

By the Committee on Education Appropriations and
Representatives Sorensen, Wise, Chestnut, Constantine,
Fiorentino, Henriquez, Lynn, Melvin, Turnbull, Posey and
Lacasa

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A bill to be entitled
An act relating to public school funding;
creating the Citizens Commission on Funding
K-12 Education; providing legislative intent;
providing composition, organization, and duties
of the commission; assigning the commission to
the Office of Legislative Services for fiscal
and administrative purposes; authorizing
reimbursement to members for per diem and
travel expenses incurred in the performance of
commission duties; providing for appointment of
a director and employment of staff; authorizing
entering into contracts or agreements for
required expertise; authorizing application for
and acceptance of funds and services from
public and private sources; requiring
submission of draft and final recommendations
to improve the system of funding K-12 education
to the Governor, the President of the Senate,
the Speaker of the House of Representatives,
and the Commissioner of Education, and
providing for termination of the commission
upon submission of the final recommendations;
providing for public hearings around the state
prior to submission of the final
recommendations; providing an appropriation;
providing an effective date.

WHEREAS, the 1947 Legislature enacted a comprehensive
state system of public school funding referred to as the

1 Minimum Foundation Program (MFP), and the primary principles
2 of that system of funding remained in effect for 26 years, and

3 WHEREAS, at the end of more than 2 years of in-depth
4 analysis and development, assisted by national experts in
5 public school policy and funding, the 1973 Legislature enacted
6 the Florida Education Finance Program (FEFP) to replace the
7 MFP, and the primary principles of the FEFP have been in
8 effect for 26 years, and

9 WHEREAS, the 1994 Legislature enacted the Government
10 Performance and Accountability Act, requiring budgets to
11 include outcomes, performance measures, and standards, and

12 WHEREAS, the voters of the State of Florida, in the
13 November 1998 General Election, amended Section 1 of Article
14 IX of the State Constitution to state in part: "Adequate
15 provision shall be made by law for a uniform, efficient, safe,
16 secure, and high quality system of free public schools that
17 allows students to obtain a high quality education..." NOW,
18 THEREFORE,

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20 Be It Enacted by the Legislature of the State of Florida:

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22 Section 1. Citizens Commission on Funding K-12
23 Education.--

24 (1) INTENT.--It is the intent of the Legislature that
25 Florida's state system of public school funding:

26 (a) Continue to be constitutionally valid;

27 (b) Continue to incorporate the fundamental principle
28 of fairness for both students and taxpayers through "equity in
29 funding," by matching state funds with local funds;

30 (c) Continue to provide equity among schools within a
31 district as well as equity among school districts;

1 (d) Be aligned to implement performance-based
2 educational policies;

3 (e) Have as its major purpose the funding of direct
4 instruction to students;

5 (f) Be administered at the state and local levels in a
6 manner that incorporates appropriate provisions of
7 accountability for student learning, together with efficient
8 and effective use of resources to achieve this purpose;

9 (g) Not provide, without justification, preferential
10 funding to any district; and

11 (h) Be simple to explain to the public.

12 (2) CREATION OF COMMISSION.--The Citizens Commission
13 on Funding K-12 Education is hereby created and is assigned to
14 the Office of Legislative Services for fiscal and
15 administrative purposes. The commission shall be composed of
16 12 members who do not hold an elective office and who are
17 representative of the business and community leaders in each
18 region of the state. The Governor shall appoint four members,
19 including the chair and vice chair, the President of the
20 Senate shall appoint four members, and the Speaker of the
21 House of Representatives shall appoint four members. Members
22 of the commission shall serve without compensation, but may be
23 reimbursed for per diem and travel expenses incurred in the
24 performance of commission duties pursuant to s. 112.061,
25 Florida Statutes.

