

CHAPTER 97-380

Senate Bill No. 44-A

An act relating to the Florida Education Finance Program; amending s. 236.081, F.S.; revising the method of computing the basic amount to be included for operations and provisions relating to the caps adjustments; providing for adjustments to the calculation for certain school districts for fiscal year 1997-1998; requiring the Commissioner of Education to send technical assistance teams to specified districts and requiring those districts to amend enrollment counts; requiring the Commissioner of Education to make a report with respect to enrollments for exceptional child programs; providing an effective date.

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

Section 1. Paragraph (d) of subsection (1) and subsection (8) of section 236.081, Florida Statutes, as amended by section 7 of chapter 97-4, Laws of Florida, section 19 of chapter 97-153, Laws of Florida, sections 57 and 150 of chapter 97-190, Laws of Florida, sections 23 and 37 of chapter 97-246, Laws of Florida, and section 43 of chapter 97-307, Laws of Florida, are amended to read:

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

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

(d) Annual allocation calculation.—

1. The Department of Education is authorized and directed to review all district programs and enrollment projections and calculate a maximum total weighted full-time equivalent student enrollment for each district for the K-12 FEFP.

2. Maximum enrollments calculated by the department shall be derived from enrollment estimates used by the Legislature to calculate the FEFP. If two or more districts enter into an agreement under the provisions of s. 230.23(4)(d), after the final enrollment estimate is agreed upon, the amount of FTE specified in the agreement, not to exceed the estimate for the specific program as identified in paragraph (c), may be transferred from the participating districts to the district providing the program.

3. As part of its calculation of each district's maximum total weighted full-time equivalent student enrollment, the department shall establish separate enrollment ceilings for each of two ~~three~~ program groups. Group 1

shall be composed of grades K-3, grades 4-8, and grades 9-12. Group 2 shall be composed of students in exceptional student education programs. ~~Group 3 shall be composed of students-at-risk programs,~~ all basic programs other than the programs in group 1, and all vocational programs in grades 7-12.

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

b. If, for any calculation of the FEFP, the weighted enrollment for ~~either~~ program group 2 ~~or group 3~~, derived by multiplying actual enrollments by appropriate program weights, exceeds the enrollment ceiling for that group, the following procedure shall be followed to reduce the weighted enrollment for that group to equal the enrollment ceiling:

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

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

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

(IV) The prorated reduction amount calculated under sub-sub-subparagraph (III) shall be subtracted from the program's weighted enrollment. For any calculation of the FEFP, the enrollment ceiling for group 1 shall be calculated by multiplying the actual enrollment for each program in the program group by its appropriate program weight.

c. For program group groups 2 and 3, the weighted enrollment ceiling shall be a number not less than the sum obtained by:

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

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

(8) CAPS ADJUSTMENT SUPPLEMENT.—If there are funds remaining in the appropriation, excluding any working capital funds after calculating subsection (10), a caps adjustment supplement of up to 50 ~~20~~ percent of the funds remaining in the appropriation shall be calculated as follows:

(a) As a first priority, the exceptional student programs weighted full-time equivalent student membership above cap group 2 shall be funded up to the level of the appropriation. If the level of appropriation does not allow funding of all weighted full-time equivalent student memberships above the cap provided in this paragraph, the funds available shall be prorated.

(b) As a second priority, other group 2 3 programs weighted full-time equivalent student membership above cap group 2 3 shall be funded at the weighted average of the cost factors for basic grades 4-8 and 9-12 multiplied by the equivalent unweighted full-time equivalent student membership up to the level of the remaining Florida Education Finance Program appropriation. If the level of the remaining appropriation does not allow funding of all weighted full-time equivalent student memberships above the cap provided in this paragraph, the funds available shall be prorated.

Section 2. Notwithstanding the provisions of section 236.081(1)(d), Florida Statutes, and proviso language for Specific Appropriation 105 of chapter 97-156, Laws of Florida, for any calculation of the FEFP for the 1997-1998 fiscal year for any school district with 10,000 weighted FTE or less when the weighted FTE in groups 2 and 3 is 4 percent or more under the weighted FTE in the first calculation and the total potential funds amount for the district is less than the total potential funds amount in the first calculation, this amount shall be increased to the amount in the first calculation or by \$250,000, whichever is less. Up to \$1 million of the amount appropriated in Specific Appropriation 105 of chapter 97-156, Laws of Florida, is authorized to fund any adjustments needed to implement this requirement.

Section 3. Prior to the third and fourth calculations of the FEFP for 1997-1998, the Commissioner of Education shall send technical assistance teams to those districts where results of the October student survey indicate that actual weighted full-time-equivalent student enrollment in exceptional child programs is substantially different than enrollment estimates used to establish legislative appropriations for 1997-1998. These teams shall work intensively with teachers, principals, and other staff in targeted districts to review district application of the exceptional child matrix of services and the assignment of students to programs 251-255. Based on this technical assistance, district superintendents shall, as appropriate, amend the enrollment counts already submitted to the Department of Education for the third calculation of the FEFP.

Section 4. By January 1, 1998, the Commissioner of Education shall submit a report to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives which compares projected student enrollment with actual student enrollment for each exceptional child program in any district where actual enrollment in an exceptional child program is significantly different from the estimated enrollment for that program used to establish legislative appropriations for 1997-1998. In each such case, the report shall analyze relevant data and identify the principal factors that account for the discrepancy between estimated and actual enrollment.

Section 5. This act shall take effect upon becoming a law.

Approved by the Governor November 21, 1997.

Filed in Office Secretary of State November 21, 1997.