</p>
<p>Section 16 Powers/Duties of Commissioner; Selection & Adoption of Instructional Materials s. 1006.34</p>	<p>Commissioner may add instructional materials to list of recommendations of state instructional materials committee if publishers of such materials met the procedural requirements established for submission and timely appealed any failure to adopt and the materials are aligned w/ Next Generation Sunshine State Standards.</p>		<p>Not Included</p>
<p>Section 17 Use of Instructional Materials Allocation; etc. s. 1006.40</p>	<p>Authorizes purchase of “electronic” textbooks with funds used to purchase materials not on the state-adopted list.</p> <p>Beginning w/ 2012/13 FY, funds available for purchase of materials not on the list may be used to purchase hardware if it is provided for sole purpose of delivering instructional materials content in an electronic format.</p>	<p>Section 19 Use of Instructional Materials Allocation; etc. s. 1006.40</p>	<p>Beginning w/ 2012/13 FY, not less than 10% of annual allocation shall be used to purchase items for which major tools of instruction is used electronically.</p> <p>Includes in authorization to purchase instructional materials not on the state-adopted list “electronic content.” Funds may not be used to purchase hardware.</p>

Issue/Section	CS/HB 5101	Issue/Section	CS/SB 1368, 1 ST Engrossed
<p>Section 18 Articulated Acceleration Mechanisms s. 1007.27</p>	<p>Students in public secondary schools enrolled in such courses shall be deemed authorized users of state-funded electronic library resources provided by Florida colleges and state universities. Verification of eligibility shall be in accordance with rules established by SBE and BOG and processes implemented by Florida colleges and universities.</p>	<p>Section 20 Articulated Acceleration Mechanisms s. 1007.27</p>	<p>Similar</p>
	<p>Not Included</p>	<p>Section 21 School Grading System; School Report Cards; District Grade 1008.34</p>	<p>Amends high school grading system to include “successful completion” vs. participation rate of all eligible students enrolled in the school and enrolled in certain acceleration classes/programs.</p>
	<p>Not Included</p>	<p>Section 22 Public Hearings; budget submitted to DOE s. 1011.03</p>	<p>Eliminates certain publishing requirements. Each school board must post online and advertise one time in a newspaper of general circulation the summary of its tentative budget. The detailed one page advertisement is no longer required.</p>
	<p>Not Included</p>	<p>Section 23 Minimum Requirements of FEFP s. 1011.60</p>	<p>Removes rulemaking authority of SBE re to minimum 180 day term.</p>
<p>Section 19 Funds for Operation of Schools s. 1011.62</p>	<p>Language re to additional FTE for IB Program – Funds allocated must be expended solely for payment of administrative costs and teacher bonuses associated w/ the IB Program. Administrative costs shall includes costs associated w/ IB annual schools fees, exam fees and professional development for IB teachers. After all IB programmatic expenses have been paid by district, remaining balance shall be provided to school that generated funding.</p> <p>Weighted funding for Industry Certification reduced from 0.3 to 0.16 FTE. Calculation limited to \$8 million annually.</p>	<p>Section 24 Funds for Operation of Schools s. 1011.62</p>	<p>IB Program - Value of FTE student enrolled in IB course who receives score of 4 or higher reduced to 0.1 from 0.16. Bonus reduced to \$25 per student. Additional bonus in low performing schools decreased to \$250 from \$500. Bonuses awarded to teachers must not exceed \$1,000 rather than \$2,000.</p> <p>AICE Program – Value of FTE enrolled in AICE course who receives score of E or higher reduced to 0.1 from 0.16. Value of FTE membership calculated for enrollment in half-credit AICE courses reduced to 0.05 from 0.08. Bonus for teacher reduced to \$25 and bonus for half-credit reduced to \$12.50 from \$25. Additional bonus in low performing schools decreased to \$250 from \$500. One half credit bonus reduced to \$125 from \$250. Maximum additional bonus must not exceed</p>

Issue/Section	CS/HB 5101	Issue/Section	CS/SB 1368, 1 ST Engrossed
	<p>Increases to 96% (rather than 95%) the estimated state total taxable value for school purposes.</p> <p>Categorical Funds – Expands flexibility of certain categorical funds to “provide technological equipment that supports student learning.” Includes funds for instructional materials if all purchases necessary to provide updated materials aligned to Next Generation Sunshine State Standards and benchmarks have been completed for that fiscal year, but no sooner than 3/1/2011.</p> <p>“Technological equipment” is limited to hardware, devices, or equipment necessary for:</p> <ol style="list-style-type: none"> 1. Gaining access to or enhancing use of electronic textbook or other types of digitally rich instructional materials; or 2. Facilitating access to and use of district’s electronic learning and data management systems. <p>Technological equipment purchased from categorical funds pursuant to this subsection must meet specific performance standards. DOE encouraged to negotiate enterprise agreements with interested vendors/providers. By 2/1/2011, DOE must publish list of recommended vendors/providers. Districts may seek wavier from Commissioner if purchased off the list.</p> <p>Sparsity – Total potential funds per FTE amended to not include MAP funds.</p> <p>Total Allocation of State Funds to Each District for Current Operation – No calculation subsequent to appropriation shall result in negative state funds for any district.</p>		<p>\$250 in any given school year (down from \$500). Total bonuses are not to exceed \$1,000, down from \$2,000 in any given school year.</p> <p>AP Bonuses - Value of FTE student enrolled in AP course who receives score of 3 or higher reduced to 0.1 from 0.16. Student who receives score of 3 or higher and did not take the AP Course is not eligible for 0.1 FTE membership. Bonus reduced to \$25 per student. Additional bonus in low performing schools decreased to \$250 from \$500. Bonuses awarded to teachers must not exceed \$1,000 rather than \$2,000.</p> <p>Industry –Certified Program Completion – Each district must allocate at least 80% of funds provided for industry certification, in accordance with the paragraph, to program that generated funds.</p> <p>FLVS – Deletes weighted funding for FLVS for those who are enrolled in FLVS and in school district.</p> <p>Categorical Funds - Expands flexibility of certain categorical funds. Includes funds for instructional materials if all purchases necessary to provide updated materials aligned to Next Generation Sunshine State Standards and benchmarks and that meet statutory requirements for content and learning have been completed for that fiscal year, but no sooner than 3/1/2011. Funds available after March 1 may be used to purchase hardware used to provide student instruction.</p> <p>Total potential funds per FTE are not to include MAP Funds.</p> <p>Total Allocation of State Funds to Each District for Current Operation – No calculation subsequent to appropriation shall result in negative state funds for any district.</p>
		<p>Section 25 School District Minimum Classroom</p>	<p>Technical</p>

