

Bill No. HB 367, 3rd Eng.

Amendment No.

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Sullivan moved the following amendment:

Senate Amendment (with title amendment)

On page 2, between lines 25 and 26,

insert:

Section 2. Deregulated Public Schools.--

(1) PILOT PROGRAM.--To provide public schools the same flexibility and accountability afforded charter schools, pilot programs for deregulated public schools shall be conducted in two large, two medium-sized, and two small school districts. For the 1998-99 school year, no more than six schools per district, to include no more than two high schools, two middle schools, and two elementary schools, may participate in the flexibility program. The following districts are authorized to conduct pilot program in 1998-99: Palm Beach, Pinellas, Seminole, Leon, Walton, and Citrus Counties.

(2) PURPOSE.--The purpose of the pilot program for deregulated public schools shall be to:

(a) Improve student learning.

(b) Increase learning opportunities for all students,

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1 with special emphasis on expanded learning experiences for
2 students who are identified as academically low achieving.

3 (c) Encourage the use of different and innovative
4 learning methods.

5 (d) Increase choice of learning opportunities for
6 students.

7 (e) Establish a new form of accountability for
8 schools.

9 (f) Require the measurement of learning outcomes and
10 create innovative measurement tools.

11 (g) Make the school the unit for improvement.

12 (h) Relieve schools of paperwork and procedures that
13 are required by the state and the district for purposes other
14 than health, safety, equal opportunity, fiscal accountability
15 and documentation of student achievement.

16 (3) PROPOSAL.--

17 (a) A proposal to be a deregulated school must be
18 developed by the school principal and the school advisory
19 council. A majority of the members of the school advisory
20 council must approve the proposal, and the principal and the
21 school advisory council chairman must sign the proposal. At
22 least 50 percent of the teachers employed at the school must
23 approve the proposal. The school must conduct a survey to show
24 parental support for the proposal.

25 (b) A district school board shall receive and review
26 all proposals for a deregulated public school during July and
27 August. A district school board must by a majority vote
28 approve or deny a proposal no later than 30 days after the
29 proposal is received. If a proposal is denied, the district
30 school board must, within 10 calendar days, articulate in
31 writing the specific reasons based upon good cause supporting

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1 its denial of the proposal.

2 (c) The Department of Education may provide technical
3 assistance to an applicant upon written request.

4 (d) The terms and conditions for the operation of a
5 deregulated public school shall be set forth in the proposal.
6 The school district shall not impose unreasonable rules or
7 regulations that violate the intent of giving schools greater
8 flexibility to meet educational goals.

9 (4) ELIGIBLE STUDENTS.--

10 (a) A deregulated school shall be open to all students
11 residing in the school's attendance boundaries as determined
12 by the school district.

13 (b) The deregulated public school shall have maximum
14 flexibility to enroll students under the school district open
15 enrolled plan.

16 (5) REQUIREMENTS.--

17 Like other public schools, a deregulated public school
18 shall:

19 (a) be nonsectarian in its programs, admission
20 policies, employment practices, and operations.

21 (b) not charge tuition or fees, except those fees
22 normally charged by other public schools.

23 (c) meet all applicable state and local health,
24 safety, and civil rights requirements.

25 (d) not violate the antidiscrimination provisions of
26 s. 228.2001.

27 (e) be subject to an annual financial audit in a
28 manner similar to that of other public schools in the
29 district.

30 (6) ELEMENTS OF THE PROPOSAL.--The major issues
31 involving the operation of a deregulated public school shall

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1 be considered in advance and written into the proposal.

2 (a) The proposal shall address, and criteria for
3 approval of the proposal shall be based, on:

4 1. The school's mission and the students to be served.

5 2. The focus of the curriculum, the instructional
6 methods to be used, and any distinctive instructional
7 techniques to be employed.

8 3. The current baseline standard of achievement and
9 the outcomes to be achieved and the method of measurement that
10 will be used.

11 4. The methods used to identify the educational
12 strengths and needs of students and how well educational goals
13 and performance standards are met by students attending the
14 school. Students in deregulated and flexible public schools
15 shall, at a minimum, participate in the statewide assessment
16 program.

17 5. In secondary schools, a method for determining
18 that a student has satisfied the requirements for graduation
19 in s. 232.246.

20 6. A method for resolving conflicts between the school
21 and the district.

22 7. The admissions procedures and dismissal procedures,
23 including the school's code of student conduct.

