

2019 Regular Session

SENATE CONCURRENT RESOLUTION NO. 3

BY SENATOR MORRISH

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

BESE. Provides for legislative approval of the MFP formula for the 2019-2020 Fiscal Year.

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A CONCURRENT RESOLUTION

To provide for legislative approval of the formula developed by the State Board of Elementary and Secondary Education pursuant to Article VIII, Section 13(B) of the Constitution of Louisiana to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems, and adopted by the board on March 13, 2019.

WHEREAS, the minimum foundation program formula for the 2019-2020 Fiscal Year as adopted by the State Board of Elementary and Secondary Education on March 13, 2019, reads as follows:

PROPOSED

FY 2019-2020 MINIMUM FOUNDATION PROGRAM FORMULA

The FY 2019-2020 Minimum Foundation Program (MFP) formula was adopted by the State Board of Elementary and Secondary Education on March 13, 2019. The formula determines allocations for city, parish, or other public school systems or schools. The definition of city, parish, or local public school systems and schools shall include city or parish school systems, Recovery School District including direct operated and Type 5 charter schools, Louisiana School for Math, Science, and the

1 Arts (LSMSA), New Orleans Center for Creative Arts (NOCCA), THRIVE, New
2 Type 2 Charter schools, Legacy Type 2 Charter schools, Type 3B Charter schools,
3 Office of Juvenile Justice (OJJ) schools, and Louisiana State University, Southern
4 University, and University of Louisiana at Lafayette Lab schools. The formula is
5 divided into four calculations as follows:

6 **Level 1** determines the minimum cost of education based on the education
7 needs of each student. The cost includes funding for students enrolled in city
8 and parish school systems, Recovery School District operated and Type 5
9 Charter schools, New Type 2 Charter schools, and Type 3B Charter schools.
10 The cost is then shared equitably between the State and the city and parish
11 school systems based on the ability of the systems to support education in
12 their communities through local sales and property tax revenues.

13 **Level 2** provides an incentive for city and parish school systems to support
14 education in their communities above the minimum level of financial support
15 required.

16 **Level 3** provides specific legislative education funding to city and parish
17 school systems for teacher and support worker pay raises, the Historical
18 Formula Allocation, and mandated operating costs.

19 **Level 4** provides additional funding including:

- 20 ● Supplementary funding to meet specific needs at city, parish,
21 or other local school systems and schools including Foreign
22 Associate Teacher Salary and Stipends Allocation, Career
23 Development Allocation, High Cost Services Allocation, and
24 Supplemental Course Allocation.
- 25 ● Allocations for State-approved public school systems or
26 schools including Legacy Type 2 Charter schools, Louisiana
27 State University, Southern University, and University of
28 Louisiana at Lafayette Lab schools, New Orleans Center for
29 Creative Arts (NOCCA), Louisiana School for Math, Science,
30 and the Arts (LSMSA), THRIVE, and Office of Juvenile

- 1 Justice (OJJ) schools.
- 2 ● Mid-Year Allocation Adjustments to account for mid-year
- 3 increases and decreases in students in all city, parish, or other
- 4 local public school systems or schools.

5 State MFP funds shall only be expended for educational purposes.
 6 Expenditures for educational purposes are those expenditures related to the
 7 operational and instructional activities of city, parish, or other public school
 8 systems or schools to include: instructional programs, pupil support
 9 programs, instructional staff programs, school administration, general
 10 administration, business services, operations and maintenance of plant
 11 services, student transportation services, food services operations, enterprise
 12 operations, community services operations, facility acquisition, and
 13 construction services and debt services as defined by Louisiana Accounting
 14 and Uniform Governmental Handbook, Bulletin 1929.

15 **I. FORMULA CALCULATIONS**

16 **A. Level 1: Calculate State and Local Cost Allocation**

17 **1. Determine Educational Costs**

18 Eligible students from the following school systems and schools will be counted in
 19 both the Base and Weighted Student Memberships:

- 20 a. City and Parish school systems.
- 21 b. State-Approved Public Schools - The student counts of New Type 2
 22 Charter Schools shall be included in the membership and weighted
 23 student counts of the city or parish school system in which the
 24 student resides.
- 25 c. Recovery School District - The student membership and weighted
 26 student counts of schools transferred to the Recovery School District,
 27 both direct operated and Type 5 Charter schools, shall continue to be
 28 included in the membership and weighted student counts of the city
 29 or parish school system from which jurisdiction of the school was
 30 transferred.

1 **STEP ONE: Determine the Number of Eligible Students for the Base Count**

2 The formula first counts each of the students enrolled on February 1 to determine the
3 cost of education services. The formula utilizes the February 1 Student Membership
4 Count to allocate funding beginning in July. The students eligible to be counted are
5 identified in the Student Membership Definition adopted by the State Board of
6 Elementary and Secondary Education. These students are counted as one (1.0) in the
7 formula.

8 **STEP TWO: Determine the Number of Students Eligible for the Weighted**
9 **Student Count**

10 The formula recognizes that providing educational services to meet the needs of
11 particular students is more costly than regular educational services. Each special
12 characteristic or need is given a numerical value referred to as a weight. The special
13 needs of each student are taken into consideration by multiplying the student count
14 for each eligible child (1.0) by each of the weights. This calculation provides
15 additional students that are then added to the February 1 Student Membership Count
16 to equal the Total Weighted Student Membership Count. The students and units
17 eligible to be counted are identified in the Student Membership Definition adopted
18 by the State Board of Elementary and Secondary Education. The following are the
19 additional costs recognized by the formula:

20 **Low Income and English Language Learner Weight** - The formula recognizes
21 that students living in poverty or students with a native language other than English
22 are more likely to require additional educational services to be successful. To
23 recognize that these services require additional costs, students that qualify for free
24 or reduced price meals under the United States Department of Agriculture (USDA)
25 School Food Service Program guidelines, or an alternative count as defined in the
26 Student Membership Definition, and students identified as an English Language
27 Learner are provided a weight of 22%.

