

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Wise offered the following:

Amendment to Senate Amendment (743086) (with title amendment)

On page 4, line 7 through page 8, line 12, remove from the amendment: all of said lines

and insert in lieu thereof:

Section 3. Section 236.025, Florida Statutes, is amended to read:

236.025 Revised funding model for exceptional student education programs.--

(1) The revised funding model for exceptional student education programs is designed to: be better for students than the existing funding system by encouraging school districts and schools to identify and implement educationally effective instructional delivery models; simplify funding by utilizing two ~~five~~ weighted cost factors and a guaranteed allocation; provide fiscal support for exceptional students in general education classes; be outcome driven; ~~and~~ be revenue neutral; and reduce the paperwork burden associated with state

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1 funding. This funding model is designed to support both
2 traditional and new service delivery models along the
3 continuum of services required for exceptional students. It is
4 the intent of the Legislature, through the General
5 Appropriations Act, to minimize the fiscal impact on school
6 districts of the implementation of this funding model.

7 (2)(a) The revised funding model uses existing basic,
8 at-risk, and vocational ~~five~~ Florida Education Finance Program
9 cost factors, two exceptional education cost factors, and a
10 guaranteed allocation for exceptional student education
11 programs. Exceptional education cost factors are determined by
12 using a matrix of services to document the services that each
13 exceptional student will receive. The nature and intensity of
14 the services indicated on the matrix shall be consistent with
15 the services described in each exceptional student's
16 individual education plan.

17 (b) In order to generate funds using one of the two
18 weighted cost factors, a matrix of services must be completed
19 at the time of the student's initial placement into an
20 exceptional student education program and at least once every
21 3 years ~~least once each year~~ by ~~public school~~ personnel who
22 have received approved training. ~~Additionally, each time an~~
23 ~~exceptional student's individual education plan, family~~
24 ~~support plan, or education plan is reviewed, the matrix of~~
25 ~~services must also be reviewed.~~ Nothing listed in the matrix
26 shall be construed as limiting the services a school district
27 must provide in order to ensure that exceptional students are
28 provided a free, appropriate public education.

29 (c) Students identified as exceptional, in accordance
30 with chapter 6A-6, Florida Administrative Code, who do not
31 have a matrix of services as specified in paragraph (b) shall

1 generate funds on the basis of full-time-equivalent student
2 membership in the Florida Education Finance Program at the
3 same funding level per student as provided for basic students.
4 Additional funds for these exceptional students will be
5 provided through the guaranteed allocation designated in
6 subsection (3).

7 (3) For students identified as exceptional who do not
8 have a matrix of services, there is created a guaranteed
9 allocation to provide these students with a free appropriate
10 public education, in accordance with s. 230.23(4)(m) and rules
11 of the state board, which shall be allocated annually to each
12 school district in the amount provided in the General
13 Appropriations Act. These funds shall be in addition to the
14 funds appropriated on the basis of full-time-equivalent
15 student membership in the Florida Education Finance Program,
16 and the amount allocated for each school district shall not be
17 recalculated during the year. These funds shall be used to
18 provide special education and related services for exceptional
19 students.

20 (4)(3) The Department of Education shall revise its
21 monitoring systems for exceptional student education programs
22 to include a review of delivery of services as indicated on
23 the matrix of services.

24 (5)(4) The Department of Education shall adopt
25 ~~promulgate~~ rules necessary to implement the revised funding
26 model.

27 ~~(5) The funding level in the 1997-1998 FEFP for~~
28 ~~exceptional student education shall be guaranteed for 3 years~~
29 ~~so that no district will have a financial uncertainty during~~
30 ~~the initial implementation of the revised funding model.~~

31 Section 4. Paragraphs (c), (d), and (h) of subsection

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1 (1) and paragraph (d) of subsection (4) of section 236.081,
2 Florida Statutes, are amended to read:

3 236.081 Funds for operation of schools.--If the annual
4 allocation from the Florida Education Finance Program to each
5 district for operation of schools is not determined in the
6 annual appropriations act or the substantive bill implementing
7 the annual appropriations act, it shall be determined as
8 follows:

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

13 (c) Determination of programs.--Cost factors based on
14 desired relative cost differences between the following
15 programs shall be established in the annual General
16 Appropriations Act. The Commissioner of Education shall
17 specify a matrix of services and intensity levels to be used
18 by districts in the determination of the two weighted cost
19 factors for exceptional students with the highest levels of
20 need. For these students, the funding support level shall fund
21 the exceptional students' education program, with the
22 exception of extended school year services for students with
23 disabilities.funding support for each exceptional student.
24 ~~The funding support level for each exceptional student shall~~
25 ~~fund the exceptional student's total education program.~~

