

Legislative History of Florida's ESE Program

Before 1960...

- 1874 ■ Legislature creates a child find system providing 3 cents for each child 4-21 years, identified as deaf. Blind, "idiots" and "deaf/mutes" added later
- 1889 ■ Fought the issue of local vs. state control
- 1915 ■ Exempted mentally and physically handicapped children from the new compulsory attendance law
- 1926 ■ Opened first special education class in Jacksonville
- 1941 ■ Permission to serve physically handicapped children given to school districts
- 1945 ■ Permission to serve mentally retarded children who are educable given to school districts
- 1947 ■ Beginning of the Exceptional Child Program with funding through the Minimum Foundation Program



By 1960...

- Florida's Program for Exceptional Children was established but severely underfunded. There existed:
 - the Florida School for the Deaf and the Blind in St. Augustine
 - Sunland Training Center at Gainesville
 - 937 Exceptional Child Teachers in the state
 - Children's Program at South Florida State Hospital
- Exceptional child funding "units" were an established part of the Minimum Foundation Program.
- Student enrollment was beginning to reflect the most rapid growth in the history of the state.
 - In 1960, there were 937 teachers for 52,881 students.
 - In 1988, there were 14,330 teachers for 307,281 students.
- Vocational, exceptional, and kindergarten funding units were frozen for two years.

Since 1960...

- 1963
 - Out of Field Scholarship Bill passed
 - Large Print Book purchases funded
 - Cooperative agreements with Division of Vocational Rehabilitation authorized
- 1967
 - Childrens' Psychiatric Unit at University of Florida at Shands established
 - Teacher walkout occurs
- 1968
 - Special Legislative Session results in 5 year plan for an ESE program mandate
 - Unit increase 500+ per year for 5 years = \$4,398,320
 - Facilities \$4,000,000 per year for 5 years
 - Scholarships \$227,000 (inservice)
 - State Staff \$54,000
 - Research \$100,000
 - Program Changes
 - Gifted, TMH, SLD added to definition of exceptional student
 - Special services redefined
 - 13 consecutive years of instruction, beginning with kindergarten, required by 1973
 - Exceptional children incorporated into many laws
 - ESE Program permitted for students as young as 3 years old
 - Districts authorized to cooperate with adjoining districts and contract with non-public schools
- 1971
 - HRS required to establish education programs
 - Married and pregnant students provided an education
- 1972
 - Instructional Materials Center for the Visually Handicapped authorized
 - Florida Learning Resources System (FLRS) established through a federal grant
- 1973
 - Florida Education Finance Program became effective in 1973-74 school year
 - Change from unit concept to FTE concept
 - Change wording from “children” to “student”
 - Programs for certain handicapped students below age 3 became available
- 1974
 - Part-time category changed from 7 to 12 hours
 - Profoundly retarded category to be phased in over 4 years
 - 16 Regional Diagnostic Resource Centers authorized
- 1975
 - Gifted programs mandated
 - Number of Regional Diagnostic Resources Centers (RDRC) increased to 18
 - Maximum expenditures for contracting set (Scavella vs. Dade County)
 - Federal Education of All Handicapped Children Act enacted
- 1976
 - Multidistrict Facilities funded (3 years @ \$9,000,000/year)
- 1977
 - Due process and debate on federal funds
 - State Plan questioned on general supervision
 - State Plan questioned on supervision of other agencies
 - House subcommittee issues (Should Florida accept PL 94 - 142 funds?)
 - Profoundly handicapped programs mandated
- 1978
 - Maximum case load established by law
 - Combined FLRS and RDRC to FDLRS
 - Modifications in provisions for assessment and special diploma
 - Special funds designated for visually handicapped
 - FIMCVH services extended to SLD and Physically Handicapped (FIMCH)
 - Socially maladjusted category deleted from ESE
 - FTE cap placed on SLD/PT
 - Instructional Materials Center Captioned Films
 - Federal Education of All Handicapped Children Act amended to provide funding for children ages three through five



