

Florida School Boards Association
Summary of [SB 2502-A](#) – Implementing the General Appropriations Act
(Selected Sections)

[NOTE: Unless re-enacted in subsequent legislation, all of the provisions described below will expire on July 1, 2016.]

Florida Education Finance Program (FEFP) Workpapers

The bill incorporates by reference the document titled “Public School Funding: The Florida Education Finance Program” to display the calculations used by the Legislature in making appropriations for the FEFP in the General Appropriations Act.

Instructional Materials

The bill provides that funds provided for instructional materials shall be released and expended as required in the proviso language relating to instructional materials attached to Specific Appropriation 90 that provides that, prior to release of the funds by the Department of Education (DOE) to the school districts, each school district must certify to the Commissioner of Education an expenditure plan for the purchase of instructional content and technology.

Special Facilities Construction Projects

The bill provides that any district school board that generates less than \$2 million dollars in revenue from one mill of ad valorem tax must contribute 0.75 mill, rather than 1.5 mills, for Fiscal Year 2015-2016 to the cost of funded special facilities projects.

Personal Learning Scholarship Accounts

The bill amends s. 1002.385, F.S., relating to Personal Learning Scholarship Accounts (PLSA) to:

- Expand student eligibility to include children who are or will be 3 or 4 years old on or before September 1 of the year in which the student applies for program;
- Specify that a 3 or 4 year old child that receives services funded through the FEFP or a student enrolled in the VPK Program is not eligible to participate in the PLSA program;
- Expand the list of eligible disabilities to include autism spectrum disorder and muscular dystrophy;
- Expand the list of authorized uses of program funds by including tuition and fees for part-time tutoring services provided by specified personnel;
- Authorize the commissioner to deny, suspend, or revoke program participation or use of program funds by the student or participation or eligibility of an organization, eligible private school, eligible postsecondary educational institution, approved provider, or other appropriate party, for a violation of this section of law;
- Authorize the commissioner, within certain limitations, to determine the length of, and conditions for lifting, the suspension or revocation imposed by the commissioner;
- Authorize the commissioner to employ mechanisms to recover unexpended program funds or withhold payment of program funds to recover program funds that were not authorized for use;
- Require a scholarship funding organization (SFO) to give first priority for program participation to eligible student renewals from the 2014-2015 school year and, for initial program participation, to give first priority to students retained on a wait list created by the SFO in the order that completed applications are approved;
- Require an SFO to provide to the DOE, as a final condition of eligibility, one of the following verifiable documents:
 - A filed public school withdrawal form;
 - A letter of admission or enrollment in an eligible private school;
 - Notice to establish and maintain a home education program or a copy of the home schooled student’s annual educational evaluation; or
 - A formal notification from a private school that has withdrawn the student from any other state sponsors scholarship program;

- Provide that 100% of the funds appropriated for the program, including any accrued interest, must be released to the DOE at the beginning of the first quarter of each fiscal year and, once student eligibility has been confirmed by the SFO, DOE must make payment of the awarded funds in full to the SFO for deposit into the student's account;
- Provide that moneys received pursuant to the PLSA program do not constitute taxable income to the student or parent of the qualified student.

Scholarship Funding Organizations

The bill amends s. 1002.395(16), F.S., relating to the surety bond or letter of credit that an SFO must provide as part of its initial application or renewal. The surety bond or letter of credit must specify that any claim against the bond or letter of credit may be made only by an SFO to provide scholarships to and on behalf of students who would have had scholarships funded but for the diversion of funds giving rise to the claim against the bond or letter of credit.

300 Lowest Performing Elementary Schools:

The bill amends s. 1011.62(1)(f), F.S., relating to Supplemental Academic Instruction and s. 1011.62(9)(a), F.S., relating to the Research Based Reading Allocation to retain the requirement to provide an additional hour of instruction in the 300 lowest performing elementary schools and provides that, for the 2015-2016 fiscal year, the 300 lowest-performing schools shall be the same schools as identified for the 2014-2015 fiscal year. For the Reading Allocation, the bill also deletes obsolete language relating to hiring reading coaches .

Unrealized Required Local Effort

The bill amends s. 1011.62(4)(e), F.S., to extend for an additional year the authority for school districts to levy the Prior Period Funding Adjustment Millage (PPFAM) and to ensure that the PPFAM is not levied multiple times for the same year. As amended, the bill provides that, for the 2015-2016 fiscal year only, if a district's prior period unrealized required local effort funds and prior period district required local effort millage cannot be determined because such district's final taxable value has not yet been certified for the 2015 tax levy, the Prior Period Funding Adjustment Millage for such fiscal year shall be levied, if not previously levied, in 2015 in an amount equal to 75 percent of such district's most recent unrealized required local effort for which a Prior Period Funding Adjustment Millage was determined. Upon certification of the final taxable value for the 2012, 2013, or 2014 tax rolls, the Prior Period Funding Adjustment Millage levied in 2015 and 2016 shall be adjusted to include any shortfall or surplus in the prior period unrealized required local effort funds that would have been levied in 2014 or 2015, had the district's final taxable value been certified. If this adjustment is made for a surplus, the reduction in prior period millage may not exceed the prior period funding adjustment millage and any additional reduction shall be carried forward to the subsequent fiscal year.

Sparsity Supplement

The bill amends s. 1011.62(7)(b), F.S., relating to the calculation of the sparsity index. The bill provides that, for districts with a full-time equivalent (FTE) student membership of at least 20,000, but no more than 24,000, the sparsity index shall be computed by dividing the total number of FTE students in all programs by the number of permanent senior high school centers in the district, not to exceed four.