28 **Career and Technical Education Weight** - The formula recognizes that the cost of
29 providing materials and equipment, and teacher credentialing and training, for Career
30 and Technical Education courses is above and beyond the cost of traditional

1 academic education. Each secondary career and technical education course in which
2 a student is enrolled in both the fall and spring semesters is provided a weight of 6%.

3 **Special Education Weight** - The formula addresses the extra cost associated with
4 the delivery of services required in order to meet the needs of students with
5 disabilities. Students with disabilities that have an Individualized Education
6 Program (IEP) plan developed according to State Board of Elementary and
7 Secondary Education regulations are provided a weight of 150%.

8 **Gifted and Talented Weight** -The formula recognizes the cost of providing
9 educational services to Gifted and Talented students that have an Individualized
10 Education Program (IEP) Plan developed according to State Board of Elementary
11 and Secondary Education regulations and are provided a 60% weight.

12 **Economy of Scale Weight** - This weight is provided for city or parish school
13 systems to recognize a base amount of funding for fixed overhead costs that should
14 be provided when student populations equal 7,500 students or less. The Economy
15 of Scale Weight is calculated as a curvilinear weight of 20% at a student membership
16 count of zero down to 0% at a student membership count equal to or greater than
17 7,500. To calculate this weight, the February 1 Student Membership Count for each
18 city and parish school system is subtracted from 7,500 and divided by 37,500. The
19 result of this calculation is then multiplied by each system's February 1 Student
20 Membership Count to determine the weighted students.

21 **STEP THREE: Determine Total Weighted Student Membership Count**

22 **Formula:**

23 **Total Weighted Student Membership Count**

24 **Equals**

25 **February 1 Student Membership Count (1.0)**

26 **Plus**

27 **Low Income and English Language Learner Weight**

28 **Career and Technical Education Weight**

29 **Special Education Weight**

30 **Gifted and Talented Weight**

1 **Economy of Scale Weight**

2 **STEP FOUR: Identify the State and Local Base Cost Per Pupil**

3 **Formula:**

4 **The State and Local Base Cost Per Pupil shall equal \$4,015.**

5 **STEP FIVE: Determine Total MFP Educational Costs**

6 **Formula:**

7 **Total MFP Educational Costs**

8 **Equals**

9 **Total Weighted Student Membership Count**

10 **Multiplied by**

11 **State and Local Base Cost Per Pupil**

12 **2. Determine State and Local Cost Allocation**

13 The Total MFP Educational Costs are shared between the State and the city or parish
14 school systems. The ability of school systems to support the cost of education in
15 their communities is measured by the potential to raise local revenue. This potential
16 contribution is measured by the following three factors using the latest available data
17 as reported through the Annual Financial Report (AFR) as required by R.S. 17:92:

- 18 1. Local Property Tax Revenue Contribution
- 19 2. Local Sales Tax Revenue Contribution
- 20 3. Other Local Revenue Contribution

21 **STEP ONE - Determine the Local Property Tax Revenue Contribution**

22 **Formula:**

23 **Local Property Tax Revenue Contribution**

24 **Equals**

25 **State Computed Property Tax Millage (debt and non-debt)**

26 **Times**

27 **Net Assessed Property Value**

28 **Net Assessed Property Value Increase Cap** - If a school system's Net Assessed
29 Property Value has increased equal to or greater than 10% over the prior year Net
30 Assessed Property Value, then the growth in the Net Assessed Property Value is

1 capped at 10%. This cap is applied on a year-to-year basis comparing the current
2 year Net Assessed Property Value to the prior year uncapped Net Assessed Property
3 Value.

4 Computed Property Tax Millage - The Computed Property Tax Millage is calculated
5 annually at the rate necessary to maintain a state and local allocation ratio of
6 65%/35%.

7 **STEP TWO - Determine the Local Sales Tax Revenue Contribution**

8 **Formula:**

9 **Local Sales Tax Revenue Contribution**

10 **Equals**

11 **Computed Sales Tax Base (debt and non-debt) (including TIF areas)**

12 **Multiplied By**

13 **State Computed Sales Tax Rate**

14 **Mid-Year Rate Increases** - If a local school system's sales tax goes into effect
15 during the fiscal year, the tax rate is prorated to an annual rate applicable for the total
16 revenue generated.

17 **Sales Tax Increase Cap** - If a system's Computed Sales Tax Base increased equal
18 to or greater than 15% over the Computed Sales Tax Base calculated in the prior year
19 formula, then the growth in the Computed Sales Tax Base will be capped at 15%
20 over the amount used in the prior year formula. This cap will be applied on a
21 year-to-year basis comparing the current year sales tax base to the prior year
22 uncapped sales tax base.

23 **Computed Sales Tax Rate** - The Computed Sales Tax Rate is calculated annually
24 at the rate necessary to maintain a state and local allocation ratio of 65%/35%.

25 **STEP THREE - Determine Other Local Revenue Contribution**

26 **Formula:**

27 **Other Local Revenue Contribution**

28 **Equals**

29 **State Revenue in lieu of taxes**

30 **Plus**

1 **Federal Revenue in lieu of taxes**

2 **Plus**

3 **50% of Earnings on Property**

4 **STEP FOUR - Determine Local Cost Allocation**

5 **Formula:**

6 **Local Cost Allocation**

7 **Equals**

8 **Property Tax Contribution**

9 **Plus**

10 **Sales Tax Contribution**

11 **Plus**

12 **Other Revenues Contribution**

13 **STEP FIVE - Determine State Cost Allocation**

14 **Formula:**

15 **State Cost Allocation**

16 **Equals**

17 **Total State and Local Cost**

18 **Minus**

19 **Local Cost Allocation**

20 **Minimum State Cost Allocation** - In no event shall the State Cost Allocation be less
21 than 25% of Total Level 1 Cost for any city or parish school system.

22 **B. Level 2: Incentive for Local Effort**

23 Level 2 provides incentives for city and parish school systems that contribute a
24 greater proportion of local revenues towards the cost of education in their
25 communities by increasing local property and sales tax revenues. This effort is
26 measured using the latest available data for the following sources of revenue as
27 reported in the Annual Financial Report (AFR) as required in R.S. 17:92.

- 28 1. Total Sales Taxes
- 29 2. Total Property Taxes
- 30 3. State and Federal Revenue in Lieu of Taxes

1 4. 50% Earnings on Property Revenue

2 **STEP ONE - Determine Eligible Local Revenue**

3 **Formula:**

4 **Eligible Local Revenue**

5 **Equals**

6 **Total Sales Tax Revenue**

7 **Plus**

8 **Total Property Tax Revenue**

9 **Plus**

10 **State and Federal Revenue in Lieu of Taxes**

11 **Plus**

12 **50% of Earnings on Property Revenue**

13 **STEP TWO - Determine Local Revenue Eligible for Incentive**

14 **Formula:**

15 **Local Revenue Eligible for Incentive**

16 **Equals**

17 **Eligible Local Revenue**

18 **Minus**

19 **Local Cost Allocation**

20 **STEP THREE - Determine the Limit on Revenue Eligible for Incentive**

21 **Formula:**

22 **Limit on Revenue Eligible for Incentive**

23 **Equals**

24 **Total State and Local Cost Allocation**

25 **Multiplied by**

26 **34%**

27 **STEP FOUR - Determine Local Support of Level 2 Incentive**

28 **Formula:**

29 **Local Support of Level 2 Incentive**

30 **Equals**

1 **Lesser of Local Revenue Eligible for Incentive or Limit on Local**
2 **Revenue Eligible for Incentive**

3 **Multiplied by**

4 **Local Cost Allocation Percentage (Level 1)**

5 **Multiplied by**

6 **Level 2 Incentive Factor**

7 **Level 2 Incentive Factor** - The Level 2 Incentive Factor determines the amount of
8 local support required in Level 2. In FY 2014-2015, the Level 2 Incentive Factor is
9 established at 1.72.

10 **STEP FIVE - Determine State Cost of Level 2 Incentive**

11 **Formula:**

12 **State Support of Level 2 Incentive**

13 **Equals**

14 **Lesser of Local Revenue Eligible for Incentive or Limit on Local**
15 **Revenue Eligible for Incentive**

16 **Minus**

17 **Local Support of Level 2 Incentive**

18 **C. Level 3: Legislative Allocations**

19 Level 3 provides funding for three programs that address funding for school systems
20 and schools regarding teacher and support worker pay raises, historical formula
21 allocations, and mandated operating costs, and are in addition to allocations provided
22 in Level 1 and 2. These allocations are as follows:

23 **Formula:**

24 **Total Level 3 Legislative Allocations**

25 **Equals**

26 **Continuation Pay Raises**

27 **Plus**

28 **Historical Formula Allocation**

29 **Plus**

30 **Mandated Costs in Health Insurance, Retirement, and Fuel**

1 **STEP ONE: Calculate Continuation Funding for Pay Raises**

2 **1.** Certificated Personnel Pay Raises were implemented in four recent years to
3 assist in increasing Teacher and School Leader pay to the Southern Regional
4 Average. These funds continue to be provided directly to systems and schools to
5 support these increased salaries.

6 a. Certificated Personnel Pay Raises provided in 2001-2002, 2006-2007,
7 2007-2008, and 2008-2009 will continue for each school system and school
8 based on the calculated per pupil amount times the February 1 Student
9 Membership Count.

10 **2.** Non-certificated Support Worker Pay Raises were implemented in three
11 recent years to assist with increasing these salaries.

12 a. Non-certificated Support Worker Pay Raises provided in 2002-2003,
13 2006-2007, and 2007-2008 will continue for each school system and school
14 based on the calculated per pupil amount times the February 1 Student
15 Membership Count.

16 **3.** This provision applies to city and parish school systems, Recovery School
17 District, New Orleans Center for Creative Arts (NOCCA), Louisiana School for
18 Math, Science, and the Arts (LSMSA), THRIVE, Legacy Type 2 Charter Schools,
19 New Type 2 Charter Schools, Type 3B Charter Schools, Louisiana State University,
20 Southern University, and University of Louisiana at Lafayette Lab schools, and
21 Office of Juvenile Justice (OJJ).

22 **STEP TWO: Calculate Historical Formula Allocations**

23 **Allocations for Insurance and Pay Raises** - The following school systems
24 are being provided continuing funding for the 1994 insurance supplement
25 and employee pay raises provided by the Legislature beginning in 1997
26 through 1999: East Baton Rouge, Iberville, Jefferson, Lafayette,
27 Plaquemines, Pointe Coupee, St. Charles, St. James, and West Feliciana.

28 **Redistribution Allocation** - After setting aside the insurance and pay raise
29 funding, the balance of the "Hold Harmless" funding was removed from
30 these school districts over ten years from 2006-2007 to 2016-2017:

1 Concordia, East Baton Rouge, Evangeline, Iberville, Jefferson, Plaquemines,
2 St. Charles, St. James, and West Feliciana.

3 The amount of funding removed from the districts listed above is reserved
4 and redistributed to the remaining school districts. The total amount is
5 divided by the total number of students within these same districts to
6 calculate a per pupil amount. The allocation is determined using the per
7 pupil amount multiplied by the current year student count.

8 **STEP THREE: Determine Allocation for Increasing Mandated Costs in Health**
9 **Insurance, Retirement, and Fuel**

10 City and parish school systems shall receive a minimum of \$100.00 for each
11 student in the prior year February 1 membership to offset these increasing
12 operational costs.

