



1           b. Has no district-operated school that earns a grade  
2 of "F" under s. 1008.34;

3           2. Complies with all class size requirements in s. 1,  
4 Art. IX, of the State Constitution and s. 1003.03; and

5           3. Has no material weaknesses or instances of material  
6 noncompliance noted in the annual financial audit conducted  
7 pursuant to s. 218.39.

8           (b) A school district that satisfies the eligibility  
9 criteria for designation as an academically high-performing  
10 school district may be so designated if it reports to the  
11 State Board of Education the specific statutes or rules from  
12 which the school district is exempt for 3 years.

13           (c) The academically high-performing school district  
14 shall retain the designation as a high-performing school  
15 district for 3 years, at the end of which time the district  
16 may renew the designation if the district meets the  
17 requirements in this section. A school district that fails to  
18 meet the requirements in this section shall provide written  
19 notification to the State Board of Education that the district  
20 is no longer eligible to be designated as an academically  
21 high-performing school district.

22           (d) In order to maintain the designation as an  
23 academically high-performing school district pursuant to this  
24 section, a school district must meet the following  
25 requirements:

26           1. Comply with the provisions of subparagraphs(a)2.  
27 and 3.; and

28           2. Earn a grade of "A" under s. 1008.34(7) for 2 years  
29 within a 3-year period.

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1 However, a district in which a district-operated school earns  
2 a grade of "F" under s. 1008.34 during the 3-year period may  
3 not continue to be designated as an academically  
4 high-performing school district during the remainder of that  
5 3-year period. The district must meet the criteria in  
6 paragraph (a) in order to be redesignated as an academically  
7 high-performing school district.

8 (2) EXEMPTION FROM STATUTES AND RULES.--An  
9 academically high-performing school district may not be exempt  
10 from any of the following statutes:

11 (a) Those statutes pertaining to the provision of  
12 services to students with disabilities.

13 (b) Those statutes pertaining to civil rights,  
14 including s. 1000.05, relating to discrimination.

15 (c) Those statutes pertaining to student health,  
16 safety, and welfare.

17 (d) Those statutes governing the election or  
18 compensation of district school board members.

19 (e) Those statutes pertaining to the student  
20 assessment program and the school grading system, including  
21 chapter 1008.

22 (f) Those statutes pertaining to financial matters,  
23 including chapter 1010, except that s. 1010.20(3)(a)1., 2.,  
24 and 3., relating to the required program expenditure levels,  
25 are eligible for exemption.

26 (g) Those statutes pertaining to planning and  
27 budgeting, including chapter 1011, except that the following  
28 sections are eligible for exemption:

29 1. Section 1011.62(9)(d), relating to the requirement  
30 for a comprehensive reading plan; and  
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1           2. Section 1011.71(2), relating to the district school  
2 tax, in order to provide funds for property insurance and  
3 casualty insurance.

4           (h) Sections 1012.22(1)(c) and 1012.27(2), relating to  
5 differentiated pay and performance-pay policies for school  
6 administrators and instructional personnel. Professional  
7 service contracts are subject to the provisions of ss. 1012.33  
8 and 1012.34.

9           (i) Those statutes pertaining to educational  
10 facilities, including chapter 1013, except that s. 1013.20,  
11 relating to covered walkways for portables, and s. 1013.21,  
12 relating to the use of relocatable facilities that exceed 20  
13 years of age, are eligible for exemption.

14           (j) Those statutes relating to instructional  
15 materials, except that s. 1006.37, relating to the requisition  
16 of state-adopted materials from the depository under contract  
17 with the publisher, and s. 1006.40(3)(a), relating to the use  
18 of 50 percent of the instructional materials allocation, shall  
19 be eligible for exemption.

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21 A district that is exempt from submitting a K-12 comprehensive  
22 reading plan pursuant to s. 1011.62(9)(d) shall be deemed  
23 approved to receive the research-based reading instruction  
24 allocation.

25           (3) COMPLIANCE REQUIREMENTS.--An academically  
26 high-performing school district shall comply with the  
27 following statutes:

28           (a) Section 286.011, relating to public meetings and  
29 records, public inspection, and criminal and civil penalties.

