

STORAGE NAME: h0921s1z.edk

****FINAL ACTION****

DATE: May 29, 1998

****SEE FINAL ACTION STATUS SECTION****

**HOUSE OF REPRESENTATIVES
AS REVISED BY THE COMMITTEE ON
EDUCATION K-12
FINAL BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

BILL #: CS/HB 921

RELATING TO: Expenditure Requirements for Education Programs

SPONSOR(S): Committee on Education K-12 and Representative Boyd

COMPANION BILL(S): SB 174 (Identical)

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) EDUCATION K-12 YEAS 11 NAYS 0
- (2) EDUCATION APPROPRIATIONS YEAS 12 NAYS 1
- (3)
- (4)
- (5)

I. FINAL ACTION STATUS:

PASSED BY THE LEGISLATURE - CHAPTER #98 - 51, Laws of Florida.

Upon adjournment of the 1997 legislative session, CS/HB 921 had been passed by the House [YEAS 108, NAYS 0] and had been received by the Senate and referred to the Senate Committees on Education and Ways & Means. Upon adjournment in Senate Education, CS/HB 921 was carried over to the 1998 session pursuant to House Rule 96 and was placed on the House Consent Calendar.

On May 17, 1998, CS/HB 921 was amended on second reading (technical amendment), was read a third time, and was passed by the House [YEAS 118, NAYS 0]. On April 15, 1998, CS/HB 921 was substituted for SB 174, was read a second and third time, as was passed by the Senate [YEAS 36, NAYS 0].

The bill was presented to the Governor on April 28, 1998, and on May 14, 1998, became law without the Governor's signature.

II. SUMMARY:

As a reward, school districts currently receive additional FTE funds for each advanced placement student who receives post-secondary credit by scoring a minimum of 3 (on a 5-point scale) on the College Board Advanced Placement Examination. The bill requires that at least 80% of such funds be allocated by the district to the high school that served the qualifying students.

The bill does not require an appropriation; however, it may affect the amount of revenue an individual school receives for the Advanced Placement incentive.

III. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

When a student participating in an advanced placement program receives post-secondary credit by scoring a minimum of 3 (on a 5- point scale) on the College Board Advanced Placement Examination, the local district is awarded an additional 0.24 FTE as a reward. (s.236.081(1)(q), F.S.) The Legislature appropriated \$17.4 million (5,724.96 FTE) within the Florida Education Finance Program (FEFP) for this purpose in the 1997-1998 General Appropriations Act (GAA). The 1998-1999 GAA includes \$18.4 million (5,710.56 FTE) within the FEFP for this purpose.

There is no requirement that the school district allocate the incentive funding to the specific schools that served qualifying students.

B. EFFECT OF PROPOSED CHANGES:

School districts will be required to allocate at least 80 percent of advanced placement incentive funding, provided in accordance with s. 236.081(1)(q), to the high school that generated the funds.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

- (1) any authority to make rules or adjudicate disputes?

Yes, the bill revises the methods of allocation of funds by school districts.

- (2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

Yes, see (1), above.

- (3) any entitlement to a government service or benefit?

Yes, the bill entitles individual schools to at least 80 percent of their school-generated advanced placement incentive funding.

b. If an agency or program is eliminated or reduced:

- (1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

Not applicable.

- (2) what is the cost of such responsibility at the new level/agency?

Not applicable.

(3) how is the new agency accountable to the people governed?

Not applicable.

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

No.

b. Does the bill require or authorize an increase in any fees?

No.

c. Does the bill reduce total taxes, both rates and revenues?

No.

d. Does the bill reduce total fees, both rates and revenues?

No.

e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No.

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

No.

4. Individual Freedom:

a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

No.

b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

No.

5. Family Empowerment:

- a. If the bill purports to provide services to families or children:
- (1) Who evaluates the family's needs?
Not applicable.
 - (2) Who makes the decisions?
Not applicable.
 - (3) Are private alternatives permitted?
Not applicable.
 - (4) Are families required to participate in a program?
Not applicable.
 - (5) Are families penalized for not participating in a program?
Not applicable.
- b. Does the bill directly affect the legal rights and obligations between family members?
No.
- c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:
- (1) parents and guardians?
Not applicable.
 - (2) service providers?
Not applicable.
 - (3) government employees/agencies?
Not applicable.

ACADEMIC EXCELLENCE COUNCIL'S ADDITIONAL CONSIDERATIONS:

1. Does it improve instruction?

To the extent schools are encouraged by the funding assurance to better-motivate students to achieve advanced-placement status, the bill could be viewed as having a positive effect on instruction.

2. Does it allow teachers to teach?

Yes, see 1., above.

3. Does it improve student character?

Yes, see 1., above.

4. Does it prepare our students to be a part of the 21st century workforce?

Yes, see 1., above.

5. Does it empower parents to make decisions?

Not applicable.

6. Does it create educational options?

Yes, see 1., above.

7. Does it create an environment where students can learn?

Yes, see 1., above.

D. STATUTE(S) AFFECTED:

The bill amends s. 236.081, F.S.

E. SECTION-BY-SECTION RESEARCH:

Section 1: Amends s. 236.081, F.S., to require school districts to allocate at least 80 percent of advanced placement incentive funds to the high school that generated the funds.

Section 2: Provides an effective date of July 1 of the year in which enacted.

IV. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

The amount of revenue appropriated to school districts for the Advanced Placement incentive as a result of this bill would not change; however, individual schools would receive more than their current allocation from the Advanced Placement incentive, if they receive less than 80% of their allocation currently.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

None.

3. Effects on Competition, Private Enterprise and Employment Markets:

None.

D. FISCAL COMMENTS:

V. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to expend funds or to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of a state tax shared with counties or municipalities.

VI. COMMENTS:

The DOE indicates that districts use a variety of local budgeting practices and that confirmation of whether schools actually receive the benefit of the additional revenues anticipated by the bill may be subject to interpretation.

VII. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

The bill as originally drafted amended s. 237.34, F.S., a reporting section, to require that at least 80 percent of the incentive funds generated pursuant to s. 236.081(1)(q), F.S., would flow-through to the individual schools that generated the funds.

The Committee Substitute is drafted to s. 236.081, F.S., rather than s. 237.34, F.S., in order to avoid these potential costs by placing the 80 percent minimum flow-through requirement directly in the subsection that authorizes advanced placement incentive funding (s. 236.081(1)(q)).

On April 18, 1997, the Committee on Education Appropriations voted the committee substitute favorably with no amendments.

VIII. SIGNATURES:

COMMITTEE ON EDUCATION K-12:
Prepared by:

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AS REVISED BY THE COMMITTEE ON EDUCATION APPROPRIATIONS:
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