13 **STEP FOUR: Calculate 2019-20 Certificated and Non-Certificated Pay Raises**

14 1. Certificated Personnel Pay Raise

15 Each city, parish, or other public school district or school shall receive
16 \$1,000 plus 26.0% for the employer contribution to the appropriate
17 retirement system based on Profile of Educational Personnel (PEP) data as
18 of October 1 to provide an across the board \$1,000 pay raise and any
19 associated retirement for K-12 classroom educators and other certificated
20 K-12 personnel defined per Louisiana Department of Education Bulletin
21 1929 to include:

22 Teachers (all function codes 1000-2200s, object code 112);
23 Therapists/Specialists/Counselors (function codes 1000- 2200s,
24 object code 113); School Site-based Principals, Assistant Principals,
25 and Other School Administrators (function code 2400s, object code
26 111); Central Office Certificated Administrators (function codes
27 1000-2200 & 2324, 2831, and 2832 (excluding 2130s), object code
28 111); School Nurses (function code 2134, object code 118); and
29 Sabbaticals (function codes 1000-2200s, 2134, and 2400s, object
30 code 140).

1 2. Non-Certificated Personnel Pay Raise

2 Each city, parish, or other public school district or school shall receive \$500

3 plus 29.4% for the employer contribution to the appropriate retirement

4 system based on the Profile of Educational Personnel (PEP) data as of

5 October 1 to provide an across the board \$500 pay raise and associated

6 retirement for non-certificated K-12 personnel defined per Louisiana

7 Department of Education Bulletin 1929 to include:

- 8 Aides (function codes 1000-4900s, object code 115); Support
- 9 Supervisors (function codes 2130s, 2300s (excluding 2311, 2321,
- 10 2324, 2831 and 2832) and 2500- 4900s, object code 111);
- 11 Clerical/Secretarial (function codes 1000-4900s, object code 114);
- 12 Service Workers (function codes 1000-4900s, object code 116);
- 13 Skilled Craftsmen (function codes 1000-4900s, object code 117);
- 14 Degreed Professionals (function codes 1000-4900s, (excluding
- 15 2134s) object code 118); and Other Personnel (function codes
- 16 1000-4900s, object codes 100, 110 and 119).

17 The following formula is applied to determine the Level 1, 2, and 3 State Cost

18 Allocation Per Pupil:

19 **Formula:**

20 **Level 1, 2, and 3 State Cost Allocation Per Pupil**

21 **Equals**

22 **Level 1 State Cost Allocation Per Pupil**

23 **Plus**

24 **Level 2 State Cost Allocation Per Pupil**

25 **Plus**

26 **Level 3 State Cost Allocation Per Pupil**

27 **D. Level 4: Supplementary Allocations**

28 1. Specific Needs Allocations

29 Specific Needs Allocations provide funding for four allocations for specific purposes

30 and is in addition to system level allocations from Levels 1, 2, and 3. These

1 allocations are as follows:

2 **Formula:**

3
4

Total Level 4 Supplementary Allocations

5 **Equals**

6 **Foreign Language Associate Program Salary and Stipend Allocation**

7 **Plus**

8 **Career Development Allocation**

9 **Plus**

10 **High Cost Services Assistance Allocation**

11 **Plus**

12 **Supplemental Course Allocation**

13 **STEP ONE: Calculate Foreign Language Associate Salary and Stipend**
14 **Allocation**

15 **Salary Allocation** - Any city, parish, or other public school system or school
16 employing a Foreign Language Associate or a graduate of the Escadrille Louisiane
17 program shall receive a supplemental allocation from State Board of Elementary and
18 Secondary Education of \$21,000 per teacher. The state shall maintain support of the
19 Foreign Language Associate program at a maximum of 300 Foreign Language
20 Associates employed in any given year.

21 These teachers shall be paid by the employing city, parish, or other local
22 public school system or school at least the state average classroom teacher salary
23 (without PIP) by years of experience and degree beginning with year three. Of the
24 \$21,000 allocation, \$20,000 shall be allocated to the school where the teacher is
25 employed and the funds used to support the total cost of the teacher salary, and the
26 remaining amount shall be associated with costs of VISA sponsorship pursuant to
27 State Board of Elementary and Secondary Education regulations.

28 **Stipend Allocation** - First year teachers will receive an installation incentive
29 of an additional \$6,000; second and third year teachers will receive a retention
30 incentive of an additional \$4,000. These amounts must be provided to each Foreign
31 Associate Teacher or Escadrille Louisiane graduate by each school district or school

1 in which they are employed.

2 **STEP TWO: Career Development Allocation**

3 The cost of providing materials and equipment and teacher credentialing and
4 training to attain a statewide industry-based credential is above and beyond the cost
5 typically required for high school courses. An allocation will be provided to support
6 the development of these technical courses required for statewide credentials in city
7 and parish school systems and other public schools.

8 The first step in the allocation is to calculate six percent (6%) of the MFP
9 State and Local Base Cost Per Pupil to determine the Career Development Per Pupil
10 Amount. The Career Development Per Pupil Amount will be provided for each
11 qualifying student course enrollment in grades 9 through 12.

12 If a city or parish school system receives less than \$25,000 from the Career
13 Development Per Pupil Amount, then the city or parish school system will be
14 provided an economies of scale minimum allocation of \$25,000. If other public
15 school systems and schools containing grades 9 through 12 receive less than \$10,000
16 from the Per Pupil Amount, then the other public school systems and schools
17 containing grades 9 through 12 will be provided an economies of scale minimum
18 allocation of \$10,000.

19 **Formula:**

20 **Career Development Allocation Per Pupil**

21 **Equals**

22 **MFP State and Local Base Cost Per Pupil**

23 **Multiplied By**

24 **Six Percent (6%)**

25 **Formula:**

26 **Career Development Allocation**

27 **Equals**

28 **Career Development Allocation Per Pupil**

29 **Multiplied By**

30 **Number of Student in Qualifying Courses in Grades 9 through 12**

1 **STEP THREE: Calculate High Cost Services Assistance**

2 High cost services for students with disabilities generate a particular budget
3 challenge for city, parish, and other public school systems and schools.

4 In an effort to assist with these expenses, an allocation will be provided to
5 city, parish, and other public school systems and schools which submit
6 documentation as required by the Louisiana Department of Education substantiating
7 that the prior year cost of services for a specific student exceeds three times the most
8 recent state average total expenditure per pupil amount.