- 26 1. Basic programs.--
27 a. Kindergarten and grades 1, 2, and 3.
28 b. Grades 4, 5, 6, 7, and 8.
29 c. Grades 9, 10, 11, and 12.
30 2. Programs for exceptional students.--
31 a. ~~Support Level I.~~

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- 1 ~~b. Support Level II.~~
2 ~~c. Support Level III.~~
3 ~~a.d.~~ Support Level IV.
4 ~~b.e.~~ Support Level V.
5 3. Secondary career education programs.--
6 ~~4. Students at risk programs.--~~
7 ~~a. Dropout prevention and teenage parents.~~
8 ~~4.b.~~ English for Speakers of Other Languages.--
9 (d) Annual allocation calculation.--
10 1. The Department of Education is authorized and
11 directed to review all district programs and enrollment
12 projections and calculate a maximum total weighted full-time
13 equivalent student enrollment for each district for the K-12
14 FEFP.
15 2. Maximum enrollments calculated by the department
16 shall be derived from enrollment estimates used by the
17 Legislature to calculate the FEFP. If two or more districts
18 enter into an agreement under the provisions of s.
19 230.23(4)(d), after the final enrollment estimate is agreed
20 upon, the amount of FTE specified in the agreement, not to
21 exceed the estimate for the specific program as identified in
22 paragraph (c), may be transferred from the participating
23 districts to the district providing the program.
24 3. As part of its calculation of each district's
25 maximum total weighted full-time equivalent student
26 enrollment, the department shall establish separate enrollment
27 ceilings for each of two program groups. Group 1 shall be
28 composed of grades K-3, grades 4-8, and grades 9-12. Group 2
29 shall be composed of students in exceptional student education
30 programs, English for Speakers of Other Languages
31 ~~students at risk~~ programs, all basic programs other than the

1 programs in group 1, and all vocational programs in grades
2 7-12.

3 a. The weighted enrollment ceiling for group 2
4 programs shall be calculated by multiplying the final
5 enrollment conference estimate for each program by the
6 appropriate program weight. The weighted enrollment ceiling
7 for program group 2 shall be the sum of the weighted
8 enrollment ceilings for each program in the program group,
9 plus the increase in weighted full-time equivalent student
10 membership from the prior year for clients of the Department
11 of Children and Family Services and the Department of Juvenile
12 Justice.

13 b. If, for any calculation of the FEFP, the weighted
14 enrollment for program group 2, derived by multiplying actual
15 enrollments by appropriate program weights, exceeds the
16 enrollment ceiling for that group, the following procedure
17 shall be followed to reduce the weighted enrollment for that
18 group to equal the enrollment ceiling:

19 (I) The weighted enrollment ceiling for each program
20 in the program group shall be subtracted from the weighted
21 enrollment for that program derived from actual enrollments.

22 (II) If the difference calculated under
23 sub-sub-subparagraph (I) is greater than zero for any program,
24 a reduction proportion shall be computed for the program by
25 dividing the absolute value of the difference by the total
26 amount by which the weighted enrollment for the program group
27 exceeds the weighted enrollment ceiling for the program group.

28 (III) The reduction proportion calculated under
29 sub-sub-subparagraph (II) shall be multiplied by the total
30 amount of the program group's enrollment over the ceiling as
31 calculated under sub-sub-subparagraph (I).

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1 (IV) The prorated reduction amount calculated under
2 sub-sub-subparagraph (III) shall be subtracted from the
3 program's weighted enrollment. For any calculation of the
4 FEFP, the enrollment ceiling for group 1 shall be calculated
5 by multiplying the actual enrollment for each program in the
6 program group by its appropriate program weight.

7 c. For program group 2, the weighted enrollment
8 ceiling shall be a number not less than the sum obtained by:

9 (I) Multiplying the sum of reported FTE for all
10 programs in the program group that have a cost factor of 1.0
11 or more by 1.0, and

12 (II) By adding this number to the sum obtained by
13 multiplying the projected FTE for all programs with a cost
14 factor less than 1.0 by the actual cost factor.

15 4. Following completion of the weighted enrollment
16 ceiling calculation as provided in subparagraph 3., a
17 supplemental capping calculation shall be employed for those
18 districts that are over their weighted enrollment ceiling. For
19 each such district, the total reported unweighted FTE
20 enrollment for group 2 programs shall be compared with the
21 total appropriated unweighted FTE enrollment for group 2
22 programs. If the total reported unweighted FTE for group 2 is
23 greater than the appropriated unweighted FTE, then the excess
24 unweighted FTE up to the unweighted FTE transferred from group
25 2 to group 1 for each district by the Public School FTE
26 Estimating Conference shall be funded at a weight of 1.0 and
27 added to the funded weighted FTE computed in subparagraph 3.
28 This adjustment shall be calculated beginning with the third
29 calculation of the 1998-1999 FEFP.

