

By the Committees on Governmental Operations, Education Appropriations and Representatives Sorensen, Wise, Chestnut, Constantine, Fiorentino, Henriquez, Lynn, Melvin, Turnbull, Posey, Lacasa and Andrews

1                                   A bill to be entitled  
2           An act relating to public school funding;  
3           creating the Citizens Commission on Funding  
4           K-12 Education; providing legislative intent;  
5           providing composition, organization, and duties  
6           of the commission; assigning the commission to  
7           the Office of Legislative Services for fiscal  
8           and administrative purposes; authorizing  
9           reimbursement to members for per diem and  
10          travel expenses incurred in the performance of  
11          commission duties; providing for appointment of  
12          a director and employment of staff; authorizing  
13          entering into contracts or agreements for  
14          required expertise; authorizing application for  
15          and acceptance of funds and services from  
16          public and private sources; requiring  
17          submission of draft and final recommendations  
18          to improve the system of funding K-12 education  
19          to the Governor, the President of the Senate,  
20          the Speaker of the House of Representatives,  
21          and the Commissioner of Education, and  
22          providing for termination of the commission  
23          upon submission of the final recommendations;  
24          providing for public hearings around the state  
25          prior to submission of the final  
26          recommendations; providing an appropriation;  
27          providing an effective date.

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29           WHEREAS, the 1947 Legislature enacted a comprehensive  
30          state system of public school funding referred to as the  
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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 are exempt  
20 from the Career Service System and shall be employed in  
21 accordance with the legislative personnel plan administered by  
22 the Office of Legislative Services.

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

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

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

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

21 Section 3. This act shall take effect upon becoming a  
22 law.

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