9 Once costs associated with providing services for a student with a disability
10 or disabilities have been verified, the city or parish school system or other public
11 school will be eligible to receive an allocation to assist with these costs. The
12 allocation will be limited by the amount budgeted for the High Cost Services
13 Assistance Allocation. So as to be equitably distributed, the total allocation provided
14 to city and parish school systems versus other public schools shall be proportional
15 to the share of total qualifying applications submitted by city and parish school
16 systems versus other public schools.

17 The first step in the allocation will be to calculate the impact of these costs
18 on the budget of the school system or school using the latest available state and local
19 revenue data. The High Cost Services requested for reimbursement will be reduced
20 by the MFP state and local amount allocated on behalf of each student from Levels
21 1, 2, and 3. The next step will rank the Percent (%) Impact from highest to lowest
22 percent, with two separate rank listings for school systems and other public schools.

23 **Formula:**

24 **Percent (%) Impact on Budget**

25 **Equals**

26 **Cost of Services**

27 **Divided By**

28 **Total State and Local Revenue**

29 The two ranked listings will be divided into four tiers and allocations will be
30 provided based on a percentage from one hundred percent reimbursement in the

1 highest funded tier with smaller percentages reimbursed in the lower tiers based on
2 where the school system or school falls within the tiers on one of the two lists.

3 **STEP FOUR: Calculate Supplemental Course Allocation**

4 Pursuant to R.S. 17:4002.1 through 4002.6, the Supplemental Course
5 Allocation shall provide for the cost of secondary course choices specifically
6 approved by the State Board of Elementary and Secondary Education. For each city
7 and parish school system and other public school, the allocation shall equal the
8 number of students enrolled in grades 7 through 12 as of February 1 each year
9 multiplied by \$59 per pupil.

10 **Formula:**

11 **Supplemental Course Allocation for School Systems or Other Public**
12 **Schools**

13 **Equals**

14 **Supplemental Course Allocation Per Pupil**

15 **Multiplied By**

16 **Number of Students in Grades 7 through 12**

17 If the entire allocation is not committed by the city or parish public school
18 systems or other public school by a date set forth by the Louisiana Department of
19 Education, the original allocation will be reduced by the uncommitted amount. The
20 total uncommitted amount from each city or parish public school systems or other
21 public school will be reallocated to those city or parish public school systems or
22 other public schools that obligated one hundred percent of their original allocation
23 based on criteria set forth by the Louisiana Department of Education.

24 2. Allocations for Other Public Schools

25 **STEP ONE: Louisiana State University, Southern University, and University**
26 **of Louisiana at Lafayette Laboratory Schools**

27 1. State Cost Allocation

28 a. The February 1 Student Membership count at the Louisiana
29 State University, Southern University, and University of Louisiana
30 at Lafayette Lab Schools shall be multiplied by the Average State
31

1 Cost Allocation Per Pupil to equal the Louisiana State University,
2 Southern University, and University of Louisiana at Lafayette Lab
3 Schools State Cost Allocation.

4 b. Funds appropriated for these schools shall be allocated to the
5 institution of higher education operating such a school. Each such
6 institution of higher education shall ensure the equitable expenditure
7 of such funds to operate such schools.

8 **STEP TWO: Legacy Type 2 Charter Schools**

9 A Legacy Type 2 Charter school is a Type 2 Charter school approved by the State
10 Board of Elementary and Secondary Education before July 1, 2008.

11 1. State Cost Allocation

12 a. Any Legacy Type 2 Charter school shall annually be allocated
13 funds as determined by applying the formula contained in R.S.
14 17:3995.

15 b. The State Cost Allocation equals the number of students
16 multiplied by the State Per Pupil for the system where the student
17 resides.

18 2. Local Cost Allocation

19 a. Any Legacy Type 2 Charter school shall annually be allocated
20 funds as determined by applying the formula contained in R.S.
21 17:3995.

22 b. The Local Cost Allocation equals the number of students
23 multiplied by the Local Per Pupil for the system where the student
24 resides.

25 c. For any student enrolled in a Legacy Type 2 Charter school,
26 the Local Cost Allocation shall be funded by the State.

27 3. The exclusion of any portion of local revenues specifically dedicated
28 by the legislature or by voter approval to capital outlay or debt
29 service shall be applicable only to a charter school housed in a
30 facility or facilities provided by the district in which the charter

1 school is located.

2 **STEP THREE: Office of Juvenile Justice (OJJ) Schools**

- 3 1. Eligible Schools - Any elementary and secondary school operated by
4 the Office of Juvenile Justice (OJJ) in a secure care facility shall be
5 considered a public elementary or secondary school and, as such, the
6 Office of Juvenile Justice (OJJ) shall be annually appropriated funds
7 for these students.
- 8 2. Eligible Students - Each student counted in the prior year average
9 daily membership, as defined by the State Board of Elementary and
10 Secondary Education in the Student Membership Definition, is
11 calculated by dividing the number of days the student is under the
12 guidance and direction of teachers by the total instructional days
13 during the specified school year.
- 14 3. Allocation - The Office of Juvenile Justice (OJJ) shall annually be
15 allocated funds for the eligible students. For each student enrolled in
16 these schools, both a State Cost Allocation and a Local Cost
17 Allocation shall be provided.
- 18 4. State Cost Allocation
- 19 a. The State Cost Allocation is equal to the State Cost Allocation
20 Per Pupil for the system where each student resided prior to
21 adjudication multiplied by the prior year average daily membership
22 of the Office of Juvenile Justice schools.
- 23 b. The State Cost Allocation Per Pupil allocation shall be
24 adjusted based on a factor determined by the Louisiana Department
25 of Education to provide for the differential in the number of
26 educational days provided to the students in the custody of the Office
27 of Juvenile Justice (OJJ).
- 28 c. Additionally, the State Cost Allocation Per Pupil shall be
29 adjusted based on a factor determined by the Louisiana Department
30 of Education to recognize the increased number of special education

1 students in the Office of Juvenile Justice (OJJ) schools relative to the
2 state average special education student population.