30 (h) Coenrollment ~~Instruction outside required number~~
31 ~~of school days.--Students in grades 9 through 12 may be~~

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1 ~~counted as full-time equivalent students for instruction~~
2 ~~provided outside the required school days or year if such~~
3 ~~instruction counts as credit toward high school graduation.~~

4 However, If a high school student wishes to earn high school
5 credits from a community college and enrolls in one or more
6 adult secondary education courses at the community college,
7 the community college shall be reimbursed for the costs
8 incurred because of the high school student's coenrollment as
9 provided in the General Appropriations Act.

10 (4) COMPUTATION OF DISTRICT REQUIRED LOCAL
11 EFFORT.--The Legislature shall prescribe the aggregate
12 required local effort for all school districts collectively as
13 an item in the General Appropriations Act for each fiscal
14 year. The amount that each district shall provide annually
15 toward the cost of the Florida Education Finance Program for
16 kindergarten through grade 12 programs shall be calculated as
17 follows:

18 (d) Exclusion.--

19 1. In those instances in which:

20 a.1. There is litigation either attacking the
21 authority of the property appraiser to include certain
22 property on the tax assessment roll as taxable property or
23 contesting the assessed value of certain property on the tax
24 assessment roll, and

25 b.2. The assessed value of the property in contest
26 involves more than 6 percent of the total nonexempt assessment
27 roll, the plaintiff shall provide to the district school board
28 of the county in which the property is located and to the
29 Department of Education a certified copy of the petition and
30 receipt for the good faith payment at the time they are filed
31 with the court.

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1
2 ~~the assessed value of the property in contest shall be~~
3 ~~excluded from the taxable value for school purposes for~~
4 ~~purposes of computing the district required local effort.~~

5 2. For purposes of computing the required local effort
6 for each district affected by such petition, the Department of
7 Education shall exclude from the district's total nonexempt
8 assessment roll the assessed value of the property in contest
9 and shall add the amount of the good faith payment to the
10 district's required local effort.

11 Section 5. Paragraph (b) of subsection (2) and
12 paragraph (a) of subsection (3) of section 237.34, Florida
13 Statutes, are amended to read:

14 237.34 Cost accounting and reporting.--

15 (2) COST REPORTING.--

16 (b) Each district shall report on a school-by-school
17 and on an aggregate district basis expenditures for each
18 program funded in s. 236.081(1)(c), ~~except that programs for~~
19 ~~exceptional students shall be reported on an aggregate basis.~~

20 (3) PROGRAM EXPENDITURE REQUIREMENTS.--

21 (a) Each district shall expend at least the percent of
22 the funds generated by each of the programs listed herein on
23 the aggregate total school costs for such programs:

24 1. Kindergarten and grades 1, 2, and 3, 90 percent.

25 2. Grades 4, 5, 6, 7, and 8, 80 percent.

26 3. Grades 9, 10, 11, and 12, 80 percent.

27 4. Programs for exceptional students, on an aggregate
28 program basis, 90 ~~80~~ percent.

29 5. Grades 7 through 12 vocational education programs,
30 on an aggregate program basis, 80 percent.

31 6. Students-at-risk programs, on an aggregate program

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1 basis, 80 percent.
 2 7. Juvenile justice programs, on an aggregate program
 3 basis, 80 percent.
 4 8. Any new program established and funded under s.
 5 236.081(1)(c), that is not included under subparagraphs 1.
 6 through 6., on an aggregate basis as appropriate, 80 percent.

9 ===== T I T L E A M E N D M E N T =====

10 And the title is amended as follows:

11 On page 11, line 2 after the semicolon through line 7,
 12 of the amendment
 13 remove: all of said lines

14 and insert in lieu thereof:

15 amending s. 236.025, F.S.; revising funding
 16 for exceptional student education programs;
 17 amending s. 236.081, F.S.; revising funding for
 18 exceptional student education programs;
 19 revising provisions relating to instruction
 20 outside the required number of school days;
 21 revising the exclusion provisions of the
 22 computation of district required local effort;
 23 requiring plaintiffs to provide the district
 24 school board and the Department of Education
 25 certain documentation in litigation affecting
 26 the assessed value of real property above a
 27 specified amount; amending s. 237.34, F.S.;
 28 revising reporting requirements of exceptional
 29 student education programs; creating s.
 30 236.08103,
 31