

By Representative Wasserman Schultz

1 A bill to be entitled
2 An act relating to education; amending s.
3 24.121, F.S.; providing an additional
4 requirement for school district receipt of
5 lottery funds; amending s. 229.58, F.S.;
6 providing a name requirement for school
7 advisory councils and providing council
8 responsibilities and duties; providing for
9 certain council review; providing for the use
10 of funds; amending s. 229.592, F.S., relating
11 to school improvement and education
12 accountability; conforming provisions relating
13 to release of funds to school districts;
14 requiring notice of certain deficiency;
15 amending s. 230.23, F.S., relating to school
16 board duties; providing requirements for school
17 improvement plans; requiring local-level
18 decisionmaking policies; providing an effective
19 date.

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21 Be It Enacted by the Legislature of the State of Florida:

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23 Section 1. Paragraph (d) of subsection (5) of section
24 24.121, Florida Statutes, is amended to read:

25 24.121 Allocation of revenues and expenditure of funds
26 for public education.--

27 (5)

28 (d) ~~Beginning July 1, 1993,~~No funds shall be released
29 for any purpose from the Educational Enhancement Trust Fund to
30 any school district in which one or more schools do not have
31 an approved school improvement plan pursuant to s. 230.23(16)

1 or do not comply with school advisory council membership
2 composition requirements pursuant to s. 229.58(1).

3 Section 2. Paragraph (a) of subsection (1) and
4 subsection (2) of section 229.58, Florida Statutes, are
5 amended to read:

6 229.58 District and school advisory councils.--

7 (1) ESTABLISHMENT.--

8 (a) The school board shall establish an advisory
9 council for each school in the district, and shall develop
10 procedures for the election and appointment of advisory
11 council members. Each school advisory council shall include in
12 its name the words "school advisory council." The school
13 advisory council shall be the sole body responsible for final
14 decisionmaking at the school relating to implementation of the
15 provisions of ss. 229.591, 229.592, and 230.23(16). A majority
16 of the members of each school advisory council must be persons
17 who are not employed by the school board. Each advisory
18 council shall be composed of the principal and an
19 appropriately balanced number of teachers, education support
20 employees, students, parents, and other business and community
21 citizens who are representative of the ethnic, racial, and
22 economic community served by the school, provided that
23 vocational-technical center and high school advisory councils
24 shall include students, and middle and junior high school
25 advisory councils may include students. Council members
26 representing teachers, education support employees, students,
27 and parents shall be elected by their respective peer groups
28 at the school in a fair and equitable manner as follows:

29 1. Teachers shall be elected by teachers.

30 2. Education support employees shall be elected by
31 education support employees.

1 3. Students shall be elected by students.

2 4. Parents shall be elected by parents.

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4 The school board shall establish procedures for use by schools
5 in selecting business and community members. Such procedures
6 shall include means of ensuring wide notice of vacancies and
7 for taking input on possible members from local business,
8 chambers of commerce, community and civic organizations and
9 groups, and the public at large. The school board shall review
10 the membership composition of each advisory council. Should
11 the school board determine that the membership elected by the
12 school is not representative of the ethnic, racial, and
13 economic community served by the school, the board shall
14 appoint additional members to achieve proper representation.
15 The Florida Commission on Education Reform and Accountability
16 shall serve as a review body to determine if schools have
17 maximized their efforts to include on their advisory councils
18 minority persons and persons of lower socioeconomic status.
19 Although schools should be strongly encouraged to establish
20 school advisory councils, any school district that has a
21 student population of 10,000 or fewer may establish a district
22 advisory council which shall include at least one duly elected
23 teacher from each school in the district. For the purposes of
24 school advisory councils and district advisory councils, the
25 term "teacher" shall include classroom teachers, certified
26 student services personnel, and media specialists. For
27 purposes of this paragraph, "education support employee" means
28 any person employed by a school who is not defined as
29 instructional or administrative personnel pursuant to s.
30 228.041 and whose duties require 20 or more hours in each
31 normal working week.