- 1979
 - Double Basic Program established
 - School districts responsible for education in HRS residential care facilities.
(Exceptions: Okeechobee & Jackson)
- For more information, about changes through 1979, read *State Policy for the Education of Exceptional Students in Florida* by Dr. Wendy Cullar, Doctoral Dissertation, University of Florida, 1981.
- 1980
 - Require competency in ESE for teaching certificate
- 1981
 - Challenge Grant Program for gifted created
 - Educational Centers for gifted authorized
 - SEDNET authorized
 - FEFP Cost Factor Study authorized
 - Access to public buildings for Physically Handicapped mandated
- 1982
 - Revised definitions: “retarded” to “handicapped,” “crippled” to “physically handicapped,” etc.
 - Program for Hearing Impaired infants established
 - Profoundly handicapped category authorized
 - Pilot program for children with disabilities below age 3 established
- 1983
 - Florida Council for Hearing Impaired established
 - Group cap created for FTE generated by ESE, vocational, and alternative programs as a group
 - Created Governors Council for handicapped concerns
- 1984
 - Profoundly Handicapped supplement established
 - Contractual arrangements with non public schools authorized
 - Revised cost categories for speech and deaf established
- 1985
 - Telephone connection service added to Florida Council for Hearing Impaired
- 1986
 - Post secondary exemptions established for certain exceptional students
 - \$1,000,000 authorized for Pre-k facilities for handicapped
 - Review of Florida Council for Hearing impaired conducted
- 1987
 - FDLRS responsibilities expanded to include technology
- 1988
 - Report of handicapped to agencies for post-school services required
- 1989
 - Double basic program revised
 - Post-school reporting revised
 - Definition for at risk revised
 - Prekindergarten handicapped programs mandated
 - Adult education cost factor for handicapped established
 - Graduation Rate calculation revised to include special diploma and certificate of completion
 - Adjustment for special class in home and hospital setting
 - Revised grouping of caps
 - First Start program established
- 1990
 - OT Aides authorized
 - Districts to provide information about FSDB
 - Mental Health impairments included in special Hospital and Homebound funding
 - Speech pathology and audiology licensing shifted from DOE to Department of Professional Regulation
 - Handicapped participation in early intervention programs authorized
 - Federal Individuals with Disabilities Education Act created
(as an amendment to the Education of All Handicapped Children Act)
- 1991
 - School day for prekindergarten defined
 - Definitions of Exceptional and related services revised
 - Add profoundly handicapped to special diploma
 - Revision of Florida Council for Hearing Impaired
 - Reauthorization and revisions to SEDNET advisory board
 - Telecommunication changes from Council for Hearing Impaired to Public Service Commission
- 1992
 - ESE Definition revised
 - Programs of emphasis included in huge block funding
- 1993
 - Special Olympics license plate authorized
 - Autism and Related Disabilities Centers established
 - State enforcement of accessibility requirements mandated

- 1994
 - Juvenile Justice education programs established
 - Terminology to comply with Federal definition
 - HRS involvement in hearing programs
- 1995
 - Public Record initiatives
 - Early intervention program revised to include disabled
 - Prader-Willie Syndrome added to developmental disability
 - DD Council transferred from DDS to non profit corporation
 - Access to Medicare funds maximized
 - Prekindergarten class size vetoed
- 1996
 - Autism centers transferred from DDS to Public Education and 5th center authorized
 - ESE pilots conducted for third and final year
 - ESE Program review & 150% enrollment cap established
- 1997
 - Local and State Governance Issues debated
 - Charter Schools established
 - Revised funding model implemented statewide
 - School Medicaid match implemented
 - Federal Individual with Disabilities Education Act amended
- 1998
 - Revised funding model revisions required
 - Class size study authorized
 - Advanced placement funding authorized
 - Mental Health Treatment and services authorized
 - ESE Supplemental funding established
 - Categorical reduced to max of 11 items
- 1999
 - ESE Categorical 11 items
- 2000
 - Study on Children with developmental delays authorized
 - Statutes related to non public school contract reimbursement deleted
 - DOE reorganization authorized
 - School Readiness Program established
 - Blind babies program established
 - Expenditure requirement for ESE increased to 90%
 - Guaranteed allocation established
 - Scholarship program for students with disabilities piloted
 - Screening for visually impaired required
- 2001
 - McKay Scholarship Program established
- 2002
 - Home rule districts allowed to establish council on children's services
 - Vocational Rehabilitation transferred to DOE
 - Total revision of school code completed
- 2003
 - Provides for FCAT waiver for students with disabilities whose FCAT performance doesn't accurately measure the student's ability;
 - Requires American Sign Language (ASL) courses to be accepted as foreign language credit for high school graduation
- 2004
 - Reauthorization of the Individuals with Disabilities Education Act. IDEA 2004
 - Requires annual audits of accounts/records of FSDB; requires that FSDB comply with all laws and rules applicable to state agencies
- 2005
 - Districts cannot require a student to be prescribed or administered psychotropic medication as a condition of receiving educational services
 - Creates a task force to recommend paperwork reduction strategies
 - Creates a seventh regional autism center