

2019 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 62

BY REPRESENTATIVE DUPLESSIS

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the feasibility of restructuring the minimum foundation program (MFP) formula for the 2020-2021 school year to provide for differentiated levels of funding for students with exceptionalities and to report its findings and recommendations to the House Committee on Education and the Senate Committee on Education not later sixty days prior to the beginning of the 2020 Regular Session of the Legislature of Louisiana.

WHEREAS, the Constitution of Louisiana requires that the legislature provide for the education of the people of the state and further requires that the legislature establish and maintain a public education system; and

WHEREAS, the Constitution of Louisiana further provides that it is the goal of the public education system to provide learning environments and experiences at all stages of human development that are humane, just, and designed to promote excellence in order that every individual may be afforded an equal opportunity to develop to his full potential; and

WHEREAS, the State Board of Elementary and Secondary Education has the constitutional responsibility of annually developing, adopting, and submitting to the legislature for its approval and funding a formula to be used to determine the cost of a minimum foundation program (MFP) of education in all public elementary and secondary schools as well as to equitably allocate the funds to local school systems; and

WHEREAS, the formula is designed with separate calculations to provide funding for different educational needs and costs; and

WHEREAS, Level 1 calculations use student counts and special student characteristics as the basis for determining the cost of education in every community across the state; and

WHEREAS, in the 2019-2020 MFP formula adopted by the board, Level 1 costs include funding for students enrolled in city and parish school systems, Recovery School District-operated and Type 5 charter schools, new Type 2 charter schools, and Type 3B charter schools and are shared equitably between the state and the city and parish school systems based on the ability of the systems to support education in their communities through local sales and property tax revenues; and

WHEREAS, it states that "The formula recognizes that providing educational services to meet the needs of particular students is more costly than regular educational services. Each special characteristic or need is given a numerical value referred to as a weight. The special needs of each student are taken into consideration by multiplying the student count for each eligible child (1.0) by each of the weights."; and

WHEREAS, the formula includes a weight of 150% for students with disabilities and a weight of 60% for gifted and talented students; and

WHEREAS, in 2013, and pursuant to Senate Concurrent Resolution No. 124 of the 2012 Regular Session, the state Department of Education determined that a funding formula based on multiple student weights – student needs, individual education plan, and services provided – was the most equitable method to appropriately address the individual needs of students with exceptionalities; and

WHEREAS, the MFP formula for the 2013-2014 school year included this differential funding methodology and was adopted by the State Board of Elementary and Secondary Education but the formula was not approved by the legislature; and

WHEREAS, since 2013, the State Board of Elementary and Secondary Education has not included the differentiated funding methodology in the MFP formula; and

WHEREAS, some are concerned that these issues are not being adequately addressed in the development of the MFP; and

WHEREAS, many in the education community believe that using the same weighting factor for every special education student, regardless of the type or degree of exceptionality,

does not ensure that each child receives a level of funding that is directly related to the type, cost, or duration of services needed to address his specific needs; and

WHEREAS, according to these concerned individuals, use of what is essentially a flat rate of funding for special education students, regardless of the cost or level of services actually provided to the student by the school or other educational provider, is inherently inequitable; and

WHEREAS, as defined in R.S. 17:1942, a "student with an exceptionality" includes a student with a disability, a student who is evaluated according to state and federal regulation or policy and is deemed to have a mental disability, hearing loss (including deafness), multiple disabilities, deaf-blindness, speech or language impairment, visual impairment (including blindness), emotional disturbance, orthopedic impairment, other health impairment, specific learning disability, traumatic brain injury, autism, or is deemed to be gifted or talented, and as a result requires special education and related services; it also may include a student experiencing developmental delay, ages three through eight; and

WHEREAS, as reported by the Cowen Institute at Tulane University in 2016, differentiated funding is a way to fund education in which schools receive per student funding proportionate to the time, resources, and type of instruction required to educate the student and is a best practice policy used by districts nationwide including many of the cities with high percentages of charter schools, such as Washington D.C. and Cleveland; and

WHEREAS, according to the Cowen Institute, the use of a common differentiated funding formula for public schools in New Orleans is important to ensure that all schools are funded equitably based on the cost of serving their students; and

WHEREAS, in 2015, the legislature passed Act No. 467 which required that a formula be created for use in New Orleans public schools through a "collaborative process" led by the state Department of Education and included representatives from the Recovery School District, the Louisiana Association of Public Charter Schools, the Orleans Parish School Board, and advocates for students with disabilities; and

WHEREAS, the working group created a formula that provided weights aligned to the costs of educating students based on their needs, which included five weighted tiers for special education students, with schools receiving more funding for educating students with greater needs; and

WHEREAS, prior to the passage of Act No. 467 of 2015, the state Department of Education had already developed and was using a differentiated funding model in the Recovery School District in New Orleans; and

WHEREAS, in order to ensure that all schools in the state are funded equitably, it is necessary and appropriate for the State Board of Elementary and Secondary Education to consider developing and incorporating this type of methodology within the MFP formula by which to generate differentiated levels of special education funding aligned with the needs of the individual special needs child.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the State Board of Elementary and Secondary Education to study the feasibility of restructuring the minimum foundation program formula for the 2020-2021 school year to provide for differentiated levels of funding based on student characteristics, including multiple tiers of funding for students with exceptionalities, and to report its findings and recommendations to the House Committee on Education and the Senate Committee on Education not later sixty days prior to the beginning of the 2020 Regular Session of the Legislature of Louisiana.

BE IT FURTHER RESOLVED that the board consider multiple models of differentiated funding including those implemented at the local level by school districts in Louisiana.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the president of the State Board of Elementary and Secondary Education and the state superintendent of education.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE