

1 A bill to be entitled
 2 An act relating to the Florida School for the Deaf and the
 3 Blind; amending s. 1002.36, F.S.; authorizing the
 4 provision of education services to district school boards
 5 upon request; revising powers and duties of the Board of
 6 Trustees for the Florida School for the Deaf and the Blind
 7 relating to requirements for expenditure of certain funds
 8 and submission of capital outlay budget requests;
 9 authorizing campus police officers to enforce traffic
 10 laws; deleting provisions authorizing bonding of campus
 11 police officers; amending s. 1013.31, F.S.; including
 12 reference to the Florida School for the Deaf and the Blind
 13 in provisions relating to educational plant surveys;
 14 providing an effective date.

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

17
 18 Section 1. Subsections (1) and (2), paragraphs (e) and (f)
 19 of subsection (4), and paragraphs (b) and (d) of subsection (8)
 20 of section 1002.36, Florida Statutes, are amended to read:

21 1002.36 Florida School for the Deaf and the Blind.--

22 (1) RESPONSIBILITIES.--The Florida School for the Deaf and
 23 the Blind, located in St. Johns County, is a state-supported
 24 residential public school for hearing-impaired and visually
 25 impaired students in preschool through 12th grade. The school is
 26 a component of the delivery of public education within Florida's
 27 K-20 education system and shall be funded through the Department
 28 of Education. The school shall provide educational programs and

29 support services appropriate to meet the education and related
 30 evaluation and counseling needs of hearing-impaired and visually
 31 impaired students in the state who meet enrollment criteria.
 32 Unless otherwise provided by law, the school shall comply with
 33 all laws and rules applicable to state agencies. Education
 34 services may be provided on an outreach basis for sensory-
 35 impaired children ages 0 through 5 years and to district school
 36 boards upon request ~~their parents~~. Graduates of the Florida
 37 School for the Deaf and the Blind shall be eligible for the
 38 William L. Boyd, IV, Florida Resident Access Grant Program as
 39 provided in s. 1009.89.

40 (2) MISSION.--The mission of the Florida School for the
 41 Deaf and the Blind is to utilize all available talent, energy,
 42 and resources to provide free appropriate public education for
 43 eligible sensory-impaired students of Florida. As a school of
 44 academic excellence, the school shall strive to provide students
 45 an opportunity to access education services ~~maximize their~~
 46 ~~individual potential~~ in a caring, safe, unique learning
 47 environment to prepare them to be literate, employable, and
 48 independent lifelong learners. The school shall provide outreach
 49 services that include collaboration with district school boards
 50 and shall encourage input from students, staff, parents, and the
 51 community. As a diverse organization, the school shall foster
 52 respect and understanding for each individual.

53 (4) BOARD OF TRUSTEES.--

54 (e) The board of trustees is invested with full power and
 55 authority to:

56 1. Appoint a president, faculty, teachers, and other
 57 employees and remove the same as in its judgment may be best and
 58 fix their compensation.

59 2. Procure professional services, such as medical, mental
 60 health, architectural, and engineering.

61 3. Procure legal services without the prior written
 62 approval of the Attorney General.

63 4. Determine eligibility of students and procedure for
 64 admission.

65 5. Provide for the students of the school necessary
 66 bedding, clothing, food, and medical attendance and such other
 67 things as may be proper for the health and comfort of the
 68 students without cost to their parents, except that the board of
 69 trustees may set tuition and other fees for nonresidents.

70 6. Provide for the proper keeping of accounts and records
 71 and for budgeting of funds.

72 7. Enter into contracts.

73 8. Sue and be sued.

74 9. Secure public liability insurance.

75 10. Do and perform every other matter or thing requisite
 76 to the proper management, maintenance, support, and control of
 77 the school at the highest efficiency economically possible, the
 78 board of trustees taking into consideration the purposes of the
 79 establishment.

80 11. Receive gifts, donations, and bequests of money or
 81 property, real or personal, tangible or intangible, from any
 82 person, firm, corporation, or other legal entity. However, the
 83 board of trustees may not obligate the state to any expenditure

84 or policy that is not specifically authorized by law. If the
 85 bill of sale, will, trust indenture, deed, or other legal
 86 conveyance specifies terms and conditions concerning the use of
 87 such money or property, the board of trustees shall observe such
 88 terms and conditions.

89 12. Deposit outside the State Treasury such moneys as are
 90 received as gifts, donations, or bequests and may disburse and
 91 expend such moneys, upon its own warrant, for the use and
 92 benefit of the Florida School for the Deaf and the Blind and its
 93 students, as the board of trustees deems to be in the best
 94 interest of the school and its students. Such money or property
 95 shall not constitute or be considered a part of any legislative
 96 appropriation, ~~and such money shall not be used to compensate~~
 97 ~~any person for engaging in lobbying activities before the House~~
 98 ~~of Representatives or Senate or any committee thereof.~~

99 13. Sell or convey by bill of sale, deed, or other legal
 100 instrument any property, real or personal, received as a gift,
 101 donation, or bequest, upon such terms and conditions as the
 102 board of trustees deems to be in the best interest of the school
 103 and its students.

