

By Senator Wise

5-1481-03

See HB 29

1 A bill to be entitled
2 An act relating to financial matters of school
3 districts; creating s. 1010.217, F.S.;
4 providing for school service accountability;
5 providing a popular name; requiring written
6 analyses of the cost, level, and quality of
7 service for certain noninstructional services;
8 providing for a request for proposals or
9 solicitation of bids to contract with
10 private-sector providers for services;
11 providing for disclosure; providing for the use
12 of cost savings; requiring reports; providing
13 an appropriation; providing an effective date.

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

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17 Section 1. Section 1010.217, Florida Statutes, is
18 created to read:

19 1010.217 School Service Accountability Act.--

20 (1) This section shall be known by the popular name
21 "The School Service Accountability Act of 2003."

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

1 savings that result shall be redirected to educational
2 services for students or to bonuses for classroom teachers. It
3 is the further intent of the Legislature that this be an
4 ongoing, periodic activity of all school districts.

5 (3)(a) Each district school board shall conduct a
6 written analysis of the cost, level, and quality of services
7 associated with the following noninstructional services for
8 which it has not already contracted: student transportation,
9 food services, and facilities operations and maintenance. The
10 district school board shall issue a request for proposals or
11 solicitation of bids for the provision of these
12 noninstructional services for which it has not already
13 contracted. The required analyses and the request for
14 proposals or solicitation of bids shall be in a form
15 consistent with that provided to the Department of Education
16 by the Florida School Boards Association and Florida TaxWatch.

17 (b) Each district school board shall conduct a written
18 analysis of the cost, level, and quality of services, and
19 shall issue a request for proposals or solicitation of bids,
20 for the following:

21 1. During the 2003-2004 school year, any one of the
22 noninstructional services listed in this section for which it
23 has not already contracted.

24 2. During the 2004-2005 school year, one of the other
25 noninstructional services listed in this section for which it
26 has not already contracted.

27 3. During the 2005-2006 school year, any remaining
28 noninstrucional services listed in this section for which it
29 has not already contracted.

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1 After the 2005-2006 school year, any school district that has
2 not contracted for the provision of a noninstructional service
3 listed in this section shall periodically conduct an analysis
4 of such service according to the requirements of this section.

5 (4) School districts may form consortia for the
6 purpose of conducting an analysis and request for proposals or
7 solicitation of bids unless otherwise prohibited by law for a
8 specific noninstructional service.

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

15 (6) Notwithstanding any other provision of law, any
16 cost savings realized by a school district through the
17 provision of contracted noninstructional services pursuant to
18 this section shall be retained by the school district and
19 shall be used for the improvement of educational services for
20 students or for bonuses for classroom teachers. Use of cost
21 savings earned in the provision of food services shall be
22 governed by federal regulations.

23 (7) The Department of Education shall provide
24 technical assistance to school districts for the purpose of
25 implementing this section.

26 (8) Annually, as of January 1, each district school
27 board shall report the results of implementation of this
28 section to the Commissioner of Education. The report shall
29 include:

30 (a) New private-sector contracts for the listed
31 noninstructional services.

1 (b) The anticipated cost savings associated with each
2 new private-sector contract.

3 (c) The district school board authorized use of the
4 anticipated savings.

5 (d) Actual cost savings and use of savings of
6 prior-year, private-sector contracts.

7 (e) A description of each instance in which a request
8 for proposals or solicitation of bids process did not result
9 in a private-sector contract, including a comparison of the
10 school district cost obtained from the cost analysis to the
11 cost proposed by each bidder, the school district's reasoning
12 for not entering into a contract, and where the school
13 district's action or inaction is documented in public records.

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

19 Section 2. There is appropriated from the General
20 Revenue Fund to the Department of Education for fiscal year
21 2003-2004 the sum of \$600,000 to implement the provisions of
22 this act. It is the intent of the Legislature to appropriate
23 annually for fiscal years 2004-2005 and 2005-2006 an amount
24 necessary to continue implementation of this act.

25 Section 3. This act shall take effect July 1, 2003.
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