Issue/Section	CS/HB 5101	Issue/Section	CS/SB 1368, 1 ST Engrossed
		Expenditure Requirements s. 1011.64	
Section 20 Funds for Instructional Materials s. 1011.67	Deletes language providing for distribution of funds based on percentage.	Section 26 Funds for Instructional Materials s. 1011.67	Identical
	Not Included	Section 27 Distribution of FEFP Funds s. 1011.66	Deletes language authorizing school district whose net state FEFP funds is less than 60% of its gross state and local FEFP funding to have distributed a certain percentage of FEFP funds in the first quarter of the fiscal year.
Section 21 Funds for Student Transportation s. 1011.68	Base transportation dollar allocation for disabled students determined by Legislature.	Section 28 Funds for Student Transportation s. 1011.68	Similar
Section 22 District School Tax s. 1011.71	Discretionary Super-Majority .25 Millage Levy – To continue after 2010/11 FY, must be approved by voters at 2010 general election or at subsequent election held at any time, except that not more than one such election shall be held in any 12-month period. Any millage so authorized shall be levied for period not in excess of 2 years or until changed by another millage election, whichever is earlier. If any such election is invalidated by court, such invalidated election shall be considered not to have been held.	Section 29 District School Tax s. 1011.71	Removes requirement of voter referendum of Discretionary Super-Majority .25 Millage Levy.
Section 23 District millage elections s. 1011.73	Technical	Section 30 District millage elections s. 1011.73	Technical
	Not Included	Section 31 Contracts with Instructional Staff, Supervisors, School Principals s. 1012.33	Corrects cross reference as it relates to teacher experience.
	Not Included	Section 32 Noninstructional	Requires school districts to accept reciprocity of level 2 screenings for Florida High School

Issue/Section	CS/HB 5101	Issue/Section	CS/SB 1368, 1 ST Engrossed
		Contractors permitted access to school grounds when students are present. s. 1012.467	Athletic Association Officials.
Section 24 Positions for which Certificates Required s. 1012.55	Certification shall include those positions providing direct instruction to students through a virtual environment or through a blended virtual and physical environment.	Section 33 Positions for which Certificates Required s. 1012.55	Identical
Section 25 Charter Schools Capital Outlay Funding s. 1013.62	To be eligible for CO funding, charter school must serve students in facilities that are provided by business partner for charter school-in-workplace pursuant to 1002.33(15)(B).	Section 34 Charter Schools Capital Outlay Funding s. 1013.62	Identical
	Not Included	Section 35 Funds for Comprehensive Educational Plant Needs s. 1013.64	Prohibits district from receiving funding for more than one approved project in any 5-year (vs 3 year) period. Construction project must be recommended in most recent survey conducted and approved by the Office of Educational Facilities, in cooperation with the district. To be eligible, the district must have levied during the prior 5 years, the maximum millage against their nonexempt assessed property value as allowed in s. 1011.71(2). Final phase III plans, in addition to being certified by the board, must be reviewed and approved by the Office of Educational Facilities.
		Section 36	Incorporates by reference the FEFP Calculations or “runs”
Section 26 Effective Date	July 1, 2010 except as otherwise expressly provided.	Section 37 Effective Date	July 1, 2010 except as otherwise expressly provided.

Budget Comparison 2010-2011 Fiscal Year

Appropriation Category/Line Item	2009-2010 FY (3 rd Calculation when Applicable)	2010-1011 FY HB 5001, 1 st Engrossed	2010-2011 FY SB 2700, 1 st Engrossed
Education Enhancement Trust Fund (Lottery)			
Classrooms First –1	\$166,957,717	\$164,766,967	\$164,766,967
Class Size Reduction – Debt Service –2	\$151,922,482	\$154,721,252	\$154,721,252
Bright Futures –3	\$418,878,452	\$382,217,986	\$376,367,563
FEFP – 6	\$9,036,490	\$9,036,490	\$9,036,490
		Funds allocated in 78	Funds allocated in 78
Class Size Reduction – 7	\$189,849,480	\$122,449,480	\$128,776,356
		See 79	See 78
District Discretionary Lottery/School Recognition – 8	\$129,914,030	\$129,914,030	\$129,914,030
	School Recognition Program funded at \$75 per student in each qualifying school. If funds remaining after payment to qualified schools, up to \$5 per UWFTE allocated to SAC. If funds insufficient, then available funds prorated. No real discretionary lottery.	School Recognition Program funded at \$75 per student in each qualifying school. If funds remaining after payment to qualified schools, up to \$5 per UWFTE allocated to SAC. If funds insufficient, then available funds prorated. No real discretionary lottery.	School Recognition Program funded at \$73.78 per student in each qualifying school. If funds remaining after payment to qualified schools, up to \$5 per UWFTE allocated to SAC. If funds insufficient, then available funds prorated. No real discretionary lottery.

