

STORAGE NAME: h0921s1b.edk

DATE: February 16, 1998

**HOUSE OF REPRESENTATIVES
AS REVISED BY THE COMMITTEE ON
EDUCATION APPROPRIATIONS
BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

BILL #: CS/HB 921 (as passed by the 1997 House of Representatives)

RELATING TO: Expenditure Requirements for Education Programs

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

STATUTE(S) AFFECTED: Amends s. 236.081, F.S.

COMPANION BILL(S): SB 74 (i)

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. SUMMARY:

CS/HB 921 passed the House and was referred to the Senate Education Committee and Senate Ways and Means. Upon adjournment of the 1997 Session, the bill was carried over to the 1998 Session pursuant to House Rule 96, and was placed on the House Consent Calendar. Also see the Amendment and Final 1997 Action of this bill research.

As an incentive, school districts currently receive increased funds when advanced placement students score well 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.

II. 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 F.T.E. as an incentive. (s.236.081(1)(q), F.S.) The Legislature appropriated \$16,786,889 for this purpose in the FY 1996-1997 General Appropriations Act.

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. 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, 1997.

III. 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:

IV. 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.

V. 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.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

The bill as originally drafted amended s. 237.34, a reporting section, to require that at least 80 percent of the incentive funds generated pursuant to s. 236.081(1)(q), would flow-through to the individual schools that generated the funds. As such, the original bill could have resulted in significant reporting, monitoring, and programming costs.

The Committee Substitute avoids the reporting, monitoring, and programming costs associated with the original bill 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.

VII. FINAL 1997 ACTION:

On April 29, 1997 the House passed CS/HB 921 (YEAS 108, 0 NAYS) and sent it to the Senate. CS/HB 921 was referred to the Senate Education Committee and Senate Ways and Means. Upon adjournment of the 1997 Session, the bill was carried over to the 1998 Session pursuant to House Rule 96, and was placed on the House Consent Calendar.

VIII. SIGNATURES:

COMMITTEE ON EDUCATION K-12:

Prepared by:

Legislative Research Director:

Charles Murphy

Lynn Cobb

AS REVISED BY THE COMMITTEE ON EDUCATION APPROPRIATIONS:

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