

By Representative Mack

1 A bill to be entitled
2 An act relating to public school districts;
3 creating s. 236.6851, F.S.; creating the School
4 Service Accountability Act of 2002; requiring
5 an analysis of expenditure of funds and quality
6 of service for certain noninstructional
7 services; providing for a request for proposals
8 or solicitation of bids to contract for
9 services; providing for disclosure; providing
10 for the use of cost savings; requiring reports;
11 providing an effective date.

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

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15 Section 1. Section 236.6851, Florida Statutes, is
16 created to read:

17 236.6851 School Service Accountability Act.--

18 (1) This act may be cited as the "School Service
19 Accountability Act of 2002."

20 (2) It is the intent of the Legislature to promote
21 effective and cost-efficient noninstructional services.
22 Accordingly, the Legislature believes that this intent is best
23 served when school districts analyze the provision of such
24 services as student transportation, food services, and
25 facilities operations and maintenance to determine the optimal
26 balance between the costs associated with providing such
27 services and the quality of the services provided. When this
28 intent is best served by private-sector providers, school
29 districts shall contract with such providers for these
30 services. Any cost savings that result shall be redirected to
31 educational services for students. It is the further intent of

1 the Legislature that this be an ongoing, periodic activity of
2 all school districts.

3 (3) Each district school board and superintendent of
4 schools shall conduct a written analysis of the cost of
5 providing student transportation, food services, and
6 facilities operations and maintenance as well as the level and
7 quality of services associated with each such service. This
8 analysis shall be the basis of comparison for a request for
9 proposals or solicitation of bids to be issued by a district
10 school board for the provision of student transportation, food
11 services, and facilities operations and maintenance. The form
12 and substance of the analysis and request for proposals or
13 solicitation of bids shall be consistent with that provided to
14 the Department of Education by the Florida School Boards
15 Association and Florida TaxWatch. Each district school board
16 shall conduct an analysis and request for proposals or
17 solicitation of bids for one of the noninstructional services
18 listed in this section in each of school years 2002-2003,
19 2003-2004, and 2004-2005. A school district that currently
20 contracts with a private-sector provider for any listed
21 service is not required to have an analysis of that service
22 conducted or to rebid that service and is exempt from the
23 provisions of this section for that service. After the
24 2004-2005 school year, any school district that has not
25 contracted for the provision of a noninstructional service
26 listed in this section shall periodically conduct an analysis
27 of such service according to the requirements of this section.

28 (4) School districts may form consortia for the
29 purpose of conducting an analysis and request for proposals or
30 solicitation of bids unless otherwise prohibited by law for a
31 specific noninstructional service.

1 (5) Within 30 days after conclusion of the bid
2 process, the district school board, at a regularly scheduled
3 board meeting, shall disclose and discuss the responses to the
4 request for proposals or solicitation of bids, including a
5 written comparison to the analysis required in subsection (3)
6 and a written report of the results of the bid process.

7 (6) Notwithstanding any other provision of law, any
8 cost savings realized by a school district through the
9 provision of contracted noninstructional services pursuant to
10 this section shall be retained by the school district and
11 shall be used for the improvement of educational services for
12 students. Use of cost savings earned in the provision of food
13 services shall be governed by federal regulations.

14 (7) The Department of Education shall provide
15 technical assistance to school districts for the purpose of
16 implementing this section.

17 (8) Annually, as of January 1, each district school
18 board shall report the results of implementation of this
19 section to the Commissioner of Education. The report shall
20 include:

21 (a) New private contracts for the listed
22 noninstructional services.

23 (b) The anticipated cost savings associated with each
24 new contract.

25 (c) The district school board authorized use of the
26 anticipated savings.

27 (d) Actual cost savings and use of savings of
28 prior-year private contracts.

29 (e) A description of each instance in which a request
30 for proposals or solicitation of bids process did not result
31 in a contract, including a comparison of the school district

1 cost obtained from the cost analysis to the cost proposed by
2 each bidder, the school district's reasoning for not entering
3 into a contract, and where the school district's action or
4 inaction is documented in public records.

5 (9) Annually, by February 1, the Commissioner of
6 Education shall issue to the Governor, the Speaker of the
7 House of Representatives, and the President of the Senate a
8 report that consolidates information submitted by the school
9 districts to the commissioner pursuant to subsection (8).

10 Section 2. This act shall take effect July 1, 2002.

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12 HOUSE SUMMARY

13
14 Creates the School Service Accountability Act of 2002 to
15 promote effective and cost-efficient noninstructional
16 services in the public schools. Requires an analysis of
17 expenditure of funds and quality of service for school
18 district student transportation, food services, and
19 facilities operations and maintenance. Requires the
20 analysis to be the basis of comparison for a request for
21 proposals or solicitation of bids to contract for such
22 services. Requires disclosure and reporting by district
23 school boards. Requires a report to the Governor and the
24 Legislature by the Commissioner of Education.
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