

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K - 12

BILL: CS/SB 1126

INTRODUCER: Education Pre-K – 12 Committee and Senators Detert and Richter

SUBJECT: Auditory-oral Education Programs

DATE: February 3, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bailey	Klebacha	ED	Fav/CS
2.			AED	
3.			FP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1126 requires a school district to annually add four special consideration points to the total score of all domains on the matrix of services for a child who is deaf and enrolled in an auditory-oral education program to provide additional supports and services.

The bill takes effect on July 1, 2016.

II. Present Situation:

Auditory-Oral Education Program

As defined in statute, an auditory-oral program is a program that develops and relies solely on listening skills and uses an implant or assistive hearing device for the purpose of relying on speech and spoken language skills as the method of communication.¹

As used in auditory-oral education programs, deaf or hard of hearing means aided or unaided hearing loss that affects the processing of linguistic information and adversely affects performance in the educational environment.² The State Board of Education has established in rule criteria to designate the degree of loss which may range from mild to profound.³

¹ Section 1002.391(1)(a), F.S.

² Section 1002.391(1)(b), F.S.

³ Rule 6A-6.03013, F.A.C.

Auditory-oral education programs are located in public or private schools for children who have obtained an implant or assistive hearing device.⁴ The faculty of the school are certified as listening and spoken language specialists.⁵

Matrix of Services

The Matrix of Services is the document used to determine the cost factor for selected exceptional education students based on the decisions made by the Individual Education Plan team.⁶ The matrix is designed with five levels in each of the five domain⁷ areas.⁸ A level IV indicates that for the majority of learning activities, the student receives specialized approaches, assistance equipment, or receives more extensive modifications to the learning environment.⁹ A level V indicates that the student receives continuous and intense assistance, multiple services or substantial modifications for the majority of learning activities.¹⁰

Special consideration points are additional points for selected populations of students.¹¹ The applicable special consideration points are added together with the scores from each domain of the matrix to determine the level of support services.¹² The nature and intensity of the services indicated on the matrix are consistent with the services described in each exceptional student's Individual Education Plan (IEP).¹³

Funding for Exceptional Student Education

The funding model for exceptional student education programs uses basic, at-risk, support levels IV and V for exceptional students and career Florida Education Finance Program cost factors, and a guaranteed allocation.¹⁴ For exceptional education students, a matrix of services must be completed at the time of the student's initial placement into an exceptional student education

⁴ Section 1002.391(1)(c), F.S.

⁵ A Listening and Spoken Language Specialist is a person who has been awarded professional certification through the Alexander Graham Bell Association. Florida Department of Education, *BEES Discretionary Projects* (2015), available at <http://www.fldoe.org/core/fileparse.php/7690/urlt/2015MatrixServices.pdf>.

⁶ Section 1011.62(1)(c), F.S. The Commissioner of Education shall specify a matrix of services and intensity levels to be used by districts in the determination of the two weighted cost factors for exceptional education students with the highest levels of need.

⁷ The matrix of services includes five domains that are intended to cover the special services and supports provided in an educational setting. The domain areas are: curriculum and learning environment, social or emotional behavior, independent functioning, health care, and communication. Florida Department of Education, *Matrix of Services Handbook* (2015), available at <http://www.fldoe.org/core/fileparse.php/7690/urlt/2015MatrixServices.pdf>.

⁸ Florida Department of Education, *Matrix of Services Handbook* (2015), available at <http://www.fldoe.org/core/fileparse.php/7690/urlt/2015MatrixServices.pdf>.

⁹ *Id.* A level I indicates that the student requires no services or assistance beyond those that are normally available to all students. A level II indicates the student is receiving assistance on a periodic basis or receives minor supports, assistance, or services. A level III indicates the student is receiving accommodations to the learning environment that are more complex or is receiving services on a more frequent schedule.

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ Section 1011.62(1)(e), F.S.

¹⁴ *Id.*

program and at least once every three years in order to generate weighted funding.¹⁵ The matrix of services is used to determine the cost factor for selected exceptional education students based on the decisions made by the IEP team.¹⁶

III. Effect of Proposed Changes:

CS/SB 1126 revises the matrix of services calculation for students who are deaf and enrolled in an eligible auditory-oral education program.

The bill requires the school district to annually add four special consideration points to the total score of all domains on the matrix, beginning in the 2017-2018 fiscal year.

The revised matrix calculation will generate additional Florida Education Finance Program funds to support students who are deaf and enrolled in an auditory-oral education program.

The bill takes effect on July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

¹⁵ *Id.*

¹⁶ Florida Department of Education, *Matrix of Services Handbook* (2015), available at <http://www.fldoe.org/core/fileparse.php/7690/urlt/2015MatrixServices.pdf>.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1002.391 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education Pre-K – 12 on February 2, 2016:

The committee substitute modifies the bill as follows:

- Decreased the number of special consideration points a school district must add to the calculation of a matrix of services for a student from seven to four points; and
- Removed provisions related to auditory-oral education grants.

- B. **Amendments:**

None.