

BY REPRESENTATIVE DUPLESSIS

1 A CONCURRENT RESOLUTION

2 To urge and request the State Board of Elementary and Secondary Education to study the

3 feasibility of restructuring the minimum foundation program (MFP) formula for the

4 2020-2021 school year to provide for differentiated levels of funding for students

5 with exceptionalities and to report its findings and recommendations to the House

6 Committee on Education and the Senate Committee on Education not later sixty days

7 prior to the beginning of the 2020 Regular Session of the Legislature of Louisiana.

8 WHEREAS, the Constitution of Louisiana requires that the legislature provide for

9 the education of the people of the state and further requires that the legislature establish and

10 maintain a public education system; and

11 WHEREAS, the Constitution of Louisiana further provides that it is the goal of the

12 public education system to provide learning environments and experiences at all stages of

13 human development that are humane, just, and designed to promote excellence in order that

14 every individual may be afforded an equal opportunity to develop to his full potential; and

15 WHEREAS, the State Board of Elementary and Secondary Education has the

16 constitutional responsibility of annually developing, adopting, and submitting to the

17 legislature for its approval and funding a formula to be used to determine the cost of a

18 minimum foundation program of education in all public elementary and secondary schools

19 as well as to equitably allocate the funds to local school systems; and

20 WHEREAS, the formula is designed with separate calculations to provide funding

21 for different educational needs and costs; and

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

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

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

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

17 WHEREAS, in 2013, and pursuant to Senate Concurrent Resolution No. 124 of the
18 2012 Regular Session, the state Department of Education determined that a funding formula
19 based on multiple student weights – student needs, individual education plan, and services
20 provided – was the most equitable method to appropriately address the individual needs of
21 students with exceptionalities; and

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

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

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

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

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

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

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

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

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

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

28 WHEREAS, the working group created a formula that provided weights aligned to
29 the costs of educating students based on their needs, which included five weighted tiers for

1 special education students, with schools receiving more funding for educating students with
2 greater needs; and

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

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

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

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

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

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HCR 62 Original

2019 Regular Session

Duplessis

Requests the State Bd. 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 for students with exceptionalities and to report

its findings and recommendations to the House and Senate education committees prior to the 2020 R.S.