26 (3) DUTIES OF COMMISSION.--

27 (a) The commission shall examine Florida's system of
28 funding K-12 education as a whole entity, including the
29 interrelationship of the individual parts as they constitute
30 the total funding for the state and for each school district,
31 and shall also examine independently each specific component

- 1 of the system. Without limiting other areas of review or its
2 recommendations, the commission shall review the following:
3 1. Any litigation that has challenged the
4 constitutionality of Florida's system of educational funding,
5 and any similar litigation in other states, during the past
6 decade.
7 2. The relationship of state and local funding for
8 current operations.
9 3. The maintenance of funding equity in the allocation
10 of dollars among districts and among schools within districts.
11 4. The acquisition and support of technology to assist
12 in the instructional process.
13 5. Funding support for parental choice in the
14 selection of educational services for their children.
15 6. Funding public schools based on school performance
16 as measured by student achievement.
17 7. The results and recommendations of public school
18 funding studies conducted by nationally recognized experts,
19 groups, and other states.
20 8. Funding for students enrolled in "basic education
21 programs" compared to funding for students enrolled in
22 "special education programs."
23 9. The differences among school districts in
24 identifying students for weighted funding.
25 10. The use of prior year school district expenditures
26 to establish program cost factors.
27 11. The ratio of classroom teachers to total school
28 district employees.
29 12. The expenditure of funds for direct classroom
30 instruction compared to indirect expenditures.
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1 13. Funding of educational facilities, including
2 district school impact fees, and funding for districts with
3 the greatest unmet need for new classrooms based on a district
4 effort index pursuant to s. 235.186, Florida Statutes.

5 14. The impact to local school districts of property
6 which is exempt from ad valorem taxation for the purpose of
7 public school funding.

8 15. Current practices relating to levels of ad valorem
9 assessments.

10 16. Funding of student transportation, including
11 rewards and sanctions based on efficient practices.

12 17. The relationship between the use of categorical
13 funds and FEFP funds, and whether categorical funding should
14 be continued.

15 (b) The chair of the commission shall appoint a
16 director who shall be the chief administrative officer of the
17 commission. With approval of the chair, the director may
18 employ research and support staff to serve the needs of the
19 commission. All members of the commission staff shall be state
20 employees and shall be exempt from the Career Service System.

21 (c) The commission is authorized to enter into
22 contracts or agreements with individuals, organizations, or
23 firms to provide expertise required by the commission to
24 perform its duties.

25 (d) The commission is authorized to apply for and
26 accept funds, grants, donations, expenses, in-kind services,
27 or other valued goods or services from the Federal Government
28 or any other public or private source, including in-kind
29 services of employees of the state Department of Education,
30 the school districts, and the state universities.

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1 (e) Following a thorough review and understanding of
2 Florida's system of funding K-12 education, the commission
3 shall submit recommendations to improve the system to the
4 Governor, the President of the Senate, the Speaker of the
5 House of Representatives, and the Commissioner of Education.
6 Draft recommendations shall be submitted by February 1, 2002,
7 and final recommendations shall be submitted by October 1,
8 2002. The commission shall cease to exist after the submission
9 of its final recommendations. The commission shall hold its
10 organizational meeting no later than September 1, 2000. Before
11 adopting final recommendations, the commission shall hold at
12 least one public hearing in the northeastern, panhandle,
13 central, and southern regions of the state.

14 Section 2. There is hereby appropriated from the
15 General Revenue Fund to the Office of Legislative Services the
16 sum of \$500,000 to be used to the extent necessary to pay the
17 expenses of the Citizens Commission on Funding K-12 Education
18 created by this act.

19 Section 3. This act shall take effect upon becoming a
20 law.

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HOUSE SUMMARY

Creates the Citizens Commission on Funding K-12 Education. Provides legislative intent. Provides composition, organization, and duties of the commission. Assigns the commission to the Office of Legislative Services for fiscal and administrative purposes. Authorizes reimbursement to members for per diem and travel expenses incurred in the performance of commission duties. Provides for appointment of a director and employment of staff. Authorizes entering into contracts or agreements for required expertise. Authorizes application for and acceptance of funds and services from public and private sources. Requires submission of draft and final recommendations to improve the system of funding K-12 education to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Commissioner of Education, and provides for termination of the commission upon submission of the final recommendations. Provides for public hearings around the state prior to submission of the final recommendations.