

By Senator Webster

9-1716-04

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 single-member representation and  
 7           an appointed district school superintendent;  
 8           providing requirements for submission of the  
 9           proposition to electors of the school district;  
 10          providing for election of a district school  
 11          board vice chair by the district school board;  
 12          creating s. 1001.3717, F.S.; providing powers  
 13          and duties, terms of office, and salary of a  
 14          district school board chair elected by  
 15          countywide vote; providing an effective date.

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

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 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 single-member  
 23 representation and an appointed superintendent; election of  
 24 vice chair.--

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

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

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

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

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

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

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

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

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

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

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

3 (9) Any school district adopting the proposition set  
4 forth in this section may thereafter return to the procedure  
5 otherwise provided by law by following the same procedure  
6 outlined in subsection (2).

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

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

11 1001.3717 District school board chair elected by  
12 countywide vote; powers and duties; terms; salary.--

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

17 (a) Serve as chief executive officer of the school  
18 district.

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

21 (c) Hire and fire deputy district school  
22 superintendents and school district department directors, but  
23 only with the approval of the district school board.

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

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

27 (f) Prepare the annual budget for approval by the  
28 district school board.

29 (g) Prepare district school board meeting agendas.

30 (h) Chair all district school board meetings.

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

1           (j) Prepare and propose new or amended school district  
2 policies and rules for district school board consideration.

3           (k) Prepare and propose purchases of goods, services,  
4 and realty for district school board consideration.

5           (l) Oversee the management of all district school  
6 board property and records.

7           (m) Oversee the enforcement of policies of the  
8 district school board.

9           (n) Call the district school board into regular and  
10 special session.

11           (o) Serve as the official representative and  
12 ceremonial dignitary for the district school board, with the  
13 prerogative to issue proclamations.

14           (p) Annually present a "state of the schools" message  
15 setting forth programs and improvements to be recommended to  
16 the district school board.

17           (q) Execute all contracts and other legal documents,  
18 with the power to delegate such authority to execute.

19           (r) Carry out all other duties and responsibilities  
20 prescribed by law or assigned by the district school board.

21           (s) Take all other actions that are executive in  
22 nature.

23           (2) A district school board chair elected by  
24 countywide vote pursuant to s. 1001.3715 shall be limited to  
25 the extent other district school board members are term  
26 limited.

27           (3) The salary of a district school board chair  
28 elected by countywide vote pursuant to s. 1001.3715 shall be  
29 set by district school board resolution, but shall not be less  
30 than the lowest salary and not more than the highest salary  
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1 being paid to county officers identified in s. 1(d), Art. VIII  
2 of the State Constitution.

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