

dhs-21

Bill No. CS/HB 701

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

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	

ORIGINAL STAMP BELOW

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

Representative(s) Wise offered the following:

Amendment (with title amendment)

On page 6, between lines 20 and 21, of the bill

insert:

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 funding. This funding model is designed to support both traditional and new service delivery models along the

dhs-21

Bill No. CS/HB 701

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

1 continuum of services required for exceptional students. It is
2 the intent of the Legislature, through the General
3 Appropriations Act, to minimize the fiscal impact on school
4 districts of the implementation of this funding model.

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

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

27 (c) Students identified as exceptional, in accordance
28 with chapter 6A-6, Florida Administrative Code, who do not
29 have a matrix of services as specified in paragraph (b) shall
30 generate funds on the basis of full-time-equivalent student
31 membership in the Florida Education Finance Program at the

dhs-21

Bill No. CS/HB 701

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

1 same funding level per student as provided for basic students.
 2 Additional funds for these exceptional students will be
 3 provided through the guaranteed allocation designated in
 4 subsection (3).

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

18 (4)(3) The Department of Education shall revise its
 19 monitoring systems for exceptional student education programs
 20 to include a review of delivery of services as indicated on
 21 the matrix of services.

22 (5)(4) The Department of Education shall adopt
 23 ~~promulgate~~ rules necessary to implement the revised funding
 24 model.

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

29 Section 4. Paragraphs (c) and (d) of subsection (1) of
 30 section 236.081, Florida Statutes, are amended to read:

31 236.081 Funds for operation of schools.--If the annual

dhs-21

Bill No. CS/HB 701

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

1 allocation from the Florida Education Finance Program to each
2 district for operation of schools is not determined in the
3 annual appropriations act or the substantive bill implementing
4 the annual appropriations act, it shall be determined as
5 follows:

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

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

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

dhs-21

Bill No. CS/HB 701

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

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

dhs-21

Bill No. CS/HB 701

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

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

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

16 (I) The weighted enrollment ceiling for each program
17 in the program group shall be subtracted from the weighted
18 enrollment for that program derived from actual enrollments.

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

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

29 (IV) The prorated reduction amount calculated under
30 sub-sub-subparagraph (III) shall be subtracted from the
31 program's weighted enrollment. For any calculation of the

dhs-21

Bill No. CS/HB 701

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

1 FEFP, the enrollment ceiling for group 1 shall be calculated
2 by multiplying the actual enrollment for each program in the
3 program group by its appropriate program weight.

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

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

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

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

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

30 237.34 Cost accounting and reporting.--

31 (2) COST REPORTING.--

dhs-21

Bill No. CS/HB 701

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

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

5 (3) PROGRAM EXPENDITURE REQUIREMENTS.--

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

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

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

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

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

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

16 6. Students-at-risk programs, on an aggregate program
17 basis, 80 percent.

18 7. Juvenile justice programs, on an aggregate program
19 basis, 80 percent.

20 8. Any new program established and funded under s.
21 236.081(1)(c), that is not included under subparagraphs 1.
22 through 6., on an aggregate basis as appropriate, 80 percent.

23
24

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

26 And the title is amended as follows:

27 On page 1, line 26, after the second semicolon

28

29 insert:

30 amending s. 236.025, F.S.; revising funding for
31 exceptional student education programs;

dhs-21

Bill No. CS/HB 701

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

1 amending s. 236.081, F.S.; revising funding for
2 exceptional student education programs;
3 amending s. 237.34, F.S.; revising reporting
4 requirements for exceptional student education
5 programs;
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31