

Bill No. CS/HB 701, 2nd Eng.

Amendment No.

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Horne moved the following amendment:

Senate Amendment (with title amendment)
Delete everything after the enacting clause

and insert:

Section 1. (1) The Task Force on Public School Funding is created to examine and make recommendations to the Governor and the Legislature on the funding of the state system of public schools. The task force is assigned to the Office of Legislative Services, created by section 11.147, Florida Statutes, for administrative and fiscal accountability purposes.

(2) The task force shall consist of 15 members selected from among business and community leaders and the Lieutenant Governor and Commissioner of Education, who shall serve as voting ex officio members. By June 30, 2000, the Governor, the President of the Senate, and the Speaker of the House of Representatives shall each appoint 5 members to serve for the duration of the task force. If a vacancy occurs, the official who had appointment jurisdiction for the vacated

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1 position shall appoint a member to fill the vacancy. Each
2 appointing authority may remove his or her appointee for
3 cause, and shall remove an appointee who, without cause, fails
4 to attend three consecutive meetings. Members of the task
5 force shall serve without compensation but are entitled to
6 reimbursement for per diem and travel expenses incurred in the
7 performance of their duties as provided in section 112.061,
8 Florida Statutes.

9 (3) The task force shall hold its organizational
10 meeting by September 1, 2000; and, thereafter, shall meet at
11 the call of the chair, but shall meet at least monthly before
12 submitting its final recommendations. The task force shall be
13 chaired by a member designated by the Governor. The task
14 force shall elect a vice chair to serve in the absence of the
15 chair. The task force shall adopt procedures or bylaws
16 necessary for its efficient operation and may appoint
17 subcommittees from its membership.

18 (4) The task force shall examine the funding of the
19 state system of public schools as provided by the Florida
20 Education Finance Program created by section 236.081, Florida
21 Statutes, and implemented by the general appropriations acts.
22 The task force shall consider at least the following:

23 (a) The funding of public schools based on their
24 performance in educating students as evidenced by the
25 achieving of equitable outcomes that meet the state academic
26 achievement standards for all students.

27 (b) The relationship between state funding and local
28 funding for public schools.

29 (c) The maintenance of funding equity in the
30 allocation of dollars among school districts and schools.

31 (d) The acquisition and support of technology to

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1 assist in the instructional process.

2 (e) The funding support for parental choice in the
3 selection of educational services for children.

4 (f) The results and recommendations of public school
5 funding studies conducted by nationally recognized experts,
6 groups, and other states.

7 (5) The task force:

8 (a) Shall appoint an executive director, who shall be
9 the chief administrative officer of the task force. With
10 approval of the chair, the director may employ research and
11 support staff to serve the needs of the task force. All
12 members of the task force staff are exempt from the Career
13 Service System and shall be employed in accordance with the
14 legislative personnel plan administered by the Office of
15 Legislative Services.

16 (b) The task force is authorized to enter into
17 contracts or agreements with individuals, organizations, or
18 firms to provide expertise required by the task force to
19 perform its duties.

20 (c) The task force is authorized to apply for and
21 accept funds, grants, donations, expenses, in-kind services,
22 or other valued goods or services from any public or private
23 source, including in-kind services of employees of the state
24 Department of Education, the school districts, and the state
25 universities.

26 (d) By September 1, 2001, shall submit draft
27 recommendations and, by February 1, 2002, shall submit final
28 recommendations to the Governor, the President of the Senate,
29 and the Speaker of the House of Representatives. Before
30 adopting final recommendations, the task force shall conduct
31 at least one public hearing in each of the five service

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1 regions of the Department of Education. The recommendations of
2 the task force must include proposed legislation.

3 (6) This section expires June 30, 2003.

4 Section 2. Section 236.081, Florida Statutes, is
5 repealed effective June 30, 2004, subject to prior review by
6 the Task Force on Public School Funding.

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

9 236.025 Revised funding model for exceptional student
10 education programs.--

11 (1) The revised funding model for exceptional student
12 education programs is designed to: be better for students
13 than the existing funding system by encouraging school
14 districts and schools to identify and implement educationally
15 effective instructional delivery models; simplify funding by
16 utilizing two ~~five~~ weighted cost factors and a guaranteed
17 allocation; provide fiscal support for exceptional students in
18 general education classes; be outcome driven; ~~and~~ be revenue
19 neutral; and reduce the paperwork burden associated with state
20 funding. This funding model is designed to support both
21 traditional and new service delivery models along the
22 continuum of services required for exceptional students. It is
23 the intent of the Legislature, through the General
24 Appropriations Act, to minimize the fiscal impact on school
25 districts of the implementation of this funding model.