Appropriation Category/Line Item	2009-2010 FY (3 rd Calculation when Applicable)	2010-1011 FY HB 5001, 1 st Engrossed	2010-2011 FY SB 2700, 1 st Engrossed
Workforce Development – 9	<p style="text-align: right;">\$3,828,526</p> <p>Funds allocated in 111</p>	<p style="text-align: right;">\$3,828,526</p> <p>Funds allocated in 109</p>	<p style="text-align: right;">\$3,828,526</p> <p>Funds allocated in 109</p>
<u>Department of Education</u>	<p>Funds provided in Line Items #24-149 from State Fiscal Stabilization Funds authorized in ARRA is contingent upon approval of waiver. DOE shall provide guidance to school districts regarding inclusion/exclusion of stabilization funds with general fund revenues for purpose of required state and federal reporting.</p> <p>If it is determined that any entity designated to receive stabilization funds is ineligible to receive such funds, allocations may be adjusted from state funds and stabilization funds among eligible recipients based on recommendation from DOE in a manner that ensures combined funds remains consistent with intent of the appropriations act.</p> <p>Receipt of funds from federal stimulus grants authorized in ARRA is contingent upon recipient's agreement to fully comply with the application and reporting requirements established by DOE.</p>	Similar Proviso Language	Similar Proviso Language

Appropriation Category/Line Item	2009-2010 FY (3 rd Calculation when Applicable)	2010-1011 FY HB 5001, 1 st Engrossed	2010-2011 FY SB 2700, 1 st Engrossed
Fixed Capital Outlay			
Maintenance, Repair, Renovation & Remodeling – Public Schools – 17	Public Schools.....\$41,734,698 Charter Schools.....\$56,112,466	Public Schools.....\$122,111,974 Charter Schools.....\$56,112,466	Public Schools.....\$122,111,973 Charter Schools.....\$56,112,466
Survey Recommended Needs – 18	\$6,254,738 \$6,254,738 distributed to developmental research schools.	\$4,717,433 \$4,717,433 distributed to developmental research schools.	\$4,717,433 \$4,717,433 distributed to developmental research schools.
Special Facilities – 21	\$12,762,458 Calhoun – High School - \$12,274,731 Wakulla – PreK-5 - \$487,727	\$12,274,731 Funds allocated for second/final year of construction of new high school in Calhoun County	\$12,274,731 Funds allocated for second/final year of construction of new high school in Calhoun County
Class Size Reduction – Fixed Capital Outlay	00	00	00
Vocational Rehabilitation			
Adults with Disabilities – 30	\$13,468,204	\$12,121,383	\$12,525,430 \$727,847 <i>Additional funds from s. 91</i>
Early Learning			
Prekindergarten Education - 75	\$366,789,114 Includes \$38,017,534 from ARRA	\$402,321,513 Funds in 74 are provided for	\$350,509,099 BSA \$2,200. Includes 4.5% to fund

Appropriation Category/Line Item	2009-2010 FY (3 rd Calculation when Applicable)	2010-1011 FY HB 5001, 1 st Engrossed	2010-2011 FY SB 2700, 1 st Engrossed
	Funds in 74 are provided for transfer to AWI to implement VPK Program. BSA \$2,575 and for summer program is \$2,190. Includes 4.85% to fund administrative costs.	transfer to AWI to implement VPK Program. BSA is \$2,549 for school year and \$2,168 for summer program. Includes 4.5% to fund administrative costs.	administrative costs. \$19,118,684 <i>Additional funds from s. 92</i>
Early Learning Standards and Accountability – 76	\$400,000	00	\$372,000 \$20,000 <i>Additional funds from s. 92</i>
<u>K-12 Program – FEFP</u>			
Unweighted FTE	2,620,317.06	2,640,080.14 19,763.08 0.75%	2,640,080.14 19,763.08 0.75%
Weighted FTE	2,810,382.74	2,846,629.21 36,246.47 1.29%	2,837,864.62 27,481.88 0.98%
School Taxable Value (Tax Roll)	\$1,622,946,057,603	\$1,469,134,379,322 (\$153,811,678,281) -9.48%	\$1,469,134,379,320 (\$153,811,678,281) -9.48%
Maximum % of Total FEFP provided by RLE Revenue	90%	90%	90%
Required Local Effort	5.288 \$7,801,379,986	5.288 \$7,194,447,686 (\$606,932,300) -7.78%	5.288 \$7,123,085,199 (\$678,294,787) -8.69%
Maximum Discretionary Millage Rate	0.748 \$1,087,990,301	0.748 \$997,242,061	0.748 \$1,043,966,890

Appropriation Category/Line Item	2009-2010 FY (3 rd Calculation when Applicable)	2010-1011 FY HB 5001, 1 st Engrossed	2010-2011 FY SB 2700, 1 st Engrossed
	Compression is \$160,251,515 Funds per student: \$444.13	<p style="text-align: right;">(\$90,748,240) -8.34%</p> <p>Compression is \$139,095,935; decrease of (\$21,155,580) or - 13.20%</p> <p>Funds per student: \$403.91</p>	<p style="text-align: right;">(\$44,023,411) -4.05%</p> <p>Compression is \$137,657,165; decrease of (\$22,594,350) or -.14.10%</p> <p>Funds per student: \$399.71</p>
.25 Discretionary Millage (Maximum Board Approved Millage)	<p style="text-align: right;">0.250 \$113,493,495</p> <p>Compression - \$33,551,186 Funds per student: \$148.44</p> <p>Requires super majority school board approval for 2009-10. Requires voter approval at next general election. For capital or operations. If used for operations, revenue generated will be compressed with state funds to state average and included in FEFP.</p>	<p style="text-align: right;">0.250 \$105,788,183</p> <p>Decrease of (\$7,705,312) or -6.79%</p> <p>Funds per student: \$135.00</p> <p>Compression is \$28,346,302; decrease of (\$5,204,884) or -15.51%</p>	<p style="text-align: right;">0.25 \$348,919,414</p> <p>Increase of \$235,425,919 or 207.44%</p> <p>Funds per student: \$133.59</p> <p>Compression is \$46,002,084; Increase of \$12,450,898 or 37.11%</p>
Total Millage	6.286	6.286	6.286
TOTAL Local Funding	\$9,002,863,782	<p>\$8,297,477,930</p> <p style="text-align: right;">(\$705,385,852) -7.84%</p>	<p>\$8,515,971,503</p> <p style="text-align: right;">(\$486,892,279) -5.41%</p>
TOTAL State Funding	\$8,080,361,656	<p>\$8,827,142,184</p> <p style="text-align: right;">\$746,780,528 9.24%</p>	<p>\$8,806,505,224</p> <p style="text-align: right;">\$726,143,568 8.99%</p>
Governor's Veto	(\$6,000,000)	0	0

