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A bill to be entitled

An act relating to district school boards; creating s. 1001.3715, F.S.; providing a procedure for election of a district school board chair by countywide vote in a school district with single-member representation and an appointed district school superintendent; providing requirements for submission of the proposition to electors of the school district; providing for election of a district school board vice chair by the district school board; creating s. 1001.3717, F.S.; providing powers and duties, terms of office, and salary of a district school board chair elected by countywide vote; providing an effective date.

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

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

1001.3715 Alternate procedure for election of district school board chair in school district with single-member representation and an appointed superintendent; election of vice chair.--

(1) The district school board chair shall be elected in accordance with the provisions of s. 1001.371 unless, in a school district with single-member representation, pursuant to s. 1001.362, in which the office of district school superintendent is appointive pursuant to s. 1001.461, a proposition calling for the district school board chair to be elected by countywide vote is submitted to and approved by a

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30 majority of the qualified electors voting on such proposition in
 31 the manner provided in subsection (2).

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

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

39 (b) The electors of the school district may petition to
 40 have the proposition placed on the ballot by presenting to the
 41 district school board petitions signed by not less than 10
 42 percent of the duly qualified electors residing within the
 43 school district. The number of signatures required shall be
 44 determined by the supervisor of elections according to the
 45 number of registered electors in the school district as of the
 46 date the petitioning electors register as a political committee
 47 as provided in subsection (3).

48 (3) The electors petitioning to have the proposition
 49 placed on the ballot shall register as a political committee
 50 pursuant to s. 106.03, and a specific person shall be designated
 51 therein as chair of the committee to act for the committee.

52 (4) Each petition form circulated shall include the
 53 wording: "As a registered elector of the school district of
 54 _____ County, Florida, I am petitioning for a referendum
 55 election to determine whether the district school board chair
 56 shall be elected by countywide vote." The petition shall also
 57 include space for the signature and address of the elector. Each

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58 signature obtained shall be dated when made and is valid for a
 59 period of 4 years following that date.

60 (5) Upon the filing of the petitions with the district
 61 school board by the chair of the committee, the district school
 62 board shall submit the petitions to the supervisor of elections
 63 for verification of the signatures. Within a period of not more
 64 than 30 days, the supervisor of elections shall determine
 65 whether the petitions contain the required number of valid
 66 signatures. The supervisor of elections shall be paid by the
 67 committee seeking verification the sum of 10 cents for each name
 68 checked.

69 (6) If it is determined that the petitions have the
 70 required signatures, the supervisor of elections shall certify
 71 the petitions to the district school board, which shall adopt a
 72 resolution requesting that an election date be set to conform to
 73 the earliest primary, general, or otherwise-called special
 74 election that occurs not less than 30 days after certification
 75 of the petitions. If it is determined that the petitions do not
 76 contain the required signatures, the supervisor of elections
 77 shall so notify the district school board, which shall file the
 78 petitions without taking further action, and the matter shall be
 79 at an end. No additional names may be added to the petitions,
 80 and the petitions may not be used in any other proceeding.

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

83 (8) A district school board may increase its membership by
 84 one member through redistricting either simultaneously with, or
 85 at any time after, the implementation of the elected district
 86 school board chair governance option pursuant to this section.

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87 (9) Any school district adopting the proposition set forth
 88 in this section may thereafter return to the procedure otherwise
 89 provided by law by following the same procedure outlined in
 90 subsection (2).

91 (10) The vice chair of the district school board shall be
 92 elected by the members of the district school board.

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

95 1001.3717 District school board chair elected by
 96 countywide vote; powers and duties; terms; salary.--

97 (1) Notwithstanding any other provision of law, a district
 98 school board chair elected by countywide vote pursuant to s.
 99 1001.3715 may exercise the following powers and duties:

100 (a) Serve as chief executive officer of the school
 101 district.

102 (b) Hire and fire the district school superintendent, but
 103 only with the approval of the district school board.

104 (c) Hire and fire deputy district school superintendents
 105 and school district department directors, but only with the
 106 approval of the district school board.

107 (d) Oversee all operations of the school district.

108 (e) Oversee all capital improvement projects approved by
 109 the district school board for the school district.

110 (f) Prepare the annual budget for approval by the district
 111 school board.

112 (g) Prepare district school board meeting agendas.

113 (h) Chair all district school board meetings.

114 (i) Vote on all district school board actions.

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- 115 (j) Prepare and propose new or amended school district
 116 policies and rules for district school board consideration.
- 117 (k) Prepare and propose purchases of goods, services, and
 118 realty for district school board consideration.
- 119 (l) Oversee the management of all district school board
 120 property and records.
- 121 (m) Oversee the enforcement of policies of the district
 122 school board.
- 123 (n) Call the district school board into regular and
 124 special session.
- 125 (o) Serve as the official representative and ceremonial
 126 dignitary for the district school board, with the prerogative to
 127 issue proclamations.
- 128 (p) Annually present a "state of the schools" message
 129 setting forth programs and improvements to be recommended to the
 130 district school board.
- 131 (q) Execute all contracts and other legal documents, with
 132 the power to delegate such authority to execute.
- 133 (r) Carry out all other duties and responsibilities
 134 prescribed by law or assigned by the district school board.
- 135 (s) Take all other actions that are executive in nature.
- 136 (2) A district school board chair elected by countywide
 137 vote pursuant to s. 1001.3715 shall be limited to the extent
 138 other district school board members are term limited.
- 139 (3) The salary of a district school board chair elected by
 140 countywide vote pursuant to s. 1001.3715 shall be set by
 141 district school board resolution, but shall not be less than the
 142 lowest salary and not more than the highest salary being paid to

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143 county officers identified in s. 1(d), Art. VIII of the State
144 Constitution.

145 Section 3. This act shall take effect July 1, 2004.