

The Florida Senate
GOVERNOR'S VETO
OF PORTIONS OF THE 2017 GENERAL APPROPRIATIONS ACT
SB 2500

SPECIFIC APPROPRIATION VETOED

Specific Appropriation 91

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"The calculations of the Florida Education Finance Program (FEFP) for the 2017-2018 fiscal year are incorporated by reference in Senate Bill 2502. The calculations are the basis for the appropriations made in the General Appropriations Act in Specific Appropriations 7, 8, 9, 91, and 92."

"91 AID TO LOCAL GOVERNMENTS

GRANTS AND AIDS - FLORIDA EDUCATIONAL
FINANCE PROGRAM

FROM GENERAL REVENUE FUND	7,750,817,167
FROM STATE SCHOOL TRUST FUND	70,438,902

Funds provided in Specific Appropriations 7 and 91 shall be allocated using a base student allocation of \$4,133.64 for the FEFP.

Funds provided in Specific Appropriations 7 and 91 for the supplemental allocation for juvenile justice education programs shall be allocated pursuant to the formula provided in section 1011.62(10), Florida Statutes. The allocation factor shall be \$1,240.91.

From the funds provided in Specific Appropriations 7 and 91, juvenile justice education programs shall receive funds as provided in section 1003.52(13), Florida Statutes. Up to \$341 per student may be used for high school equivalency examination fees for juvenile justice students who pass the high school equivalency exam in full, or in part, while in a juvenile justice education program and may be used for students in juvenile justice education programs to support equipment, specially designed curricula, and industry credentialing testing fees, for students enrolled in career and technical education (CTE) courses that lead to industry recognized certifications.

The Department of Education shall work with the Washington County school district and the Okeechobee County school district to determine, pursuant to section 1003.52(3), Florida Statutes, which district shall be the educational service provider for the full-time equivalent (FTE) students currently associated with Washington Special. Effective with the October 2017 FTE Survey, the FTE associated with Washington Special in the Florida Education Finance Program (FEFP) will be reported by either the Washington County school district or the Okeechobee County school district. The FTE changes required shall be incorporated into the 2017-2018 third FEFP Calculation as determined by the FEFP Allocation Conference.

The district cost differential (DCD) for each district shall be calculated pursuant to the provisions of section 1011.62(2), Florida Statutes.

From the funds provided in Specific Appropriations 7 and 91, \$52,800,000 is provided for the Sparsity Supplement as defined in section 1011.62(7), Florida Statutes, for school districts of 24,000 and fewer FTE in the 2017-2018 fiscal year.

Total Required Local Effort for Fiscal Year 2017-2018 shall be \$7,605,379,015. The total amount shall include adjustments made for the calculation required in section 1011.62(4)(a) through (c), Florida Statutes.

The maximum nonvoted discretionary millage which may be levied pursuant to the provisions of section 1011.71(1), Florida Statutes, by district school boards in Fiscal Year 2017-2018 shall be 0.748 mills. This millage shall be used to calculate the discretionary millage compression supplement as provided in section 1011.62(5), Florida Statutes. To be eligible for the supplement, a district must levy the maximum.

Funds provided in Specific Appropriations 7 and 91 are based upon program cost factors for Fiscal Year 2017-2018 as follows:

- 1. Basic Programs
 - A. K-3 Basic.....1.107
 - B. 4-8 Basic.....1.000
 - C. 9-12 Basic.....1.001

- 2. Programs for Exceptional Students

- A. Support Level 4.....3.619
- B. Support Level 5.....5.526
- 3. English for Speakers of Other Languages1.212
- 4. Programs for Grades 9-12 Career Education.....1.001

From the funds in Specific Appropriations 7 and 91, \$1,060,770,374 is provided to school districts as an Exceptional Student Education (ESE) Guaranteed Allocation as authorized by law to provide educational programs and services for exceptional students. The ESE Guaranteed Allocation funds are provided in addition to the funds for each exceptional student in the per FTE student calculation. School districts that provided educational services in the 2016-2017 fiscal year for exceptional students who are residents of other districts shall not discontinue providing such services without the prior approval of the Department of Education. Expenditure requirements for the ESE Guaranteed Allocation shall be as prescribed in section 1010.20(3), Florida Statutes, for programs for exceptional students.

From the funds provided in Specific Appropriations 7 and 91, the value of 43.35 weighted FTE students is provided to supplement the funding for severely handicapped students served in ESE programs 254 and 255 when a school district has less than 10,000 FTE student enrollment and less than three FTE eligible students per program. The Commissioner of Education shall allocate the value of the supplemental FTE based on documented evidence of the difference in the cost of the service and the amount of funds received in the district's FEFP allocations for the students being served. The supplemental value shall not exceed three FTE.