3 d. The average daily membership will be reconciled on an
4 annual basis using the latest available data.

5 5. Local Cost Allocation

6 a. Each student counted in the prior year average daily
7 membership, as defined by the State Board of Elementary and
8 Secondary Education, shall be provided for and funded from the
9 minimum foundation program a Local Cost Allocation Per Pupil
10 equal to the Local Cost Allocation Per Pupil for the district where the
11 student resided prior to adjudication.

12 b. The Local Cost Allocation is equal to the Local Cost
13 Allocation Per Pupil for the system where each student resided prior
14 to adjudication multiplied by the prior year average daily
15 membership of the Office of Juvenile Justice schools.

16 c. For the purpose of the Local Cost Allocation Per Pupil, the
17 average daily membership of the Office of Juvenile Justice (OJJ)
18 shall be included in the membership counts of the city, parish, or
19 other local public school board in which the student resided prior to
20 adjudication to the Office of Juvenile Justice.

21 d. For a district(s) that shares local revenue, the allocation for
22 the Office of Juvenile Justice will be completed before the
23 calculation of local revenues.

24 e. The Local Cost Allocation Per Pupil shall be funded with a
25 transfer of the MFP monthly amount representing the Local Cost
26 Allocation Per Pupil from the city, parish, or other local public school
27 board in which the attending students resided prior to adjudication to
28 the Office of Juvenile Justice (OJJ).

29 f. The average daily membership will be reconciled on an
30 annual basis using the latest available data.

- 1 3. Mid-Year Student Allocations
- 2 a. Student counts in October and February may result in
- 3 mid-year allocation adjustments for the following: City and parish
- 4 school systems, Recovery School District, New Type 2 Charter
- 5 schools, Legacy Type 2 Charter schools, Type 3B Charter schools,
- 6 Louisiana State University, Southern University, and University of
- 7 Louisiana at Lafayette Lab schools, Louisiana School for Math,
- 8 Science and the Arts (LSMSA), New Orleans Center for Creative
- 9 Arts (NOCCA), and THRIVE.
- 10 b. If the current year October 1 Mid-Year Student Count is more
- 11 or less than the prior year February 1 student count, an adjustment to
- 12 the current year allocation shall be made for each student gained or
- 13 lost. The October adjustment equals the number of students gained
- 14 or lost times the annual State Cost per pupil allocation amount for the
- 15 system or school in which the change occurred. The February
- 16 adjustment equals the number of students gained or lost times
- 17 one-half of the State Cost per pupil allocation for the system or
- 18 school in which the change occurred.
- 19 c. Individual adjustments shall be made for increases or
- 20 decreases in the October or February Mid-Year Student Counts for
- 21 the Recovery School District, the system of prior jurisdiction, and
- 22 Type 5 Charter schools.
- 23 d. Mid-Year adjustments for the Recovery School District shall
- 24 utilize the final State Cost per pupil allocation for the system of prior
- 25 jurisdiction.
- 26 e. If the Recovery School District qualifies for an October
- 27 Mid-Year Adjustment to the State Cost per pupil allocation, a
- 28 Mid-Year adjustment shall also be made to the Local Cost per pupil
- 29 allocation for the system of prior jurisdiction. The October Local
- 30 Cost per pupil allocation shall be recalculated based on updated

1 revenue data for the system of prior jurisdiction. There shall be no
2 recalculation of the Local Cost per pupil allocation in conjunction
3 with the February 1 student count.

4 f. City, Parish, or Local public school systems or schools in the
5 first year of operation are not eligible for an October Mid-Year
6 Adjustment. However, their allocation will be finalized using October
7 1 data. The newly opened city, parish, or local public school systems
8 or schools will qualify for the February 1 mid-year adjustment.

9 g. October and February Mid-Year Adjustments shall be
10 combined and applied in the March through June payments.

11 **Total MFP State Cost Allocation**

12 **Formula:**

13 **Total MFP State Cost Allocation**

14 **Equals**

15 **Level 1 State Cost Allocation**

16 **Plus**

17 **Level 2 State Cost Allocation**

18 **Plus**

19 **Level 3 State Cost Allocation**

20 **Plus**

21 **Level 4 State Cost Allocation**

22 **II. FORMULA CALCULATIONS FOR STATE-APPROVED PUBLIC**
23 **SCHOOLS**

24 **A. Recovery School District**

25 **1. State Cost Allocation**

26 a. Once all final calculations are made, the final State Cost
27 Allocation Per Pupil Amount for the city or parish school
28 system which counted the Recovery School District students
29 will be multiplied by the February 1 Recovery School District
30 Student Membership Count to equal the Recovery School

1 District State Cost Allocation.

2 b. In a system with one or more Type 3B charter schools, if

3 the Type 3B charter is not its own LEA, the local school

4 system shall distribute minimum foundation program formula

5 funds to each Type 3B charter school in the system pursuant

6 to calculations determined by the Louisiana Department of

7 Education. If the Type 3B charter is its own LEA, such

8 payments shall be made to the Type 3B charter school by the

9 Louisiana Department of Education. Such calculations shall

10 include differentiated funding weights for certain students,

11 including students identified as being eligible for special

12 education services. The calculations shall ensure equity so

13 that each Type 3B charter school in the system receives a

14 per-pupil amount equal to the amount a Type 5 charter school

15 located in the same parish or school system boundary would

16 have received from the Recovery School District (RSD).

2. Local Cost Allocation

a. In addition to the State Cost Allocation, the Recovery School District shall receive an applicable Local Cost Allocation.

Formula:

Local Cost Allocation Per Pupil

Equals

Projected Local Revenues from District of Prior Jurisdiction

Divided by

Total School District Membership (Recovery School District Student Membership Count plus Student Membership Count for the system of prior jurisdiction plus New Type 2 Charter school students residing in the jurisdiction)

b. To begin the fiscal year, the Local Cost allocation is based on eligible projected local revenues for the most recent prior fiscal year

1 from the city or parish school district that had jurisdiction of the
2 school prior to its transfer.

