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The 2019 Florida Statutes

[Title XLVIII](#)
K-20 EDUCATION CODE

[Chapter 1011](#)
PLANNING AND BUDGETING

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

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

(a) *Determination of full-time equivalent membership.*—During each of several school weeks, including scheduled intersessions of a year-round school program during the fiscal year, a program membership survey of each school shall be made by each district by aggregating the full-time equivalent student membership of each program by school and by district. The department shall establish the number and interval of membership calculations, except that for basic and special programs such calculations shall not exceed nine for any fiscal year. The district's full-time equivalent membership shall be computed and currently maintained in accordance with regulations of the commissioner.

(b) *Determination of base student allocation.*—The base student allocation for the Florida Education Finance Program for kindergarten through grade 12 shall be determined annually by the Legislature and shall be that amount prescribed in the current year's General Appropriations Act.

(c) *Determination of programs.*—Cost factors based on desired relative cost differences between the following programs shall be established in the annual General Appropriations Act. The cost factor for secondary career education programs and basic programs grade 9 through 12 shall be equal. The Commissioner of Education shall specify a matrix of services and intensity levels to be used by districts in the determination of the two weighted cost factors for exceptional students with the highest levels of need. For these students, the funding support level shall fund the exceptional students' education program, with the exception of extended school year services for students with disabilities.

1. Basic programs.—
 - a. Kindergarten and grades 1, 2, and 3.
 - b. Grades 4, 5, 6, 7, and 8.
 - c. Grades 9, 10, 11, and 12.
2. Programs for exceptional students.—
 - a. Support Level IV.
 - b. Support Level V.
3. Secondary career education programs.
4. English for Speakers of Other Languages.

(d) *Annual allocation calculation.*—

1. The Department of Education is authorized and directed to review all district programs and enrollment projections and calculate a maximum total weighted full-time equivalent student enrollment for each district for the K-12 FEFP.

2. Maximum enrollments calculated by the department shall be derived from enrollment estimates used by the Legislature to calculate the FEFP. If two or more districts enter into an agreement under the provisions of s.

[1001.42\(4\)\(d\)](#), after the final enrollment estimate is agreed upon, the amount of FTE specified in the agreement,

4. Strategies or programs to reduce the likelihood of at-risk students developing social, emotional, or behavioral health problems, depression, anxiety disorders, suicidal tendencies, or substance use disorders.

5. Strategies to improve the early identification of social, emotional, or behavioral problems or substance use disorders, to improve the provision of early intervention services, and to assist students in dealing with trauma and violence.

(c) School districts shall submit approved plans, including approved plans of each charter school in the district, to the commissioner by August 1 of each fiscal year.

(d) Beginning September 30, 2019, and annually by September 30 thereafter, each school district shall submit to the Department of Education a report on its program outcomes and expenditures for the previous fiscal year that, at a minimum, must include the number of each of the following:

1. Students who receive screenings or assessments.
2. Students who are referred to either school-based or community-based providers for services or assistance.
3. Students who receive either school-based or community-based interventions, services, or assistance.
4. School-based and community-based mental health providers, including licensure type, paid for from funds provided through the allocation.
5. Contract-based collaborative efforts or partnerships with community mental health programs, agencies, or providers.

³(17) FUNDING COMPRESSION ALLOCATION.—The Legislature may provide an annual funding compression allocation in the General Appropriations Act. The allocation is created to provide additional funding to school districts and developmental research schools whose total funds per FTE in the prior year were less than the statewide average. Using the most recent prior year FEFP calculation for each eligible school district, the total funds per FTE shall be subtracted from the state average funds per FTE, not including any adjustments made pursuant to ⁴paragraph (19)(b). The resulting funds per FTE difference, or a portion thereof, as designated in the General Appropriations Act, shall then be multiplied by the school district's total unweighted FTE to provide the allocation. If the calculated funds are greater than the amount included in the General Appropriations Act, they must be prorated to the appropriation amount based on each participating school district's share. This subsection expires July 1, 2020.

²(18) THE FLORIDA BEST AND BRIGHTEST TEACHER AND PRINCIPAL ALLOCATION.—

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

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

1. A one-time recruitment award, as provided in s. 1012.731(3)(a);
2. A retention award, as provided in s. 1012.731(3)(b); and
3. A recognition award, as provided in s. 1012.731(3)(c) from the remaining balance of the appropriation after the payment of all other awards authorized under ss. 1012.731 and 1012.732.