The Declining Enrollment Supplement shall be calculated based on 25 percent of the decline between the prior year and current year unweighted FTE students pursuant to section 1011.62(8), Florida Statutes.

From the funds in Specific Appropriations 7 and 91, \$64,456,019 is provided for Safe Schools activities and shall be allocated as follows: \$62,660 shall be distributed to each district, and the remaining balance shall be allocated as follows: two-thirds based on the latest official Florida Crime Index provided by the Department of Law Enforcement and one-third based on each district's share of the state's total unweighted

student enrollment. Safe schools funds are to be used by school districts in their compliance with sections 1006.07-1006.148, Florida Statutes, with priority given to establishing a school resource officer program pursuant to section 1006.12, Florida Statutes.

From the funds in Specific Appropriations 7 and 91, \$712,207,631 is for Supplemental Academic Instruction to be provided throughout the school year pursuant to section 1011.62 (1)(f), Florida Statutes. From these funds, at least \$75,000,000, together with funds provided in the district's research-based reading instruction allocation and other available funds, shall be used by districts with one or more of the 300 lowest performing elementary schools based on the statewide, standardized English Language Arts assessment to provide an additional hour of instruction beyond the normal school day for each day of the entire school year for intensive reading instruction for the students in each of these schools. This additional instruction must be provided by teachers or reading specialists who are effective in teaching reading, or by a K-5 mentoring reading program that is supervised by a teacher who is effective at teaching reading. Students enrolled in these schools who have level 5 reading assessment scores may choose to participate in the program on an optional basis. ESE centers shall not be included in the 300 schools.

The Department of Education shall provide guidance to school districts for documentation of the expenditures for this additional instruction to ensure that all local, state, and federal funds are maximized for the total instructional program and that the funds used in these schools do not supplant federal funds. School districts shall submit a report to the Department of Education in a format prepared by the department that includes summary information, including funding sources, expenditures and student outcomes for each of the participating schools that shall be submitted to the Speaker of the House of Representatives, President of the Senate, and Governor by September 30, 2017. Pursuant to section 1008.32, Florida Statutes, the State Board of Education shall withhold funds from a school district that fails to comply with this requirement.

The funds provided for the Supplemental Academic Instruction allocation shall consist of a base amount that shall have a workload adjustment based on changes in FTE. In addition, an additional amount is provided for districts with schools on the list of the 300 lowest-performing elementary schools. District allocations from these additional funds shall be based on each district's level of per student funding in the

reading instruction allocation and the supplemental academic instruction categorical fund, and on the total FTE for each of the schools. The categorical funding shall be recalculated during the fiscal year following an updated designation of the 300 lowest-performing elementary schools and shall be based on actual student membership from the FTE surveys. If the recalculated total allocation is greater than the amount provided in the General Appropriations Act, the allocation shall be prorated to the level of the appropriation, based on each district's share of the total.

From the funds in Specific Appropriations 7 and 91, \$130,000,000 is provided for a K-12 comprehensive, district-wide system of research-based reading instruction. The amount of \$115,000 shall be allocated to each district and the remaining balance shall be allocated based on each district's proportion of the total K-12 base funding. From these funds, at least \$15,000,000 shall be used to provide an additional hour of intensive reading instruction beyond the normal school day for each day of the entire school year for the students in the 300 lowest performing elementary schools based on the statewide, standardized English Language Arts assessment pursuant to sections 1008.22(3) and 1011.62(9), Florida Statutes. This additional instruction must be provided by teachers or reading specialists who are effective in teaching reading. Students enrolled in these schools who have level 5 reading assessment scores may choose to participate in the program on an optional basis. ESE centers shall not be included in the 300 schools. Pursuant to section 1008.32, Florida Statutes, the State Board of Education shall withhold funds from a school district that fails to comply with this requirement.

From the funds provided in Specific Appropriations 7 and 91, \$230,743,258 is provided for Instructional Materials including 12,184,490 for Library Media Materials, \$3,330,427 for the purchase of science lab materials and supplies, \$10,329,494 for dual enrollment instructional materials, and \$3,114,988 for the purchase of digital instructional materials for students with disabilities. The growth allocation per FTE shall be \$303.69 for the 2017-2018 fiscal year. School districts shall pay for instructional materials used for the instruction of public high school students who are earning credit toward high school graduation under the dual enrollment program as provided in section 1011.62(1)(i), Florida Statutes.