3 c. For purposes of the Recovery School District calculation,
4 local revenue is defined to include revenue from the following
5 sources, excluding any portion which has been specifically dedicated
6 by the legislature or by voter approval to capital outlay or debt
7 service, per the definitions in the Annual Financial Report (AFR) and
8 the Louisiana Accounting and Uniform Governmental Handbook as
9 reported to the Louisiana Department of Education:

10 1. Sales and use taxes, less any tax collection fee paid by the
11 school system

12 2. Ad valorem taxes, less any tax collection fee paid by the
13 school system

14 3. Earnings from sixteenth section lands owned by the school
15 system

16 d. The exclusion of any portion of local revenues specifically
17 dedicated by the legislature or by voter approval to capital outlay or
18 debt service shall be applicable only to a charter school housed in a
19 facility or facilities provided by the system in which the charter
20 school is located.

21 e. The projected local revenues shall be divided by the Total
22 School District Membership Count including the Recovery School
23 District Student Membership Count, both operated and charter
24 schools, plus the Student Membership Count of the system of prior
25 jurisdiction. If any New Type 2 Charter School student resides within
26 the physical boundaries of the system of prior jurisdiction, this school
27 the student attends shares in the local revenues of the system of prior
28 jurisdiction. As a result, the New Type 2 Charter School Student
29 Membership Count of the students residing in the jurisdiction will be
30 added to the Recovery School District and the system of prior

1 jurisdiction Student Membership Count.

2 f. The Local Cost Allocation for the Recovery School District
3 is determined by multiplying the local revenue per pupil times the
4 number of Recovery School District students used in the MFP final
5 allocation.

6 **Formula:**

7 **Local Cost Allocation**

8 **Equals**

9 **Projected Local Revenues from District of Prior Jurisdiction Per Pupil**

10 **Multiplied By**

11 **Recovery School District Student Membership Count**

12 g. Once the local amount is determined, it is adjusted to a
13 monthly amount that is transferred from the MFP monthly allocation
14 of the city, parish, or other local public school board of prior
15 jurisdiction to the Recovery School District.

16 h. Based on the October 1 Student Membership Count, the local
17 revenue allocation per student will be recalculated and there will be
18 a corresponding adjustment in the local revenue allocation. No
19 recalculation of the local revenues per student will occur as a result
20 of the February 1 Student Count adjustment.

21 i. During the third quarter of the fiscal year, the local revenue
22 allocation per student shall be adjusted to reflect actual prior year
23 local revenue data.

24 j. A final reconciliation will occur based upon the receipt of the
25 annual audited financial statements of the system of prior
26 jurisdiction. If an increase or decrease in local revenue collections
27 exists, the state superintendent may establish a payment schedule. In
28 the event that the fiscal status of the system of prior jurisdiction or
29 the Recovery School District changes during the fiscal year or on or
30 before the final reconciliation, the state superintendent may adjust the

1 local revenue based on the revenues identified.

2 3. Monies appropriated to the Recovery School District, except for
3 administrative costs, that are attributable to the transfer of a school from a prior
4 school system and monies allocated or transferred from the prior system to the
5 Recovery School District shall be expended solely on the operation of schools
6 transferred from the prior system to the jurisdiction of the Recovery School District.

7 **B. New Type 2 Charter Schools**

8 A New Type 2 Charter school is a Type 2 Charter school approved after July 1, 2008
9 by the State Board of Elementary and Secondary Education.

10 1. State Cost Allocation

11
12 a. Any New Type 2 Charter School shall annually be provided
13 a State Cost Allocation as determined by applying the formula
14 contained in R.S. 17:3995.

15 b. The State Cost Allocation equals the number of students
16 multiplied by the State Cost Allocation Per Pupil for the system in
17 which the student resides.

18 c. Mid-Year Adjustments shall adhere to the guidelines
19 established in this document.

20 2. Local Cost Allocation

21 a. Any New Type 2 Charter school shall annually be provided
22 a Local Cost Allocation by applying the formula contained in R.S.
23 17:3995.

24 b. The Local Cost Allocation equals the number of students
25 multiplied by the Local Cost Allocation Per Pupil for the system in
26 which the student resides.

27 c. One exception to R.S. 17:3995 is that the Local Cost
28 allocation will be funded with a transfer of the MFP monthly amount
29 representing the Local Cost Allocation from the city or parish school
30 system in which the attending students reside.

1 d. The city or parish where students attending the New Type 2
2 Charter school reside is the local taxing authority and shall provide
3 the local support for the students.

4 e. Mid-Year Adjustments will adhere to the guidelines
5 established in this document.

6 3. Virtual Charter schools may receive, as approved by the State Board of
7 Elementary and Secondary Education, a lesser percentage of the state and
8 local amount calculated in R.S. 17:3995.

9 4. Where student attendance is from multiple school systems, the
10 Department of Education shall determine the Local Cost Allocation based on
11 students reported by the schools. The student membership count of the New
12 Type 2 charter schools shall be included in the membership count of the city
13 or parish school board in which the student resides to determine the Local
14 Cost Allocation.

15 5. In the first year of operation, a New Type 2 Charter school shall be
16 allocated funding based on an estimated student count since a February 1
17 student count does not exist. The allocation will be finalized based on the
18 October 1 student count.

19 6. The exclusion of any portion of local revenues specifically dedicated by
20 the legislature or by voter approval to capital outlay or debt service shall be
21 applicable only to a charter school housed in a facility or facilities provided
22 by the district in which the charter school is located.

23 **C. Louisiana School for Math, Science, and the Arts (LSMSA), New Orleans**
24 **Center for Creative Arts (NOCCA), and THRIVE.**

25 1. The Louisiana School for Math, Science and the Arts (LSMSA), New
26 Orleans Center for Creative Arts (NOCCA), and THRIVE shall be provided
27 both a State and Local Cost allocation.