Appropriation Category/Line Item	2009-2010 FY (3 rd Calculation when Applicable)	2010-1011 FY HB 5001, 1 st Engrossed	2010-2011 FY SB 2700, 1 st Engrossed
Proration to Funds Available	(\$53,168,376)	0	0
Federal SFSF Education Funds	House \$875,025,819 Senate (both funds) \$907,920,175	\$858,238,056 (\$16,787,763 -1.92%	\$906,960,475 (\$959,700) -0.11%
Federal SFSF Discretionary Funds	House.....\$32,894,356	\$7,030,783 (\$25,863,573 -78.63%	See Above
TOTAL Funding (State, Local, and Stabilization))	\$17,991,145,613	\$17,989,888,953 (\$1,256,660) -0.01%	\$18,229,437,202 \$238,291,589 1.32%
TOTAL Funds per Unweighted WFTE	\$6,866.02	\$6,814.15 (\$51.87) -0.76%	\$6,904.88 \$38.86 0.57%
BSA	\$3,630.62	\$3,604.76 (\$25.86) -0.71%	\$3,586.16 (\$44.46) -1.22%
FEFP Detail WFTE_xBSA_xDCD	\$10,206,632,177	\$10,268,002,347 \$61,370,170 0.60%	\$10,183,474,211 (\$23,157,966) -0.23%
District Cost Differential	Statutory	Statutory	Statutory
Sparsity	\$35,822,046	\$35,567,709 (\$254,337)	\$35,383,369 (\$438,677)

Appropriation Category/Line Item	2009-2010 FY (3 rd Calculation when Applicable)	2010-1011 FY HB 5001, 1 st Engrossed	2010-2011 FY SB 2700, 1 st Engrossed
		-0.71%	-1.22%
Declining Enrollment -	\$10,562,551 25% of decline funded at prior year per FTE base funding amount.	\$5,738,809 (\$4,823,742) -45.67% 25% of decline funded at prior year per FTE base funding amount.	\$5,738,809 (\$4,823,742) -45.67% 25% of decline funded at prior year per FTE base funding amount.
Juvenile Justice Supplemental Allocation	\$9,215,600	\$9,194,922 (\$20,678) -0.22% Allocation factor of \$904.41	\$9,147,276 (\$68,324) -0.74% Allocation factor of \$892.94
Program Cost Factors			
K-3	1.074	1.089	1.089
4-8	1.000	1.000	1.000
9-12	1.033	1.031	1.031
ESE 254	3.520	3.523	3.523
ESE 255	4.854	4.935	4.935
ESOL	1.124	1.147	1.147
9-12 Voc/Ed	1.050	1.035	1.035
Guaranteed ESE	\$981,724,365	\$977,064,081 (\$4,660,284) -0.47%	\$972,010,517 (\$9,713,848) -0.99%
Safe Schools	\$67,260,840	\$67,783,288 (\$477,552) -0.71%	\$66,437,164 (\$823,676) -1.22%

Appropriation Category/Line Item	2009-2010 FY (3 rd Calculation when Applicable)	2010-1011 FY HB 5001, 1 st Engrossed	2010-2011 FY SB 2700, 1 st Engrossed
		Minimum Allocation \$64,923	Minimum Allocation \$64,325
SAI	\$637,781,383	\$636,962,136 (\$819,247) -.13%	\$633,660,890 (\$4,120,493) -0.65%
Research Based Reading Instruction	\$101,923,720 \$87,182 allocated to each district and remaining allocated based on each district's proportion of state total K-12 base funding.	\$101,200,062 (\$723,658) -0.71% \$86,563 allocated to each district and remaining allocated based on each district's proportion of state total K-12 based funding.	\$100,675,562 (\$1,248,158) -1.22% \$85,766 allocated to each district and remaining allocated based on each district's proportion of state total K-12 based funding.
Merit Award Program for Instructional Personnel & School based Administrators	\$20,000,000	\$20,000,000	\$20,000,000
Instructional Materials	\$216,031,121 Growth per FTE is \$296.81. \$11,908,421 is provided for Library Media Materials. \$3,254,969 is provided for purchase of science lab materials and supplies.	\$216,115,091 \$83,970 0.04% Growth per FTE is \$296.93	\$214,995,011 (\$1,036,110) -0.48% Growth per FTE is \$294.19 \$11,803,422 provided for Library Media Materials. \$3,226,269 is provided for purchase of science lab materials and supplies.
Student Transportation	\$428,931,491	\$429,098,215	\$426,874,286