24 8. The ways by which the school's racial/ethnic
25 balance reflects the community it serves or reflects the
26 racial/ethnic range of other public schools in the same school
27 district.

28 9. The financial and administrative management of the
29 school including a statement of the areas in which the school
30 will have administrative and fiscal autonomy and the areas in
31 which the school will follow school district fiscal and

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1 administrative policies.

2 10. The manner in which the school will be insured,
3 including whether or not the school will be required to have
4 liability insurance, and, if so, the terms and conditions
5 thereof and the amounts of coverage.

6 11. The qualifications to be required of the teachers.

7 (a) The school shall make annual progress reports to
8 the district, which upon verification shall be forwarded to
9 the Commissioner of Education at the same time as other annual
10 school accountability reports. The report shall contain at
11 least the following information:

12 1. The school's progress towards achieving the goals
13 outlined in its proposal.

14 2. The information required in the annual school
15 report pursuant to s. 229.592.

16 3. Financial records of the school, including revenues
17 and expenditures.

18 4. Salary and benefit levels of school employees.

19 (c) A school district shall ensure that the proposal
20 is innovative and consistent with the state education goals
21 established by s. 229.591.

22 (d) Upon receipt of the annual report required by
23 paragraph (d), the Department of Education shall provide to
24 the State Board of Education, the Commissioner of Education,
25 the President of the Senate, and the Speaker of the House of
26 Representatives with a copy of each report and an analysis and
27 comparison of the overall performance of students, to include
28 all students in deregulated public schools whose scores are
29 counted as part of the norm-referenced assessment tests,
30 versus comparable public school students in the district as
31 determined by norm-referenced assessment tests currently

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1 administered in the school district, and, as appropriate, the
2 Florida Writes Assessment Test, the High School Competency
3 Test, and other assessments administered pursuant to s.
4 229.57(3).

5 (7) EXEMPTION FROM STATUTES.--

6 (a) A deregulated public school shall operate in
7 accordance with its proposal and shall be exempt from all
8 statutes of the Florida School Code, except those pertaining
9 to civil rights and student health, safety, and welfare, or as
10 otherwise required by this section. A deregulated public
11 school shall not be exempt from the following statutes:
12 chapter 119, relating to public records, and s. 286.011,
13 relating to public meetings and records, public inspection,
14 and penalties. The school district, upon request of a
15 deregulated public school, may apply to the Commissioner of
16 Education for a waiver of provisions of chapters 230 through
17 239 which are applicable to deregulated public schools under
18 this section, except that the provisions of chapters 236 or
19 237 shall not be eligible for waiver if the waiver would
20 affect funding allocations or create inequity in public school
21 funding. The commissioner may grant the waiver if necessary to
22 implement the school program.

23 (b) Teachers employed by or under contract to a
24 deregulated public school shall be certified as required by
25 chapter 231. A deregulated public school may employ or
26 contract with skilled selected noncertified personnel to
27 provide instructional services or to assist instructional
28 staff members as teacher aides in the same manner as defined
29 in chapter 231. A deregulated public school may not employ an
30 individual to provide instructional services or to serve as a
31 teacher aide if the individual's certification or licensure as

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1 an educator is suspended or revoked by this or any other
2 state. The qualifications of teachers shall be disclosed to
3 parents.

4 (c) A deregulated public school shall employ or
5 contract with employees who have been fingerprinted as
6 provided in s. 231.02.

7 (8) REVENUE.--Students enrolled in a deregulated
8 public school, shall be funded in a basic program or a special
9 program, in the same manner as students enrolled in other
10 public schools in the school district.

11 (9) LENGTH OF SCHOOL YEAR.--A deregulated public
12 school shall provide instruction for at least the number of
13 days required by law for other public schools, and may provide
14 instruction for additional days.

15 (10) FACILITIES.--A deregulated public school shall
16 utilize facilities which comply with the State Uniform
17 Building Code for Public Educational Facilities Construction
18 adopted pursuant to s. 235.26 or with applicable state minimum
19 building codes pursuant to chapter 553 and state minimum fire
20 protection codes pursuant to s. 633.025, as adopted by the
21 authority in whose jurisdiction the facility is located.

22
23 (Redesignate subsequent sections.)

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26 ===== T I T L E A M E N D M E N T =====

27 And the title is amended as follows:

28 On page 1, line 8, after the semicolon,

29
30 insert:

31 creating pilot programs for deregulated public

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schools in a maximum of six counties;