

By Senator Gaetz

1-01356A-16

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1 A bill to be entitled

2 An act relating to education funding; amending s.  
3 1011.62, F.S.; revising the calculation for certain  
4 supplemental funds for exceptional student education  
5 programs; requiring the funds to be prorated under  
6 certain circumstances; providing an effective date.

7  
8 Be It Enacted by the Legislature of the State of Florida:

9  
10 Section 1. Paragraph (e) of subsection (1) of section  
11 1011.62, Florida Statutes, is amended to read:

12 1011.62 Funds for operation of schools.—If the annual  
13 allocation from the Florida Education Finance Program to each  
14 district for operation of schools is not determined in the  
15 annual appropriations act or the substantive bill implementing  
16 the annual appropriations act, it shall be determined as  
17 follows:

18 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR  
19 OPERATION.—The following procedure shall be followed in  
20 determining the annual allocation to each district for  
21 operation:

22 (e) *Funding model for exceptional student education*  
23 *programs.*—

24 1.a. The funding model uses basic, at-risk, support levels  
25 IV and V for exceptional students and career Florida Education  
26 Finance Program cost factors, and a guaranteed allocation for  
27 exceptional student education programs. Exceptional education  
28 cost factors are determined by using a matrix of services to  
29 document the services that each exceptional student will  
30 receive. The nature and intensity of the services indicated on  
31 the matrix shall be consistent with the services described in  
32 each exceptional student's individual educational plan. The

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33 Department of Education shall review and revise the descriptions  
34 of the services and supports included in the matrix of services  
35 for exceptional students and shall implement those revisions  
36 before the beginning of the 2012-2013 school year.

37 b. In order to generate funds using one of the two weighted  
38 cost factors, a matrix of services must be completed at the time  
39 of the student's initial placement into an exceptional student  
40 education program and at least once every 3 years by personnel  
41 who have received approved training. Nothing listed in the  
42 matrix shall be construed as limiting the services a school  
43 district must provide in order to ensure that exceptional  
44 students are provided a free, appropriate public education.

45 c. Students identified as exceptional, in accordance with  
46 chapter 6A-6, Florida Administrative Code, who do not have a  
47 matrix of services as specified in sub-subparagraph b. shall  
48 generate funds on the basis of full-time-equivalent student  
49 membership in the Florida Education Finance Program at the same  
50 funding level per student as provided for basic students.  
51 Additional funds for these exceptional students will be provided  
52 through the guaranteed allocation designated in subparagraph 2.

53 2. For students identified as exceptional who do not have a  
54 matrix of services and students who are gifted in grades K  
55 through 8, there is created a guaranteed allocation to provide  
56 these students with a free appropriate public education, in  
57 accordance with s. 1001.42(4)(1) and rules of the State Board of  
58 Education, which shall be allocated initially ~~annually~~ to each  
59 school district in the amount provided in the General  
60 Appropriations Act. These funds shall be supplemental ~~in~~  
61 ~~addition~~ to the funds appropriated for the basic funding level

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62 ~~on the basis of FTE student membership in the Florida Education~~  
63 ~~Finance Program,~~ and the amount allocated for each school  
64 district shall ~~not~~ be recalculated once during the year, based  
65 on actual student membership from the October FTE survey. Upon  
66 recalculation, if the generated allocation is greater than the  
67 amount provided in the General Appropriations Act, the total  
68 shall be prorated to the level of the appropriation based on  
69 each district's share of the total recalculated amount. These  
70 funds shall be used to provide special education and related  
71 services for exceptional students and students who are gifted in  
72 grades K through 8. ~~Beginning with the 2007-2008 fiscal year,~~ A  
73 district's expenditure of funds from the guaranteed allocation  
74 for students in grades 9 through 12 who are gifted may not be  
75 greater than the amount expended during the 2006-2007 fiscal  
76 year for gifted students in grades 9 through 12.

77 Section 2. This act shall take effect July 1, 2016.