Appropriation Category/Line Item	2009-2010 FY (3 rd Calculation when Applicable)	2010-1011 FY HB 5001, 1 st Engrossed	2010-2011 FY SB 2700, 1 st Engrossed
	Remains categorical, but in FEFP.	<p style="text-align: right;">\$166,724 0.04%</p> <p>Not Included</p>	<p style="text-align: right;">(\$2,057,205) -0.48%</p> <p>School districts encouraged to utilize clean biodiesel fuel in buses and other vehicles to extent possible.</p>
Teacher Lead Program	<p style="text-align: right;">\$33,283,309</p> <p>Approximately \$180.00 per teacher. Remains categorical, but in FEFP.</p>	<p style="text-align: right;">\$33,046,998</p> <p style="text-align: right;">(\$236,311) -0.71%%</p>	<p style="text-align: right;">\$32,875,722</p> <p style="text-align: right;">(\$407,587) -1.22%</p>
Minimum Guarantee	<p style="text-align: right;">\$8,702,698</p> <p>Calculated to provide no greater than a 10% reduction per UWFTE compared to the amount per UWFTE funded in the 2008-2009 FEFP.</p>	<p style="text-align: right;">\$3,190,581</p> <p style="text-align: right;">(\$5,512,117) or -63.34%</p> <p>Calculated to provide no greater than a 8% reduction per UWFTE compared to the amount per UWFTE funded in the 2009-2010 FEFP.</p>	<p style="text-align: right;">\$7,689,593</p> <p style="text-align: right;">(\$1,013,105) -11.64%</p> <p>Calculated to provide no greater than a 10% reduction per UWFTE compared to the amount per UWFTE funded in the 2009-2010 FEFP.</p>
FEFP Proviso	<p>FEFP Funds contingent upon several bills becoming law that increase fees.</p> <p>Students in OJT shall not be counted for more than 25 hours per week in all programs when calculating FTE student membership.</p> <p>Includes discretionary millage adjustment for Union County School District.</p>	<p>FEFP Funds contingent upon several bills becoming law.</p> <p>Appropriations State Fiscal Stabilization Funds (Educational and Discretionary). Each amount allocated in FEFP based on district's proportion of total base funding.</p> <p>From Funds expended by district for personnel, school districts must reduce non-school assigned, non-classroom personnel by 20% or</p>	<p>Similar to 2009/10 Proviso.</p> <p>NOT Included</p>

Appropriation Category/Line Item	2009-2010 FY (3 rd Calculation when Applicable)	2010-1011 FY HB 5001, 1 st Engrossed	2010-2011 FY SB 2700, 1 st Engrossed
	Provides funding/contract authority for districts to serve students enrolled in full-time Virtual K-8 Program for the 2009-2010 school year who were enrolled during 2008-2009 school year.	have reduced the salaries of all non-school assigned, non-classroom personnel by 20% prior to nonrenewal or dismissal of instructional personnel. However, district may terminate instructional personnel for cause or reduce instructional staff due to enrollment declines. Prior to elimination of art programs, music programs, sports programs, or other extracurricular programs, the district must have eliminated payments or expenditures for all employee travel, cell phones, and Blackberries.	
FEFP Categorical – Class Size Reduction – 7 & 79	<p style="text-align: right;">\$2,845,578,849</p> <p>Prek-3.....\$1,311.73 Grades 4-8.....\$ 894.73 Grades 9-12\$ 896.89</p>	<p style="text-align: right;">\$2,907,278,178</p> <p style="text-align: right;">\$61,699,329 2.17%</p> <p>Prek-3\$1,318.74 Grades 4-8\$ 899.52 Grades 9-12\$ 901.69</p>	<p style="text-align: right;">\$2,892,219,600</p> <p style="text-align: right;">\$46,640,751 1.64%</p> <p>Prek-3\$1,306.61 Grades 4-8\$ 891.24 Grades 9-12\$ 893.39</p> <p style="text-align: right;">\$12,500,000 <i>Additional funds from s. 92</i></p>
TOTAL FEFP	<p style="text-align: right;">\$13,814,168,938</p>	<p style="text-align: right;">\$13,849,666,501</p> <p style="text-align: right;">\$35,497,563 0.26%</p>	<p style="text-align: right;">\$13,814,417,268</p> <p style="text-align: right;">(\$58,920,046) -0.42%</p> <p style="text-align: right;">\$47,500,000 <i>Additional funds from s. 92</i></p>

Appropriation Category/Line Item	2009-2010 FY (3 rd Calculation when Applicable)	2010-1011 FY HB 5001, 1 st Engrossed	2010-2011 FY SB 2700, 1 st Engrossed
STATE FEFP	House \$5,104,868,777 Senate \$5,164,037,153 Senate does not reflect proration of \$59,168,376	\$5,789,949,976 \$685,081,199 13.42%	\$5,784,371,594 \$620,334,441 12.01% If you add two prorations Net State FEFP Fund increase is \$679,502,817 or 13.31%\$
K-12 Program – Non FEFP			
Instructional Materials - 80	\$2,141,584 Partially Sighted Pupils - \$145,585. Sunlink Uniform Library Database - \$639,288. Learning Through Listening - \$779,817. Instructional Materials Management - \$76,894. PAEC/Distance Learning Teacher Training - \$500,000. From Sunlink Uniform Library Database funds, a plan that provides options for establishing an on-line union catalog is to be provided to Legislature and Governor.	\$1,452,067 Partially Sighted Pupils - \$131,027. Sunlink Uniform Library Database - \$100,000. Learning Through Listening - \$701,835. Instructional Materials Management - \$69,205. PAEC/Distance Learning Teacher Training - \$450,000.	\$1,497,115 \$75,115 <i>Additional funds from s. 92</i> Partially Sighted Pupils - \$135,911. Sunlink Uniform Library Database - \$100,000. Learning Through Listening - \$724,759. Instructional Materials Management - \$71,465. PAEC/Distance Learning Teacher Training - \$465,000.
Excellent Teaching - 81	\$46,902,403	\$44,557,283	NA \$28,450,000 <i>Funds from s. 92</i>
Reading Programs – 83	\$9,600,000 DOE must conduct independent	\$6,500,000	\$7,300,000