26 (2)(a) The revised funding model uses existing basic,
27 at-risk, and vocational ~~five~~ Florida Education Finance Program
28 cost factors, two exceptional education cost factors, and a
29 guaranteed allocation for exceptional student education
30 programs. Exceptional education cost factors are determined by
31 using a matrix of services to document the services that each

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1 exceptional student will receive. The nature and intensity of
2 the services indicated on the matrix shall be consistent with
3 the services described in each exceptional student's
4 individual education plan.

5 (b) In order to generate funds using one of the two
6 weighted cost factors, a matrix of services must be completed
7 at the time of the student's initial placement into an
8 exceptional student education program and at least once every
9 3 years ~~least once each year by public school personnel who~~
10 ~~have received approved training. Additionally, each time an~~
11 ~~exceptional student's individual education plan, family~~
12 ~~support plan, or education plan is reviewed, the matrix of~~
13 ~~services must also be reviewed.~~ Nothing listed in the matrix
14 shall be construed as limiting the services a school district
15 must provide in order to ensure that exceptional students are
16 provided a free, appropriate public education.

17 (c) Students identified as exceptional, in accordance
18 with chapter 6A-6, Florida Administrative Code, who do not
19 have a matrix of services as specified in paragraph (b) shall
20 generate funds on the basis of full-time-equivalent student
21 membership in the Florida Education Finance Program at the
22 same funding level per student as provided for basic students.
23 Additional funds for these exceptional students will be
24 provided through the guaranteed allocation designated in
25 subsection (3).

26 (3)(a) For students identified as exceptional who do
27 not have a matrix of services, there is created a guaranteed
28 allocation to provide these students with a free appropriate
29 public education, in accordance with s. 230.23(4)(m) and rules
30 of the state board, which shall be allocated annually to each
31 school district in the amount provided in the General

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1 Appropriations Act. These funds shall be in addition to the
2 funds appropriated on the basis of full-time-equivalent
3 student membership in the Florida Education Finance Program,
4 and the amount allocated for each school district shall not be
5 recalculated during the year. These funds shall be used to
6 provide special education and related services for exceptional
7 students.

8 (b) The exceptional student education guaranteed
9 allocation shall be determined annually by the Legislature
10 based upon district's program enrollment and program costs.

11 (4)(3) The Department of Education shall revise its
12 monitoring systems for exceptional student education programs
13 to include a review of delivery of services as indicated on
14 the matrix of services.

15 (5)(4) The Department of Education shall adopt
16 ~~promulgate~~ rules necessary to implement the revised funding
17 model.

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

22 Section 4. Section 229.05371, Florida Statutes, is
23 amended to read:

24 229.05371 ~~Pilot program~~ Scholarships to public or
25 private school of choice for students with disabilities.--

26 (1) SCHOLARSHIP PILOT PROGRAM.--There is established a
27 ~~pilot~~ program, which is separate and distinct from the
28 Opportunity Scholarship Program, ~~in the Sarasota school~~
29 ~~district~~, to provide scholarships to a public or private
30 school of choice for students with disabilities whose academic
31 progress in at least two areas has not met expected levels for

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1 the previous year, as determined by the student's individual
 2 education plan. Student participation in the ~~pilot~~ program is
 3 limited to 5 percent of the students with disabilities in the
 4 school district during the first year, 10 percent of students
 5 with disabilities during the second year, ~~and~~ 20 percent of
 6 students with disabilities during the third year, and no caps
 7 in subsequent years. The following applies to the ~~pilot~~
 8 program:

9 (a) To be eligible to participate in the ~~pilot~~
 10 program, a private school must meet all requirements of s.
 11 229.0537(4), except for the accreditation requirements of s.
 12 229.0537(4)(f). For purposes of the ~~pilot~~ program,
 13 notification under s. 229.0537(4)(b) must be separate from the
 14 notification under the Opportunity Scholarship Program.

15 (b) The school district ~~that participates in the pilot~~
 16 ~~program~~ must comply with the requirements in s.
 17 229.0537(3)(a)2., (c), and (d).

18 (c) The amount of the scholarship in the ~~pilot~~ program
 19 shall be equal to the amount the student would have received
 20 under the Florida Education Finance Program in the public
 21 school to which he or she is assigned.

22 (d) To be eligible for a scholarship under the ~~pilot~~
 23 program, a student or parent must:

24 1. Comply with the eligibility criteria in s.
 25 229.0537(2)(b) and all provisions of s. 229.0537 which apply
 26 to students with disabilities;

27 2. For the school year immediately prior to the year
 28 in which the scholarship will be in effect, have documented
 29 the student's failure to meet specific performance levels
 30 identified in the individual education plan; or, absent
 31 specific performance levels identified in the individual

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1 education plan, the student must have performed below grade
2 level on state or local assessments and the parent must
3 believe that the student is not progressing adequately toward
4 the goals in the individual education plan; and

5 3. Have requested the scholarship prior to the time at
6 which the number of valid requests exceeds the district's cap
7 for the year in which the scholarship will be awarded.