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

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

(19) TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR CURRENT OPERATION.—The total annual state allocation to each district for current operation for the FEFP shall be distributed periodically in the manner prescribed in the General Appropriations Act.

(a) If the funds appropriated for current operation of the FEFP are not sufficient to pay the state requirement in full, the department shall prorate the available state funds to each district in the following manner:

1. Determine the percentage of proration by dividing the sum of the total amount for current operation, as provided in this paragraph for all districts collectively, and the total district required local effort into the sum of the state funds available for current operation and the total district required local effort.

Florida Statute 1012.731 - The Florida Best and Brightest Teacher Program

(1) The Legislature recognizes that, second only to parents, teachers play the most critical role within schools in preparing students to achieve a high level of academic performance. Therefore, it is the intent of the Legislature to recruit, retain, and recognize teachers who meet the needs of this state and have achieved success in the classroom.

(2) The Florida Best and Brightest Teacher Program is created to provide recruitment and retention awards to classroom teachers, as defined in s. 1012.01(2)(a), and recognition awards to instructional personnel, as defined in s. 1012.01(2), to be funded as provided in s. 1011.62(18).

(3)(a) To be eligible for a one-time recruitment award as specified in the General Appropriations Act, a newly hired classroom teacher must be a content expert, based on criteria established by the department, in mathematics, science, computer science, reading, or civics. The award amount is up to \$4,000.

(b) To be eligible for a retention award as specified in the General Appropriations Act, a classroom teacher must have been rated as highly effective or effective the preceding year pursuant to s. 1012.34, and teach in a school for 2 consecutive school years, including the current year, which has improved an average of 3 percentage points or more in the percentage of total possible points achieved for determining school grades over the prior 3 years. This award is for classroom teachers as defined in 1012.01(2)(a), and the award amounts are \$2,500 for *Highly Effective* and \$1,000 for *Effective*.

(c) To be eligible for a recognition award, instructional personnel must be rated as highly effective or effective and be selected by his or her school principal, based on performance criteria and policies adopted by the district school board or charter school governing board. Recognition awards must be provided from funds remaining under the allocation provided in s. 1011.62(18) after the payment of all teacher recruitment and retention awards and principal awards authorized under this section and the General Appropriations Act.

History.—s. 25, ch. 2016-62; s. 46, ch. 2017-116; s. 39, ch. 2018-6; s. 19, ch. 2019-23.

Note.—Section 24, ch. 2019-23, provides that:

“(1) The Department of Revenue is authorized, and all conditions are deemed to be met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of administering the provisions of this act relating to the Hope Scholarship Program and Florida Tax Credit Scholarship Program.

“(2) Notwithstanding any other provision of law, emergency rules adopted pursuant to subsection (1) are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

“(3) This section shall take effect upon this act becoming a law and shall expire January 1, 2022.” Note.—Section 49, ch. 2018-6, provides that:

“(1) The Department of Revenue is authorized, and all conditions are deemed to be met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of administering the provisions of this act.

“(2) Notwithstanding any other provision of law, emergency rules adopted pursuant to subsection (1) are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

“(3) This section shall take effect upon this act becoming a law and shall expire January 1, 2022.” Section 19, ch. 2019-23, substantially rewrote paragraph (3)(b), which was subject to s. 49, ch. 2018-6.

Florida Statute 1012.732 - The Florida Best and Brightest Principal Program

(1) The Legislature recognizes that the most effective school principals establish a safe and supportive school environment for students and faculty. Research shows that these principals increase student learning by providing opportunities for the professional growth, collaboration, and autonomy that classroom teachers need to become and remain highly effective educational professionals. Therefore, it is the intent of the Legislature to designate school principals whose schools make noticeable academic improvement as Florida's best and brightest principals.

(2) The Florida Best and Brightest Principal Program is created to provide awards to school principals, as defined in s. 1012.01(3)(c)1., to be funded as provided in s. 1011.62(18).

(3) A school principal is eligible to receive an award, as specified in the General Appropriations Act, under this section if he or she has served as school principal at his or her school for at least 4 consecutive school years, including the current school year, and the school has improved an average of 3 percentage points or more in the percentage of total possible points achieved for determining school grades over the prior 3 years.

History.—s. 47, ch. 2017-116; s. 20, ch. 2019-23.

Note.—Section 24, ch. 2019-23, provides that:

“(1) The Department of Revenue is authorized, and all conditions are deemed to be met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of administering the provisions of this act relating to the Hope Scholarship Program and Florida Tax Credit Scholarship Program.

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“(3) This section shall take effect upon this act becoming a law and shall expire January 1, 2022.”