Appropriation Category/Line Item	2009-2010 FY (3 rd Calculation when Applicable)	2010-1011 FY HB 5001, 1 st Engrossed	2010-2011 FY SB 2700, 1 st Engrossed
	evaluation of reading assessment options and report results to Legislature.		
Assistance to Low Performing Schools – 84	\$4,099,146	\$3,689,231	\$3,812,206 <i>\$204,957 Additional funds from s. 92</i>
Mentoring/Student Assistance Initiatives – 85	\$8,229,152 Funds Specific Projects	\$9,765,000 Funds Specific Projects \$2,000,000 used by DOE to competitively bid for one or more providers for mentoring services to at-risk students. OPPAGA shall conduct study to examine effectiveness of all mentoring programs funded by state. Study will determine and utilize common measures in determining effectiveness of these mentoring programs, Due to Legislature and Governor no later than 1/31/2011.	\$7,825,081 <i>\$264,458 Additional funds from s. 92</i> Funds Specific Projects Not Included Not Included
School District Matching Grants - 89	\$1,639,872	\$1,639,872	\$1,525,081 <i>\$81,994 Additional funds from s. 92</i>

Appropriation Category/Line Item	2009-2010 FY (3 rd Calculation when Applicable)	2010-1011 FY HB 5001, 1 st Engrossed	2010-2011 FY SB 2700, 1 st Engrossed
Education Consortium Services – 93	\$1,611,465	\$1,450,318	\$1,558,931 <i>\$52,534 Additional funds from s. 92</i>
Teacher Professional Development – 94	\$134,864,366 \$205,530 for FADSS. \$42,202 for Principal of Year. \$26,862 for Teacher of Year. \$8,866 for School Related Personnel of Year.	\$134,836,020 \$184,997 for FADSS. \$37,982 for Principal of Year. \$14,176 for Teacher of Year. \$7,979 for School Related Personnel of Year.	\$134,844,524 <i>\$14,173 Additional funds from s. 92</i> \$191,143 for FADSS. \$39,248 for Principal of Year. \$24,982 for Teacher of Year. \$8,245 for School Related Personnel of Year.
School & Instructional Enhancements - 95	\$3,205,887 Funds various programs/projects.	\$2,795,297 Funds various programs/projects.	\$8,390,153 <i>\$154,095 Additional funds from s. 92</i> Funds various programs/projects.
<u>Federal Grants K/12 Program - 100</u>	\$2,828,690,570	\$2,612,162,896	\$2,612,162,896
ARRA – Title I Funds	\$635,295,227	\$568,200,040	\$568,200,040
ARRA – IDEA Funds	\$646,963,473	\$500,376,981	\$500,376,981
ARRA – Education Technology	\$30,319,115	\$27,950,599	\$27,950,599
ARRA – Education for Homeless Children	\$3,200,000	\$2,722,521	\$2,722,521

Appropriation Category/Line Item	2009-2010 FY (3 rd Calculation when Applicable)	2010-1011 FY HB 5001, 1 st Engrossed	2010-2011 FY SB 2700, 1 st Engrossed
TOTAL	\$1,315,777,815	\$1,099,250,141	\$1,099,250,141 From funds appropriated, DOE shall contract with DJJ to provide services related to requirements established in s. 1003.52(15) if federal funds available for such purpose (quality assurance standards for educational component in DJJ programs).
School Lunch Program – 101	\$661,280,840	\$804,333,624	\$798,930,344
School Lunch Program – State Match – 102	\$19,418,953	\$17,477,058	\$19,418,953
<u>Educational Media & Technology Services</u>			
Instructional Technology - 104	\$1,100,000 Funds must be used for FCAT Explorer.	00 See 120 below	00
Workforce Education			
Performance Based Incentives - 107	\$5,286,953 Allocates funds to school districts.	\$4,691,202 Allocates funds to school districts - see 109	\$5,109,168 Allocates funds to school districts - see 109
Adult Basic Education – 108	\$41,552,472	\$47,625,538	\$47,625,538
Workforce Development – 109	\$373,474,452	\$332,752,073	\$370,254,093

Appropriation Category/Line Item	2009-2010 FY (3 rd Calculation when Applicable)	2010-1011 FY HB 5001, 1 st Engrossed	2010-2011 FY SB 2700, 1 st Engrossed
	<p>Allocates funds to school districts.</p>	<p>Allocates funds to school districts.</p> <p>Proviso Language Differs</p> <p>Funds from 9, 107 and 109 provided for school district workforce education programs as defined in s.1004.02(26).. Funds shall be allocated by DOE pursuant to s. 1011.80(6).provided that no district allocation may increase by more than five percent nor decrease more than fifteen percent of its allocation for fiscal year 2009-10. The weighted funding calculation used by DOE in accordance with s. 1011.80(6)(a) shall include the following: a two-year average of final FTE by program number for fiscal years 2007-08 and 2008-09; a funding factor for continuing workforce education programs based on the fee requirements of s. 1011.80(5)(a) and a tuition estimate based on the standard tuition rate for fiscal year 2010-11 for workforce education programs. State Board of Education shall approve the final allocation no later than July 1, 2010.</p> <p>Tuition and fee rates are established for the 2010-2011 fiscal year as follows: For programs leading to a career certificate or an applied</p>	<p>Allocates funds to school districts.</p> <p>Proviso Language Differs</p> <p>Tuition and fee rates are established for the 2010-2011 fiscal year as follows: For programs leading to a career certificate or an applied technology diploma, the standard tuition shall be \$2.06 per contact hour for residents. The standard tuition shall be \$2.06 per contact hour and the out-of-state fee shall be \$6.18 per contact hour for nonresidents.</p> <p>For adult general education programs, the standard tuition shall be \$1.01 per contact hour for residents. The standard tuition shall be \$1.01 per contact hour and the out-of-state fee shall be \$3.03 per contact hour for nonresidents.</p> <p>Funds collected from standard tuition and out-of-state fees shall be used to support school district workforce education programs as defined in s. 1004.02(26) and are not to be used to support K-12 programs or district K-12 administrative indirect costs.</p> <p>The funds provided in 9 and 109 are not to be used to support K-12</p>