8 (2) The provisions of s. 229.0537(6) and (8) shall
9 apply to the ~~pilot~~ program authorized in this section. This
10 ~~pilot~~ program is not intended to affect the eligibility of the
11 state or school district to receive federal funds for students
12 with disabilities.

13 Section 5. Section 236.08103, Florida Statutes, is
14 created to read:

15 236.08103 Equity in School-Level Funding Act.--

16 (1) This section may be cited as the "Equity in
17 School-Level Funding Act."

18 (2)(a) Beginning in the 2000-2001 fiscal year,
19 district school boards shall allocate to each school within
20 the district at least 50 percent of the funds generated by
21 that school based upon the Florida Education Finance Program
22 as provided in s. 236.081 and the General Appropriations Act,
23 including gross state and local funds, discretionary lottery
24 funds, and funds from the school district's current operating
25 discretionary millage levy.

26 (b) Beginning in the 2001-2002 fiscal year, district
27 school boards shall allocate to each school within the
28 district at least 65 percent of the funds generated by that
29 school based upon the Florida Education Finance Program as
30 provided in s. 236.081 and the General Appropriations Act,
31 including gross state and local funds, discretionary lottery

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1 funds, and funds from the school district's current operating
2 discretionary millage levy.

3 (c) Beginning in the 2002-2003 fiscal year, district
4 school boards shall allocate to each school within the
5 district at least 80 percent of the funds generated by that
6 school based upon the Florida Education Finance Program as
7 provided in s. 236.081 and the General Appropriations Act,
8 including gross state and local funds, discretionary lottery
9 funds, and funds from the school district's current operating
10 discretionary millage levy.

11 (d) Beginning in the 2003-2004 fiscal year, district
12 school boards shall allocate to each school within the
13 district at least 90 percent of the funds generated by that
14 school based upon the Florida Education Finance Program as
15 provided in s. 236.081 and the General Appropriations Act,
16 including gross state and local funds, discretionary lottery
17 funds, and funds from the school district's current operating
18 discretionary millage levy.

19
20 Total funding for each school shall be recalculated during the
21 year to reflect the revised calculations under the Florida
22 Education Finance Program by the state and the actual weighted
23 full-time equivalent students reported by the school during
24 the full-time equivalent student survey periods designated by
25 the Commissioner of Education. If the district school board is
26 providing programs or services to students funded by federal
27 funds, any eligible students enrolled in the schools in the
28 district shall be provided federal funds. Only those districts
29 that initially applied for charter school district status,
30 pursuant to s. 228.058, and have been approved by the State
31 Board of Education are exempt from the provisions of this

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1 section.

2 (3) Funds allocated to a school pursuant to this
3 section that are unused at the end of the fiscal year shall
4 not revert to the district, but shall remain with the school.
5 These carryforward funds may be used for any purpose provided
6 by law at the discretion of the principal of the school.

7 (4) Recommendations made by the Governor's Equity in
8 Educational Opportunity Task Force shall be reviewed to
9 identify potential categorical funds to be included in the
10 district allocation methodology required in subsection (2).

11 (5) Funds appropriated in the General Appropriations
12 Act for supplemental academic instruction to be used for the
13 purposes described in s. 236.08104 are excluded from the
14 school-level allocation under this section.

15 Section 6. This act shall take effect upon becoming a
16 law.

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

20 And the title is amended as follows:

21 Delete everything before the enacting clause

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23 and insert:

24 A bill to be entitled
25 An act relating to public school funding;
26 creating the Task Force on Public School
27 Funding; providing for the appointment and
28 organization of the task force; specifying
29 powers and duties; specifying duties of the
30 Department of Education; requiring certain
31 reports and public hearings; repealing s.

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1 236.081, F.S., relating to the Florida
2 Education Finance; amending s. 236.025, F.S.;
3 revising funding for exceptional student
4 education programs; amending s. 229.05371,
5 F.S.; converting a pilot program for
6 scholarships for students with disabilities to
7 statewide application; creating s. 236.08103,
8 F.S., the "Equity in School-Level Funding Act";
9 requiring school districts to allocate to each
10 school within the district a specified minimum
11 percentage of the funds generated by the school
12 based on the Florida Education Finance Program;
13 providing for graduated increases in such
14 percentage; providing exemptions; providing for
15 carryforward of unused funds allocated to the
16 schools; providing for review of certain task
17 force recommendations for potential inclusion
18 of certain funds in the allocation methodology;
19 providing that funds for supplemental academic
20 instruction are excluded from the school-level
21 allocation; providing an effective date.

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