From the funds provided for Instructional Materials, \$165,000,000 shall

be available to school districts to purchase instructional content, as well as electronic devices and technology equipment, and infrastructure. The purchases made in the 2017-2018 fiscal year must comply with the minimum or recommended requirements for instructional content, hardware, software, networking, security and bandwidth, and the number of students per device as developed and published by the Department of Education. Prior to release of the funds by the department to the school districts, each school district shall certify to the Commissioner of Education an expenditure plan for the purchase of instructional content and technology. If the district intends to use any portion of the funds for technology, the district must certify that it has the instructional content necessary to provide instruction aligned to the adopted statewide benchmarks and standards. If the district intends to use the funds for technology the district must include an expenditure plan for the purchase of electronic devices and technology equipment, and infrastructure that demonstrates the alignment of devices and equipment with the minimum or recommended requirements. The department shall provide a report to the Legislature on or before March 1, 2018, that summarizes the district expenditures for these funds.

From funds provided in Specific Appropriations 7 and 91, \$438,875,286 is provided for Student Transportation as provided in section 1011.68, Florida Statutes.

From funds provided in Specific Appropriations 7 and 91, \$45,286,750 is provided for the Teachers Classroom Supply Assistance Program and shall be given to teachers pursuant to section 1012.71, Florida Statutes. The allocation shall not be recalculated during the school year.

From the funds provided in Specific Appropriation 7 and 91, \$12,805,373 is provided for a Federally Connected Student Supplement to be calculated to support the education of students connected with federally-owned military installations, National Aeronautics and Space Administration (NASA) property, and Indian lands pursuant to section 1011.62(13), Florida Statutes. The supplement shall be the sum of a student allocation and an exempt property allocation. To participate, districts must be eligible for federal Impact Aid funding under Section 8003, Title VIII of the Elementary and Secondary Education Act of 1965. The amount allocated for each eligible school district shall be recalculated during the year, using actual student membership, as amended, from the most recent February survey and the tax-exempt

valuation from the most recent assessment roll. Upon recalculation, if the total allocation is greater than the amount provided in the General Appropriations Act, it must be prorated to the level of the appropriation based on each district's share of the total recalculated amount.

Funds provided in Specific Appropriations 7 and 91 for the Virtual Education Contribution shall be allocated pursuant to the formula provided in section 1011.62(11), Florida Statutes. The contribution shall be based on \$5,230 per FTE.

Districts may charge a fee for grades K-12 voluntary, non-credit summer school enrollment in basic program courses. The amount of any student's fee shall be based on the student's ability to pay and the student's financial need as determined by district school board policy.

From the funds in Specific Appropriations 7 and 91, \$80,000,000 is provided for the Digital Classrooms allocation as provided in section 1011.62(12), Florida Statutes. The minimum amount to be allocated to each district is \$500,000. Twenty percent of the funds provided may be used for professional development, including in-state conference attendance or online coursework, to enhance the use of technology for digital instructional strategies."

GOVERNOR'S VETO MESSAGE

"The [indicated project following Specific Appropriation 91] is vetoed because the amount of funding included in the Florida Education Finance Program should be higher in order to educate and prepare Florida's 2.8 million public kindergarten through grade 12 students for college and career.

ANALYST COMMENT

This appropriation provided \$7,750,817,167 in general revenue funds and \$70,438,902 in funds from the State School Trust Fund (SSTF) to the Florida Education Finance Program (FEFP). The FEFP is the primary mechanism for funding the operating costs of Florida school districts. FEFP funds are primarily generated by multiplying the number of full-time equivalent (FTE) students in each of the funded education programs by cost factors to obtain weighted FTE students. Weighted FTE students are then multiplied by a base student allocation and by a district cost differential to determine the base funding from state and local FEFP funds. Program cost factors represent relative cost differences among the FEFP programs.

Appropriations Subcommittee on Education
Analyst: Elwell
March 15, 2016

In Fiscal Year 2016-2017, \$7,696,013,962 in general revenue funds and \$129,135,875 from the SSTF were provided for this initiative.

This initiative was funded in the amount of \$7,789,793,369 in general revenue funds and \$70,438,902 from the SSTF in the House General Appropriations Bill. In the Senate General Appropriations Bill, it was funded in the amount of \$7,748,231,106 in general revenue funds and \$70,338,902 from the SSTF. The Appropriations Conference funded the initiative in the amount of \$7,750,817,167 in general revenue funds and \$70,438,902 from the SSTF.