Appropriation Category/Line Item	2009-2010 FY (3 rd Calculation when Applicable)	2010-1011 FY HB 5001, 1 st Engrossed	2010-2011 FY SB 2700, 1 st Engrossed
		<p>technology diploma, the standard tuition shall be \$2.06 per contact hour for residents. The standard tuition shall be \$2.06 per contact hour and the out-of-state fee shall be \$6.18 per contact hour for nonresidents. For adult general education programs, the standard tuition shall be \$1.01 per contact hour for residents. The standard tuition shall be \$1.01 per contact hour and the out-of-state fee shall be \$3.05 per contact hour for nonresidents.</p> <p>Funds collected from standard tuition and out-of-state fees shall be used to support school district workforce education programs as defined in s. 1004.02(26) and are not to be used to support K-12 programs or district K-12 administrative indirect costs.</p> <p>The funds in 9, 107 and 109 are not to be used to support K-12 programs or district K-12 administrative indirect costs. The Auditor General shall verify compliance with this requirement during scheduled audits of these institutions.</p> <p>Consistent with s. 1009.22(3)(d) if the tuition and out-of-state fee increases provided herein become law, the statutory increase for inflation shall not</p>	<p>programs or district K-12 administrative indirect costs. The Auditor General shall verify compliance with this requirement during scheduled audits of these institutions.</p> <p>Consistent with s. 1009.22(3)(d), if the tuition and out-of-state fee increases provided herein become law, the statutory increase for inflation shall not be made.</p> <p>Pursuant to the provisions of s. 1009.26(1), school districts may grant fee waivers for programs funded through Workforce Development Education appropriations for up to 8 percent of the fee revenues that would otherwise be collected.</p> <p>From the funds provided in 9 and 109, each school district shall report enrollment for adult general education programs identified in s. 1004.02 in accordance with the Department of Education instructional hours reporting procedures. The Auditor General shall verify compliance with this requirement during scheduled operational audits of the school districts.</p> <p>No funds in Specific Appropriations 9 and 109 are for instruction of state or federal inmates.</p>

Appropriation Category/Line Item	2009-2010 FY (3 rd Calculation when Applicable)	2010-1011 FY HB 5001, 1 st Engrossed	2010-2011 FY SB 2700, 1 st Engrossed
		<p>be made.</p> <p>Pursuant to the provisions of s. 1009.26 (1), school districts may grant fee waivers for programs funded through Workforce Development Education appropriations for up to 8 percent of the fee revenues that would otherwise be collected.</p> <p>From the funds provided 9 and 109, each school district shall report enrollment for adult general education programs identified in s. 1004.02 in accordance with DOE instructional hours reporting procedures. The Auditor General shall verify compliance with this requirement during scheduled operational audits of the school districts.</p> <p>No funds in 9 and 109 are for instruction of state or federal inmates.</p>	<p>\$6,329,349 shall be utilized by receiving institutions to reprioritize funding towards key state and regional needs. These funds may be used to: improve student access and success initiatives that lead to increased diploma or certificate production, build preeminent academic and training programs, and enhance vital programs or student support services. Priority programs include the STEM related fields (Science, Technology, Engineering, and Math), health professions, and other high-priority state or regional workforce need areas. Each institution shall determine how to implement the prioritization of funds based on their strategic analyses of the programs at their respective institutions. Each institution shall provide a delineation of how the reprioritized funds are being strategically invested to support these goals, as well as the metrics by which success would be measured, to the Chancellor of the Division of Career and Adult Education. The Chancellor shall submit a summary report of the reprioritization efforts to the Governor and Legislature no later than 12/1/2010.</p>

Appropriation Category/Line Item	2009-2010 FY (3 rd Calculation when Applicable)	2010-1011 FY HB 5001, 1 st Engrossed	2010-2011 FY SB 2700, 1 st Engrossed
Business Partnerships/Skill Assessment and Training – 111	\$7,000,000 Continue statewide implement of Florida Ready to Work program.	\$6,300,000 Continue statewide implement of Florida Ready to Work program.	00
State Board of Education - 116			
Proviso Language Before 116		Not Included	DOE shall coordinate, organize, publish online all currently available reports relating to school district finances on existing DOE website, including information generated from DOE’s school district finance database. Reports shall also be readily accessible to public through link on Transparency Florida website established by s. 215.985, F.S., pursuant to recommendations in 2/2010 report “Recommendations for Transparency Florida” by the Joint Legislative Auditing Committee. District reports to be available on Transparency Florida website include, but not limited to, those currently published on DOE’s website, district websites, and the Auditor General’s website. DOE shall coordinate w/ Executive Office of Governor to create links on Transparency Florida website to district reports by August 1, 2010. By

Appropriation Category/Line Item	2009-2010 FY (3 rd Calculation when Applicable)	2010-1011 FY HB 5001, 1 st Engrossed	2010-2011 FY SB 2700, 1 st Engrossed
			<p>Dec. 31, 2010, DOE shall publish additional finance data relating to school districts not currently available online, including school-level expenditure data. DOE shall work w/ school districts to ensure that each district website provides link to Transparency Florida website. DOE shall establish working group to study issues re to future expansion of school finance data available to public through Transparency Florida website. Working group shall include DOE finance staff, district finance officers, and other appropriate district staff. Working group shall develop recommendations regarding establishment of framework to provide school-level data in greater detail and frequency. Recommendations should address need to report accounting transactions in common, uniform format and include an analysis of potential barriers such as cost, technology, account coding structure, data security, and other issues that could impact completion of expanded system of transparency in school finances. Working group shall also examine means for districts coordination in completion of system. Working group shall publish report of its findings by Dec. 1, 2010.</p>

