

By Senator Bennett

21-1437A-03

See HB

1 A bill to be entitled
2 An act relating to district school boards;
3 creating s. 1001.3715, F.S.; providing a
4 procedure for election of a district school
5 board chair by countywide vote in a school
6 district with an appointed district school
7 superintendent; providing requirements for
8 submission of the proposition to electors of
9 the school district; providing for election of
10 a district school board vice chair by the
11 district school board; creating s. 1001.3717,
12 F.S.; providing powers and duties, terms of
13 office, and salary of a district school board
14 chair elected by countywide vote; providing an
15 effective date.

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

19 Section 1. Section 1001.3715, Florida Statutes, is
20 created to read:

21 1001.3715 Alternate procedure for election of district
22 school board chair in school district with appointed
23 superintendent; election of vice chair.--

24 (1) The district school board chair shall be elected
25 in accordance with the provisions of s. 1001.371 unless, in a
26 school district in which the office of district school
27 superintendent is appointive pursuant to s. 1001.461, a
28 proposition calling for the district school board chair to be
29 elected by countywide vote is submitted to and approved by a
30 majority of the qualified electors voting on such proposition
31 in the manner provided in subsection (2).

1 (2) A proposition calling for the district school
2 board chair to be elected by countywide vote shall be
3 submitted to the electors of the school district at any
4 primary, general, or otherwise-called special election, in
5 either manner following:

6 (a) The district school board may adopt a formal
7 resolution directing an election to be held to place the
8 proposition on the ballot; or

9 (b) The electors of the school district may petition
10 to have the proposition placed on the ballot by presenting to
11 the district school board petitions signed by not less than 10
12 percent of the duly qualified electors residing within the
13 school district. The number of signatures required shall be
14 determined by the supervisor of elections according to the
15 number of registered electors in the school district as of the
16 date the petitioning electors register as a political
17 committee as provided in subsection (3).

18 (3) The electors petitioning to have the proposition
19 placed on the ballot shall register as a political committee
20 pursuant to s. 106.03, and a specific person shall be
21 designated therein as chair of the committee to act for the
22 committee.

23 (4) Each petition form circulated shall include the
24 wording: "As a registered elector of the school district of
25 _____ County, Florida, I am petitioning for a referendum
26 election to determine whether the district school board chair
27 shall be elected by countywide vote." The petition shall also
28 include space for the signature and address of the elector.
29 Each signature obtained shall be dated when made and is valid
30 for a period of 4 years following that date.

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1 (5) Upon the filing of the petitions with the district
2 school board by the chair of the committee, the district
3 school board shall submit the petitions to the supervisor of
4 elections for verification of the signatures. Within a period
5 of not more than 30 days, the supervisor of elections shall
6 determine whether the petitions contain the required number of
7 valid signatures. The supervisor of elections shall be paid by
8 the committee seeking verification the sum of 10 cents for
9 each name checked.

10 (6) If it is determined that the petitions have the
11 required signatures, the supervisor of elections shall certify
12 the petitions to the district school board, which shall adopt
13 a resolution requesting that an election date be set to
14 conform to the earliest primary, general, or otherwise-called
15 special election that occurs not less than 30 days after
16 certification of the petitions. If it is determined that the
17 petitions do not contain the required signatures, the
18 supervisor of elections shall so notify the district school
19 board, which shall file the petitions without taking further
20 action, and the matter shall be at an end. No additional names
21 may be added to the petitions, and the petitions may not be
22 used in any other proceeding.

23 (7) No special election may be called for the sole
24 purpose of presenting the proposition to the vote of the
25 electors.

26 (8) Any school district adopting the proposition set
27 forth in this section may thereafter return to the procedure
28 otherwise provided by law by following the same procedure
29 outlined in subsection (2).

30 (9) The vice chair of the district school board shall
31 be elected by the members of the district school board.

1 Section 2. Section 1001.3717, Florida Statutes, is
2 created to read:

3 1001.3717 District school board chair elected by
4 countywide vote; powers and duties; terms; salary.--

5 (1) Notwithstanding any other provision of law, a
6 district school board chair elected by countywide vote
7 pursuant to s. 1001.3715 may exercise the following powers and
8 duties:

9 (a) Serve as chief executive officer of the school
10 district.

11 (b) Hire the district school superintendent, subject
12 to district school board confirmation.

13 (c) Hire deputy district school superintendents and
14 school district department directors, subject to district
15 school board confirmation.

16 (d) Oversee all school district employees, with power
17 to hire, fire, and take other personnel actions.

18 (e) Oversee all operations of the school district.

19 (f) Oversee all capital improvement projects in the
20 school district.

21 (g) Prepare the annual budget for approval by the
22 district school board.

23 (h) Prepare district school board meeting agendas.

24 (i) Chair all district school board meetings.

25 (j) Vote on all district school board actions.

26 (k) Prepare and propose new or amended school district
27 policies and rules for district school board consideration.

28 (l) Prepare and propose purchases of goods, services,
29 and realty for district school board consideration.

30 (m) Oversee the management of all district school
31 board property and records.

- 1 (n) Enforce all policies of the district school board.
2 (o) Take all other actions that are executive in
3 nature.
4 (2) A district school board chair elected by
5 countywide vote pursuant to s. 1001.3715 shall be limited to
6 two 4-year terms.
7 (3) The salary of a district school board chair
8 elected by countywide vote pursuant to s. 1001.3715 shall be
9 set by district school board resolution, but shall not be less
10 than four times the compensation of each district school board
11 member.

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