Digital Classrooms Allocation

The bill amends s. 1011.62(12), F.S., relating to the Digital Classrooms Allocation. The bill changes the date by which a school district must submit a digital classrooms plan to DOE to October 1 (rather than March 1) each year. The plan must include verification of the superintendent's receipt (rather than "approval") of the digital classrooms plan of each charter school in the district. In addition, DOE must confirm that each district school superintendent has certified to the Commissioner that the district school board has approved a comprehensive district digital classrooms plan that supports the fidelity of implementation of the Florida digital classrooms

allocation, the district has participated in the digital readiness gap analysis assessment, and the district's digital classrooms plan reflects the district's commitment to prioritizing the use of 2015-2016 funds to address gaps identified through the digital readiness gap analysis assessment.

The bill provides that, by September 1, 2015, DOE, in consultation with the Agency for State Technology (AST), must contract with an independent third-party entity to conduct an assessment of the digital readiness of each school district and public school for the purpose of implementing the distribution of the 2015-2016 Florida digital classrooms allocation funds. The contract must require the contracted entity to:

- Collaborate with DOE and AST to review and recommend improvements to the state's 5-year digital classrooms strategic plan and establish minimum information technology architecture standards upon which the digital readiness of school districts and public schools will be assessed as a basis to implement digital classrooms;
- Conduct digital readiness gap analysis assessments that evaluate the current status of digital readiness, and identify gaps in the digital readiness, of school districts and schools in meeting the minimum information technology architecture standards;
- Report to the Governor, the President of the Senate, and the Speaker of the House on the status and results of digital readiness gap analysis assessments as follows:
 - By December 1, 2015, report on a representative sample of school districts and schools;
 - By February 1, 2016, report on digital readiness assessment activities;
 - By May 1, 2016, report on the completed assessment of all school districts.

Federally Connected Student Supplement

The bill creates a new s. 1011.62(13), F.S., to establish the Federally Connected Student Supplement to provide supplemental funding for school districts to support the education of students connected with federally owned military installations, National Aeronautics and Space Administration (NASA) property, and Indian lands. To be eligible for this supplement, the district must be eligible for federal Impact Aid Program funds. The supplement is allocated annually to each eligible school district in the amount provided in the General Appropriations Act and shall be the sum of the student allocation and an exempt property allocation.

The student allocation is calculated based on the number of students reported for federal Impact Aid Program funds, including students with disabilities, who meet one of the following criteria:

- Resides with a parent who is on active duty in the uniformed services or is an accredited foreign government official and military officer. Students with disabilities must also be reported separately for this condition;
- Resides on eligible federally owned Indian lands. Students with disabilities must also be reported separately for this condition.
- Resides with a civilian parent who lives or works on eligible federal property connected with a military installation or NASA. The number of these students is multiplied by a factor of 0.5.

The total number of federally connected students shall be multiplied by a percentage of the base student allocation (BSA) and the total of the number of students with disabilities shall be multiplied by an additional percentage of the BSA. The base amount and the amount for students with disabilities is summed to provide the student allocation.

The exempt property allocation is equal to the tax-exempt value of federal impact aid lands reserved as military installations, real property owned by NASA, or eligible federally owned Indian lands located in the district, as of January 1 of the previous year, multiplied by the millage authorized and levied under s. 1011.71(2), F.S. (District Discretionary Capital Outlay Millage).

Educator Liability Insurance Program

The bill amends s. 1012.75, F.S., to establish the Educator Liability Insurance Program, administered by DOE to protect full-time instructional personnel from liability for monetary damages and the costs of defending actions resulting from claims made against the instructional personnel arising out of occurrences in the course of activities within the instructional personnel's professional capacity. For purposes of this Program, the terms "full-time," "part-time," and "administrative personnel" must be defined by the individual district school board and the term "instructional personnel" has the same meaning as provided in s. 1012.01(2), F.S.

Liability coverage of at least \$2 million must be provided to all full-time instructional personnel and may be provided to part-time instructional personnel, administrative personnel, and students enrolled in a state-approved teacher preparation program who choose to participate in the program, at cost. By August 1, DOE must notify the eligible personnel of the pending procurement for liability coverage and by September 1, each district school board must notify the personnel of the liability coverage available to them. DOE must develop the form of the notice that must be used by each district school board. The notice must be on an 8 1/2-inch by 5 1/2-inch postcard and include the amount of coverage, a general description of the nature of the coverage, and the contact information for coverage and claims questions. The notification must be provided separately from any other correspondence. By September 15, each district school board must certify to DOE that the notification has been provided.

DOE must consult with the Department of Financial Services to select the most economically prudent and cost-effective means of implementing the program through self-insurance, a risk management program, or competitive procurement.

Bright Futures Scholarship Program

The bill amends provisions relating to community service work requirements for Florida Bright Futures Scholarship Program eligibility. For the 2015-2016 fiscal year, a student will be considered to have met the community service work requirement if the student completes a program of volunteer service work, as approved by the district school board, the administrators of a nonpublic school, or the DOE for home education program students. The student must identify a social or civic issue or a professional area that interests him or her, develop a plan for his or her personal involvement in addressing the issue or learning about the area, and, through papers or other presentations, evaluate and reflect upon his or her experience. Except for credit earned through service-learning courses, the student may not receive remuneration or academic credit for the volunteer service work performed. Such work may include, but is not limited to, a business or government internship, work for a nonprofit community service organization, or activity on behalf of a candidate for public office. The hours of volunteer service must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service work.

Office of Early Learning

The bill authorizes the Office of Early Learning to allocate or reallocate funds held by the Child Care Executive Partnership Program to prevent disenrollment of children from the school readiness program or child care funded through the Child Care Executive Partnership Program.