28 2. State Cost Allocation

29 a. The State Cost Allocation shall be based on the State Cost
30 Allocation Per Pupil for the city or parish school system
31

1 where the attending students reside.

2 3. Local Cost Allocation

3
4 a. The Local Cost Allocation will be based on the Local Cost
5 Allocation for the city or parish school system where the
6 attending students reside.

7 b. For any student enrolled in LSMSA, NOCCA, or
8 THRIVE, the Local Cost Allocation Per Pupil shall be funded
9 by the State.

10 c. Where student attendance is from multiple school systems,
11 the Department of Education shall determine the Local Cost
12 Allocation based on students reported by the schools.

13 **III. FORMULA PROCEDURES**

14 **A. Preliminary Allocation**

15 1. The minimum foundation program formula for the upcoming
16 fiscal year adopted by the State Board of Elementary and Secondary
17 Education, along with a preliminary allocation schedule representing
18 the estimated cost of the proposed formula, shall be submitted to the
19 Joint Legislative Committee on the Budget and to the House and
20 Senate Education Committees for consideration no later than March
21 15.

22 2. This preliminary allocation shall utilize student and other input
23 data available at the time.

24 **B. Final Allocation**

25 Final allocations for the fiscal year in which the formula takes effect will be
26 determined no later than June 30 of the preceding fiscal year. The latest
27 available data will be utilized to calculate the final allocation except that
28 student count estimates will be utilized for school systems or charter schools
29 opening for the first time in the fiscal year beginning July 1. For first-year
30 city, parish, or other public school systems or schools, the final allocation
31 will be based on the October 1 count, once available.

1 **IV. FORMULA PAYMENTS**

2 **A. Payment Procedures**

3 The Total MFP State Cost Allocation for city, parish, and other school
4 systems and schools will be converted to monthly payments from July
5 through June each year except payments will be made on Level 4 allocations
6 as data becomes available.

7 **B. Requested Payment Adjustments**

8 If the city, parish, or other school systems and schools have documented
9 growth in students prior to the actual Mid-Year Student Counts in October
10 and February, a temporary change to the final allocation may be requested.

11 The State Superintendent is authorized to approve or deny this revision.

- 12 1. Sufficient documentation will be requested to substantiate this
13 requested allocation adjustment.
- 14 2. The adjusted allocation will remain in effect until the actual
15 October or February Mid-Year Student Count. Once the Mid-Year
16 Student Count is final, reconciliation will be completed and payments
17 adjusted accordingly.

18 **C. Payment Adjustments for Audit Findings**

19 Review and/or audit of the systems' or schools' data used in determining their
20 Minimum Foundation Program allocation may result in changes in final
21 statistical information. The Minimum Foundation Program allocation
22 adjustments necessary as a result of these audit findings will be made in the
23 following school year. These adjustments are applicable to the following:
24 city or parish school systems, Recovery School District, Type 2 Charter
25 schools, Type 3B Charter schools, Louisiana State University, Southern
26 University, and University of Louisiana at Lafayette Lab schools, Office of
27 Juvenile Justice (OJJ) schools, Louisiana School for Math, Science and the
28 Arts (LSMSA), New Orleans Center for Creative Arts (NOCCA), and
29 THRIVE.

30 **V. 70% EXPENDITURE REQUIREMENT**

1 To provide for appropriate accountability of state funds while providing city, parish,
 2 or local public school systems or other public schools flexibility in determining
 3 specific expenditures, city, parish, or local public school systems or other public
 4 schools must ensure that at least 70% of the city, parish, or local public school
 5 system or other public school general fund expenditures are in the areas of
 6 instruction and school administration at the school building level as developed by the
 7 Louisiana Department of Education and defined by the State Board of Elementary
 8 and Secondary Education regulations.

9 **VII. SEVERABILITY PROVISION**

10 If any provision of this minimum foundation formula or the application thereof is
 11 held invalid, such invalidity shall not affect other provisions or applications of this
 12 minimum foundation formula which can be given effect without the invalid
 13 provisions or applications, and to this end the provisions of this minimum foundation
 14 formula are hereby declared severable. The severability provision hereof shall be
 15 broadly construed so as to give effect to each and every possible provision or
 16 application of this minimum foundation formula which is not specifically held
 17 invalid, unlawful, or unconstitutional.

18 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
 19 approve the formula developed by the State Board of Elementary and Secondary Education,
 20 pursuant to Article VIII, Section 13(B) of the Constitution of Louisiana, to determine the
 21 cost of a minimum foundation program of education in all public elementary and secondary
 22 schools as well as to equitably allocate the funds to parish and city school systems, and
 23 adopted by the board on March 13, 2019.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Jeanne C. Johnston.

SCR 3 Engrossed DIGEST Morrish
 2019 Regular Session

Provides for legislative approval of the minimum foundation program (MFP) formula for
 FY 2019-2020 to determine the cost of a minimum foundation program of education in all
 public elementary and secondary schools as well as to equitably allocate the funds to local
 public school systems as developed by the State Board of Elementary and Secondary
 Education (BESE) and adopted by the board on March 13, 2019.

Changes in the proposed FY 2019-2020 MFP formula from the current formula are as follows:

1. Increased the base per pupil amount from \$3,961 to \$4015, an increase of 1.375%.
2. Provides for an across-the-board pay increase of \$1,000 for classroom teachers and other certificated personnel including therapists, specialists, counselors, school nurses, principals, assistant principals, other certificated administrators, and sabbaticals.
3. Provides for an across-the-board pay increase of \$500 for non-certificated school personnel including aides, support supervisors, secretaries and clerical workers, service workers, skilled craftsmen, and degreed professionals and other personnel.
4. Removes expired "Hold Harmless" provisions and maintains the Hold Harmless redistribution of funds through "Historical Formula Allocations".
5. Provides for funding for the University of Louisiana at Lafayette Lab School.