104 14. Invest such moneys in securities enumerated under s.
 105 215.47(1), (2)(d), (3), (4), and (9), and in The Common Fund, an
 106 Investment Management Fund exclusively for nonprofit educational
 107 institutions.

108 (f) The board of trustees shall:

109 1. Prepare and submit legislative budget requests for
 110 operations and fixed capital outlay, in accordance with chapter
 111 216 and ss. 1011.56 and 1013.60, to the Department of Education

112 for review and approval. The department must analyze the amount
 113 requested for fixed capital outlay to determine if the request
 114 is consistent with the school's campus master plan, educational
 115 plant survey, and facilities master plan. Projections of
 116 facility space needs may exceed the norm space and occupant
 117 design criteria established in the State Requirements for
 118 Educational Facilities.

119 2. Approve and administer an annual operating budget in
 120 accordance with ss. 1011.56 and 1011.57.

121 3. Require all funds received other than gifts, donations,
 122 bequests, funds raised by or belonging to student clubs or
 123 student organizations, and funds held for specific students or
 124 in accounts for individual students to be deposited in the State
 125 Treasury and expended as authorized in the General
 126 Appropriations Act.

127 4. Require all purchases to be in accordance with the
 128 provisions of chapter 287 except for purchases made with funds
 129 received as gifts, donations, or bequests, funds raised by or
 130 belonging to student clubs or student organizations, or funds
 131 held for specific students or in accounts for individual
 132 students.

133 5. Administer and maintain personnel programs for all
 134 employees of the board of trustees and the Florida School for
 135 the Deaf and the Blind who shall be state employees, including
 136 the personnel classification and pay plan established in
 137 accordance with ss. 110.205(2)(d) and 216.251(2)(a)2. for
 138 academic and academic administrative personnel, the provisions
 139 of chapter 110, and the provisions of law that grant authority

140 to the Department of Management Services over such programs for
 141 state employees.

142 6. Give preference in appointment and retention in
 143 positions of employment as provided within s. 295.07(1).

144 7. Ensure that the Florida School for the Deaf and the
 145 Blind complies with s. 1013.351 concerning the coordination of
 146 planning between the Florida School for the Deaf and the Blind
 147 and local governing bodies.

148 8. Ensure that the Florida School for the Deaf and the
 149 Blind complies with s. 112.061 concerning per diem and travel
 150 expenses of public officers, employees, and authorized persons
 151 with respect to all funds other than funds received as gifts,
 152 donations, or bequests, funds raised by or belonging to student
 153 clubs or student organizations, or funds held for specific
 154 students or in accounts for individual students.

155 9. Adopt a master plan which specifies the mission and
 156 objectives of the Florida School for the Deaf and the Blind. The
 157 plan shall include, but not be limited to, procedures for
 158 systematically measuring the school's progress toward meeting
 159 its objectives, analyzing changes in the student population, and
 160 modifying school programs and services to respond to such
 161 changes. The plan shall be for a period of 5 years and shall be
 162 reviewed for needed modifications every 2 years. The board of
 163 trustees shall submit the initial plan and subsequent
 164 modifications to the Speaker of the House of Representatives and
 165 the President of the Senate.

166 10. Designate a portion of the school as "The Verle Allyn
167 Pope Complex for the Deaf," in tribute to the late Senator Verle
168 Allyn Pope.

169 (8) CAMPUS POLICE.--

170 (b) Each Florida School for the Deaf and the Blind campus
171 police officer is a law enforcement officer of the state and a
172 conservator of the peace who has the authority to arrest, in
173 accordance with the laws of this state, any person for a
174 violation of state law or applicable county or municipal
175 ordinance if that violation occurs on or in any property or
176 facilities of the school. A campus police officer may also
177 arrest a person off campus for a violation committed on campus
178 after a hot pursuit of that person which began on campus. A
179 campus police officer shall have full authority to bear arms in
180 the performance of the officer's duties and carry out a search
181 pursuant to a search warrant on the campus. Florida School for
182 the Deaf and the Blind campus police, upon request of the
183 sheriff or local police authority, may serve subpoenas or other
184 legal process and may make arrests of persons against whom
185 arrest warrants have been issued or against whom charges have
186 been made for violations of federal or state laws or county or
187 municipal ordinances. Campus police officers shall have
188 authority to enforce traffic laws within the boundaries of the
189 campus in accordance with s. 316.640.