Appropriation Category/Line Item	2009-2010 FY (3 rd Calculation when Applicable)	2010-1011 FY HB 5001, 1 st Engrossed	2010-2011 FY SB 2700, 1 st Engrossed
Assessment & Evaluation - 120		<p style="text-align: right;">\$83,646,657,</p> <p>Not Included</p> <p>\$990,000 shall be used to continue FCAT Explorer and shall be used for no other purpose. DOE shall work with the current provider to identify specific deliverables required for completion of 2010/11 FY.</p> <p>From funds appropriated, DOE shall administer FAIR for grades K-12 in 2011/11 school year. FAIR shall be provided to all public school districts on voluntary basis. DOE shall also continue to run the Progress Monitoring and Reporting Network (PMRN), and provide reports on FAIR resting to participating districts. These funds will also be used for further development and improvement of the software and system architecture of FAIR and PMRN.</p>	<p style="text-align: right;">\$81,503,046</p> <p>DOE shall develop and implement appropriate processes to ensure all scanning and/or scoring activities sponsored by DOE for FCAT be performed by Florida based providers unless there is evidence that such services can only be performed by non-Florida based provider.</p> <p>Not Included</p> <p>Not Included</p>

Appropriation Category/Line Item	2009-2010 FY (3 rd Calculation when Applicable)	2010-1011 FY HB 5001, 1 st Engrossed	2010-2011 FY SB 2700, 1 st Engrossed
		\$350,000 is provided for development of civics component of the FCAT, and it contingent on CS/HB 105 or similar legislation becoming law.	Not Included
State Board of Education – 123		<p>Proviso after 123 – Contracted Services:</p> <p>DOE shall continue virtual curriculum marketplace to assist school districts in provision of online or digital content.</p> <p>Virtual curriculum marketplace must contain free or fee-based digital assets and full courses that align with the SSS. DOE may retain percentage of any fees charged for a course to offset cost of maintaining and operating virtual curriculum marketplace which must be self supporting.</p> <p>DOE is authorized to negotiate with distance Learning Consortium or private providers for common statewide platform to implement virtual curriculum marketplace. Common statewide platform shall facilitate delivery of digital assets and courses from multiple course providers, track student progress, and include digital content which is</p>	<p style="text-align: right;">N/A</p> <p>Not Included</p> <p>Not Included</p> <p>Not Included</p>

Appropriation Category/Line Item	2009-2010 FY (3 rd Calculation when Applicable)	2010-1011 FY HB 5001, 1 st Engrossed	2010-2011 FY SB 2700, 1 st Engrossed
		<p>aligned to and searchable by SSS.</p> <p>DOE shall contract with an entity located outside of the state of Florida at a maximum cost of \$100,000 to study the FEFP. The study shall review the current funding distribution formula for the sole purpose of recommending any improvements to the existing formula that would better reflect the varying characteristics of each of the 67 school districts and their respective overall student populations, assessing the equity of the current formula in this regard. DOE shall submit the results of the study to the Legislature and Governor no later than 1/1/11.</p>	Included
School Health Services - 446	\$20,319,530	\$20,319,530	\$20,319,530
Full Service Schools - 456	\$8,500,000	\$8,500,000	\$8,500,000

The Senate budget incorporates additional funds in several budget line items in ss. 91 and 92 of the General Appropriations Act which is located at the back of the budget. These funds will be available if federal FMAT funds are approved. Consequently, several line items in the main body of the budget (the first 46 pages) do not reflect these increases. However, the funds appropriated in s. 92 are incorporated into the budget runs that were released last week because the budget runs reflect the entire budget. The chart above does incorporate as much as possible of the additional funds contained in ss. 91 and 92. Below is the detail.

SECTION 91. The nonrecurring sum of \$135,530,179 is appropriated from the General Revenue Fund to restore reductions and provide funding to the Department of Education for the 2010-2011 fiscal year: (most of these funds appropriated to colleges and universities except for Adults with Disabilities)

Adults With Disabilities Funds..... 727,847

SECTION 92. The nonrecurring sum of \$112,028,089 is appropriated from the General Revenue Fund to restore reductions and provide funding to the Department of Education for the 2010-2011 fiscal year:

Transfer Voluntary Prekindergarten Funds to AWI.....	19,118,684
Early Learning Standards And Accountability.....	20,000
Florida Educational Finance Program.....	47,500,000
Class Size Reduction.....	12,500,000
Instructional Materials.....	75,115
Excellent Teaching.....	28,450,000
Professional Practices - Substitutes.....	2,530
Assistance to Low Performing Schools.....	204,957
Mentoring / Student Assistance Initiatives.....	261,458
College Reach Out Program.....	116,467
FL Diagnostic And Learning Resources Centers.....	81,012
New World School of the Arts.....	41,071
School District Matching Grants Program.....	81,994
Autism Program.....	203,300
Regional Education Consortium Services.....	52,534
Teacher Professional Development.....	14,173
School and Instructional Enhancements.....	154,095
School and Instructional Enhancements - Targeted Student Assistance Programs.....	250,000
Exceptional Education.....	90,557
Capitol Technical Center.....	10,623
Instructional Technology - NEFEC Web-based Instruction for Credit Recovery.....	1,000,000
Instructional Technology - Broward Educational Programming.....	30,000
Federal Equipment Matching Grant.....	506,633
Public Broadcasting.....	294,886

State Board of Education - Contracted Services..... 968,000