1 (2) DUTIES.--Each advisory council shall perform such
2 functions as are prescribed by regulations of the school
3 board; however, no advisory council shall have any of the
4 powers and duties now reserved by law to the school board.
5 Each school advisory council shall assist in the preparation
6 and evaluation of the school improvement plan required
7 pursuant to s. 230.23(16). By the 1999-2000 academic year,
8 with technical assistance from the Department of Education,
9 each school advisory council shall assist in the preparation
10 of and shall provide such assistance as the principal may
11 request in preparing the school's annual budget and plan as
12 required by s. 229.555(1). A portion of funds provided in the
13 annual General Appropriations Act for use by school advisory
14 councils must be used for implementing the school improvement
15 plan.

16 Section 3. Paragraph (c) of subsection (4) of section
17 229.592, Florida Statutes, is amended to read:

18 229.592 Implementation of state system of school
19 improvement and education accountability.--

20 (4) DEPARTMENT.--

21 (c) Pursuant to s. 24.121(5)(d), the department shall
22 not release funds from the Educational Enhancement Trust Fund
23 to any district in which a school does not have an approved
24 school improvement plan, pursuant to s. 230.23(16), after 1
25 full school year of planning and development, or does not
26 comply with school advisory council membership composition
27 requirements pursuant to s. 229.58(1). The department shall
28 send a technical assistance team to each school without an
29 approved plan to develop such school improvement plan or to
30 each school without appropriate school advisory council
31 membership composition to develop a strategy for corrective

1 action. The department shall release the funds upon approval
2 of the plan or upon establishment of a plan of corrective
3 action. Notice shall be given to the public of the
4 department's intervention and shall identify each school
5 without a plan or without appropriate school advisory council
6 membership composition.

7 Section 4. Paragraph (a) of subsection (16) of section
8 230.23, Florida Statutes, is amended, and subsection (17) is
9 added to said section, to read:

10 230.23 Powers and duties of school board.--The school
11 board, acting as a board, shall exercise all powers and
12 perform all duties listed below:

13 (16) IMPLEMENT SCHOOL IMPROVEMENT AND
14 ACCOUNTABILITY.--Maintain a system of school improvement and
15 education accountability as provided by statute and State
16 Board of Education rule. This system of school improvement and
17 education accountability shall be consistent with, and
18 implemented through, the district's continuing system of
19 planning and budgeting required by this section and ss.
20 229.555 and 237.041. This system of school improvement and
21 education accountability shall include, but not be limited to,
22 the following:

23 (a) School improvement plans.--Annually approve and
24 require implementation of a new, amended, or continuation
25 school improvement plan for each school in the district. Such
26 plan shall be designed to achieve the state education goals
27 and student performance standards pursuant to ss. 229.591(3)
28 and 229.592. Beginning in 1999-2000, each plan shall also
29 address issues relative to budget, training, instructional
30 materials, technology, staffing, student support services, and
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1 other matters of resource allocation, as determined by school
2 board policy.

3 (17) LOCAL-LEVEL DECISIONMAKING.--

4 (a) Adopt policies that clearly encourage and enhance
5 maximum decisionmaking appropriate to the school site. Such
6 policies must include guidelines for schools in the adoption
7 and purchase of district and school site instructional
8 materials and technology, staff training, student support
9 services, budgeting, and the allocation of staff resources.

10 (b) Adopt waiver process policies to enable all
11 schools to exercise maximum flexibility and notify advisory
12 councils of processes to waive school district and state
13 policies.

14 (c) Develop policies for periodically monitoring the
15 membership composition of school advisory councils to ensure
16 compliance with requirements established in s. 229.58.

17 Section 5. This act shall take effect July 1 of the
18 year in which enacted.

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21 HOUSE SUMMARY

22
23 Requires school districts to comply with school advisory
24 council membership composition requirements for receipt
25 of lottery funds. Provides a name requirement for school
26 advisory councils and provides additional duties.
27 Provides for certain review of school advisory councils
28 and use of allocated funds. Provides requirements for
29 school improvement plans and local-level decisionmaking.
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