

By Senator Cowin

11-1397-01

See HB

1 A bill to be entitled
2 An act relating to school financial
3 accountability; creating s. 236.6851, F.S.;
4 providing a short title; providing legislative
5 intent; requiring district school boards to
6 analyze or contract for the analysis of certain
7 noninstructional school services; providing
8 requirements for such analyses; authorizing a
9 district school board to issue requests for
10 proposals, and contract for the provision of
11 noninstructional school services, under certain
12 circumstances; authorizing the formation of
13 consortia for the purpose of conducting
14 analyses and issuing requests for proposals;
15 requiring cost savings realized as a result of
16 the requirements of this act to be retained by
17 the school district and used for the
18 improvement of educational services; requiring
19 the Department of Education to provide
20 technical assistance; providing funding;
21 requiring each district school board to report
22 certain information to the Commissioner of
23 Education; authorizing the adoption of rules;
24 providing an effective date.

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

28 Section 1. Section 236.6851, Florida Statutes, is
29 created to read:

30 236.6851 School Service Accountability Act.--

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1 (1) This act shall be known and may be cited as the
2 "School Service Accountability Act of 2001."
3 (2) It is the intent of the Legislature to promote
4 effective and cost-efficient noninstructional services.
5 Accordingly, the Legislature believes that this intent is best
6 served when school districts analyze the provision of student
7 transportation services, food services, and facilities
8 operations and maintenance services to determine the best
9 balance between the costs associated with providing such
10 services and the quality of the services provided. When this
11 intent is better served by private-sector providers, it is the
12 intent of the Legislature that school districts contract with
13 such providers for these services. Any cost savings that
14 result shall be redirected to educational services for
15 students. It is the further intent of the Legislature that the
16 review and cost analysis of noninstructional services be an
17 ongoing, periodic activity of all school districts.
18 (3) Each district school board shall analyze, or
19 contract for the analysis of, the cost of providing student
20 transportation services, food services, and facilities
21 operations and maintenance services, as well as the level and
22 quality of services associated with each such service, as
23 follows:
24 (a) By the end of the 2003-2004 fiscal year, each
25 district school board shall analyze, or contract for the
26 analysis of, the provision of student transportation services,
27 food services, and facilities operations and maintenance
28 services. A minimum of one analysis shall be conducted
29 annually, unless all three analyses are completed prior to the
30 end of the 2003-2004 fiscal year.
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1 (b) Any district that, prior to July 1, 2001,
2 contracts with a private-sector provider of any
3 noninstructional service required by this section to be
4 analyzed is not required to have an analysis of that service
5 conducted.

6 (c) The form and substance of the analysis shall be as
7 provided to the Department of Education by the Florida School
8 Boards Association and Florida TaxWatch.

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10 This analysis shall be the basis of comparison for a request
11 for proposals to be issued by a district school board for the
12 provision of such services.

13 (4) A district school board may issue a request for
14 proposals from private-sector providers and may contract for
15 the provision of any noninstructional services if, based on
16 the analysis conducted pursuant to subsection (3), cost
17 savings or an improved level and quality of service will
18 result.

19 (a) The form and substance of the request for
20 proposals shall be as provided to the Department of Education
21 by the Florida School Boards Association and Florida TaxWatch.

22 (b) Within 30 days after the conclusion of the bid
23 process, the district school board shall, at a regularly
24 scheduled board meeting, discuss and disclose the responses to
25 the request for proposals, including a comparison to the
26 analysis required by subsection (3).

27 (5) School districts may form consortia for the
28 purpose of conducting analyses and issuing requests for
29 proposals, unless otherwise prohibited by law for a specific
30 noninstructional service.

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1 (6) Notwithstanding any other provision of law to the
2 contrary, any cost savings realized by a school district as a
3 result of the requirements of this section shall be retained
4 by the school district and shall be used for the improvement
5 of educational services for students, as determined by the
6 district school board. Use of cost savings relating to the
7 provision of food services realized by a school district shall
8 be governed by federal regulations.

9 (7) The Department of Education shall provide
10 technical assistance to the district school boards relating to
11 the implementation of the requirements of this section.

12 (8) The Legislature shall annually include in the
13 General Appropriations Act a sum sufficient to compensate
14 school districts, in full or in part, for the cost associated
15 with the required analysis, request for proposal development,
16 and review for the listed noninstructional services, as
17 follows:

18 (a) School districts with less than 15,000 full-time
19 equivalent students shall receive \$5,000.

20 (b) School districts with 15,000 to 50,000 full-time
21 equivalent students shall receive \$10,000.

22 (c) School districts with 50,001 to 100,000 full-time
23 equivalent students shall receive \$15,000.

24 (d) School districts in excess of 100,000 full-time
25 equivalent students shall receive \$20,000.

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27 Any school district that, prior to July 1, 2001, contracts
28 with a private-sector provider of noninstructional services
29 required to be analyzed pursuant to subsection (3) shall
30 retain the funds provided pursuant to this subsection as
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1 reimbursement for prior expenses incurred as a result of cost
2 analysis and contract development.

3 (9) By January 1 annually, each district school board
4 shall report the results of implementation of this section to
5 the Commissioner of Education. The report shall describe:

6 (a) Contracts with private-sector providers of
7 noninstructional services entered into as a result of the
8 requirements of this section.

9 (b) The anticipated cost savings associated with such
10 contracts.

11 (c) The use of the anticipated savings, as determined
12 by the district school board.

13 (d) Actual cost savings realized from contracts
14 entered into during previous years as a result of the
15 requirements of this section, and the use of such savings.

16 (10) The Department of Education may adopt rules
17 pursuant to ss. 120.536(1) and 120.54 necessary to implement
18 the provisions of this section.

19 Section 2. This act shall take effect July 1, 2001.

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22 HOUSE SUMMARY

23
24 Creates the "School Service Accountability Act of 2001."
25 Requires district school boards to analyze or contract
26 for the analysis of certain noninstructional school
27 services and provides requirements for such analyses.
28 Authorizes requests for proposals for the provision of
29 noninstructional school services under certain
30 circumstances. Authorizes the formation of consortia for
31 the purpose of conducting analyses and issuing requests
for proposals. Requires cost savings realized as a result
of the requirements of this act to be retained by the
school district and used for the improvement of
educational services. Requires the Department of
Education to provide technical assistance. Provides
funding. Requires each district school board to report
certain information to the Commissioner of Education.
Authorizes the adoption of rules.