190 (d) The campus police must meet the minimum standards
191 established by the Criminal Justice Standards and Training
192 Commission of the Department of Law Enforcement and chapter 943
193 for law enforcement officers. Each campus police officer must,

194 before entering into the performance of the officer's duties,
 195 take the oath of office established by the board of trustees.
 196 ~~The board of trustees may obtain and approve a bond on each~~
 197 ~~campus police officer, conditioned upon the officer's faithful~~
 198 ~~performance of the officer's duties, which bond must be payable~~
 199 ~~to the Governor. The board of trustees may determine the amount~~
 200 ~~of the bond. In determining the amount of the bond, the board~~
 201 ~~may consider the amount of money or property likely to be in the~~
 202 ~~eustody of the officer at any one time.~~ The board of trustees
 203 must provide a uniform set of identifying credentials to each
 204 campus police officer it employs.

205 Section 2. Paragraph (b) of subsection (1) of section
 206 1013.31, Florida Statutes, is amended to read:

207 1013.31 Educational plant survey; localized need
 208 assessment; PECO project funding.--

209 (1) At least every 5 years, each board shall arrange for
 210 an educational plant survey, to aid in formulating plans for
 211 housing the educational program and student population, faculty,
 212 administrators, staff, and auxiliary and ancillary services of
 213 the district or campus, including consideration of the local
 214 comprehensive plan. The Office of Workforce and Economic
 215 Development shall document the need for additional career and
 216 adult education programs and the continuation of existing
 217 programs before facility construction or renovation related to
 218 career or adult education may be included in the educational
 219 plant survey of a school district or community college that
 220 delivers career or adult education programs. Information used by
 221 the Office of Workforce and Economic Development to establish

222 facility needs must include, but need not be limited to, labor
 223 market data, needs analysis, and information submitted by the
 224 school district or community college.

225 (b) Required need assessment criteria for district,
 226 community college, college and state university, and Florida
 227 School for the Deaf and the Blind plant surveys.--Educational
 228 plant surveys must use uniform data sources and criteria
 229 specified in this paragraph. Each revised educational plant
 230 survey and each new educational plant survey supersedes previous
 231 surveys.

232 1. The school district's survey must be submitted as a
 233 part of the district educational facilities plan defined in s.
 234 1013.35. To ensure that the data reported to the Department of
 235 Education as required by this section is correct, the department
 236 shall annually conduct an onsite review of 5 percent of the
 237 facilities reported for each school district completing a new
 238 survey that year. If the department's review finds the data
 239 reported by a district is less than 95 percent accurate, within
 240 1 year from the time of notification by the department the
 241 district must submit revised reports correcting its data. If a
 242 district fails to correct its reports, the commissioner may
 243 direct that future fixed capital outlay funds be withheld until
 244 such time as the district has corrected its reports so that they
 245 are not less than 95 percent accurate.

246 2. Each survey of a special facility, joint-use facility,
 247 or cooperative career education facility must be based on
 248 capital outlay full-time equivalent student enrollment data
 249 prepared by the department for school districts, community

250 colleges, colleges, and universities. A survey of space needs of
251 a joint-use facility shall be based upon the respective space
252 needs of the school districts, community colleges, colleges, and
253 universities, as appropriate. Projections of a school district's
254 facility space needs may not exceed the norm space and occupant
255 design criteria established by the State Requirements for
256 Educational Facilities.

257 3. Each community college's survey must reflect the
258 capacity of existing facilities as specified in the inventory
259 maintained by the Department of Education. Projections of
260 facility space needs must comply with standards for determining
261 space needs as specified by rule of the State Board of
262 Education. The 5-year projection of capital outlay student
263 enrollment must be consistent with the annual report of capital
264 outlay full-time student enrollment prepared by the Department
265 of Education.

266 4. Each college and state university's survey must reflect
267 the capacity of existing facilities as specified in the
268 inventory maintained and validated by the Division of Colleges
269 and Universities. Projections of facility space needs must be
270 consistent with standards for determining space needs approved
271 by the Division of Colleges and Universities. The projected
272 capital outlay full-time equivalent student enrollment must be
273 consistent with the 5-year planned enrollment cycle for the
274 State University System approved by the Division of Colleges and
275 Universities.

276 5. The district educational facilities plan of a school
277 district and the educational plant survey of a community

HB 429

2006

278 | college, ~~or~~ college or state university, or the Florida School
279 | for the Deaf and the Blind may include space needs that deviate
280 | from approved standards for determining space needs if the
281 | deviation is justified by the district or institution and
282 | approved by the department, as necessary for the delivery of an
283 | approved educational program.

284 | Section 3. This act shall take effect July 1, 2006.