

By Senators Dyer, Klein, Rossin, Kurth, Holzendorf and Jones

14-740A-99

1 A bill to be entitled
 2 An act relating to public school choice;
 3 amending s. 228.057, F.S.; providing a
 4 declaration of public policy; providing that
 5 school districts must offer controlled open
 6 enrollment in the public schools; providing a
 7 date of implementation; providing an exemption;
 8 providing a deadline for submitting revised
 9 open enrollment plans to the Department of
 10 Education; requiring the department to
 11 recommend incentives; providing an effective
 12 date.

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

16 Section 1. Section 228.057, Florida Statutes, is
 17 amended to read:

18 228.057 Public school parental choice.--

19 (1) The Legislature declares that it is the policy of
 20 this state to allow each student who chooses to attend public
 21 schools, or whose parent or guardian chooses to have the
 22 student attend public schools, to be provided with a public
 23 school controlled open enrollment option to the extent that it
 24 is feasible for the school district to do so.

25 (2)(1) As used in this section, the term "controlled
 26 open enrollment" means a public education delivery system that
 27 allows school districts to make student school assignments
 28 using parents' indicated preferential school choice as a
 29 significant factor.

30 (3)(a)(2) Beginning with the 2001-2002 ~~1997-1998~~
 31 school year, each district school board shall ~~may~~ offer

1 controlled open enrollment within the public schools. The
2 controlled open enrollment program shall be offered in
3 addition to the existing choice programs such as magnet
4 schools, alternative schools, special programs, advanced
5 placement, and dual enrollment.

6 (b) A school district that has fewer than 30,000
7 students may, but is not required to, offer controlled open
8 enrollment.

9 ~~(4)(3)~~ Each district school board shall develop a
10 controlled open enrollment plan which describes the
11 implementation of paragraph (3)(a)~~subsection (2)~~.

12 ~~(5)(4)~~ School districts shall adhere to federal
13 desegregation requirements. No controlled open enrollment
14 plan that conflicts with federal desegregation orders shall be
15 implemented.

16 ~~(6)(5)~~ Each school district shall develop a system of
17 priorities for its plan that includes consideration of the
18 following:

19 (a) An application process required to participate in
20 the controlled open enrollment program.

21 (b) A process that allows parents to declare school
22 preferences.

23 (c) A process that encourages placement of siblings
24 within the same school.

25 (d) A lottery procedure used by the school district to
26 determine student assignment.

27 (e) An appeals process for hardship cases.

28 (f) The procedures to maintain socioeconomic,
29 demographic, and racial balance.

30 (g) The availability of transportation.

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1 (h) A process that promotes strong parental
2 involvement, including the designation of a parent liaison.

3 (i) A strategy that establishes a clearinghouse of
4 information designed to assist parents in making informed
5 choices.

6 ~~(7)(6)~~ Plans shall be submitted to the Commissioner of
7 Education by June 30, 1997. The Commissioner of Education
8 shall develop an annual report on the status of school choice
9 and deliver the report to the Governor, the President of the
10 Senate, and the Speaker of the House of Representatives at
11 least 90 days prior to the convening of the regular session of
12 the Legislature.

13 (8) A school district that has an incomplete
14 controlled open enrollment plan or has a controlled open
15 enrollment plan that cannot be implemented due to conflicts
16 with federal desegregation requirements shall develop a
17 revised plan by the 2000-2001 school year and shall submit the
18 revised plan to the Department of Education by September 1,
19 2000.

20 ~~(9)(7)~~ The Department of Education shall develop,
21 during the 1999-2000 ~~1996-1997~~ school year, recommendations
22 for a public school parental choice incentive program to
23 benefit district school boards that implement a public school
24 parental choice plan pursuant to paragraph (3)(a) subsection
25 ~~(2)~~ for the 2001-2002 ~~1997-1998~~ school year based on the date
26 on which the district implemented controlled open enrollment,
27 with priority given to those districts that implemented
28 controlled open enrollment earliest and highest priority given
29 to those districts that implemented controlled open enrollment
30 before the effective date of this act. In developing the
31 program, the department may consider financial, as well as

1 other, incentives that best promote the intent of the
2 Legislature relating to open enrollment in public schools.

3 (10)(8) Notwithstanding any provision of this section,
4 a school district with schools operating on both multiple
5 session schedules and single session schedules shall afford
6 parents of students in multiple session schools preferred
7 access to the controlled open enrollment program of the school
8 district.

9 Section 2. This act shall take effect upon becoming a
10 law.

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13 SENATE SUMMARY

14 Declares that it is the public policy of this state to
15 allow a controlled open enrollment option to students who
16 attend public schools. Requires each school district to
17 offer controlled open enrollment, beginning with the
18 2001-2002 school year. Exempts each school district that
19 has fewer than 30,000 students. Requires certain school
20 districts to submit revised plans for controlled open
21 enrollment to the Department of Education by September 1,
22 2000. Requires the department to recommend incentives.
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