30           (b) Those statutes pertaining to public records,  
31 including chapter 119.

1           (c) Those statutes pertaining to financial disclosure  
2 by elected officials.

3           (d) Those statutes pertaining to conflicts of interest  
4 by elected officials.

5           (4) GOVERNING BOARD.--The governing board of the  
6 academically high-performing school district shall be the duly  
7 elected district school board. The district school board shall  
8 supervise the academically high-performing school district.

9           (5) REPORTS.--The academically high-performing school  
10 district shall submit to the State Board of Education and the  
11 Legislature an annual report on December 1 which delineates  
12 the performance of the school district relative to the  
13 academic performance of students at each grade level in  
14 reading, writing, mathematics, science, and any other subject  
15 that is included as a part of the statewide assessment program  
16 in s. 1008.22. The annual report shall be submitted in a  
17 format prescribed by the Department of Education and shall  
18 include, but need not be limited to, the following:

19           (a) Longitudinal performance of students in  
20 mathematics, reading, writing, science, and any other subject  
21 that is included as a part of the statewide assessment program  
22 in s. 1008.22;

23           (b) Longitudinal performance of students by grade  
24 level and subgroup in mathematics, reading, writing, science,  
25 and any other subject that is included as a part of the  
26 statewide assessment program in s. 1008.22;

27           (c) Longitudinal performance regarding efforts to  
28 close the achievement gap;

29           (d)1. Number and percentage of students who take an  
30 Advanced Placement Examination; and

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1           2. Longitudinal performance regarding students who  
2 take an Advanced Placement Examination by demographic group,  
3 specifically by age, gender, race, and Hispanic origin, and by  
4 participation in the National School Lunch Program.

5           (e) Evidence of compliance with subsection (1); and

6           (f) A description of each waiver and the status of  
7 each waiver.

8           Section 2. The State Board of Education shall identify  
9 any reporting requirements in state law which duplicate the  
10 requirements for reporting under the federal No Child Left  
11 Behind Act and make recommendations to the Legislature by  
12 December 1, 2007, for eliminating duplicative requirements in  
13 state law.

14           Section 3. This act shall take effect upon becoming a  
15 law.

1                   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
2                                   COMMITTEE SUBSTITUTE FOR  
3   SB 1228

4 The committee substitute provides criteria for designating  
5 academically high-performing school districts:  
6 -Earning an "A" for 2 consecutive years;  
7 -Having no district-operated school that earns an "F";  
8 -Meeting all class size requirements;  
9 -Having no material weakness in an annual financial audit; and  
10 -Reporting the list of exempt laws and rules to the State  
    Board of Education.

11 The designation may be retained for 3 years, if the district  
12 complies with all the initial eligibility criteria and earns  
13 at least a grade of "A" for 2 years within a 3-year period.  
14 However, a district may not retain the designation if a  
    district-operated school earns a grade of "F" during the  
    3-year period.

15 The committee substitute also provides for exempting these  
16 districts from complying with specific laws relating to:  
17 -Program expenditure levels in the Florida Education Finance  
18 Program for kindergarten through grade 12;  
19 -Submission of an annual K-12 comprehensive reading plan;  
20 -Requirements for covered walkways for relocatable facilities;  
21 -Requirements for the use of relocatable facilities that are  
22 older than 20 years; and  
23 -Requirements for instructional materials, specifically for  
24 obtaining instructional materials from the textbook depository  
25 and using at least 50 percent of the instructional materials  
26 allocation for state-adopted materials.

27 A district may not be exempt from specific laws, including  
28 laws related to health, safety, and welfare, public meetings  
29 and public records, financial disclosure, and conflicts of  
30 interest by public officials.

31 The committee substitute creates an additional use for  
    discretionary millage levied by a district school board. A  
    high-performing school district may pay for property and  
    casualty insurance with revenues generated from its  
    discretionary two mill tax levy.

The committee substitute also provides for renewing the  
designations at the end of 3 years and specifies a district's  
requirements for reporting academic performance to the State  
Board of Education and the Legislature.

The State Board of Education must make recommendations to the

1 | Legislature for eliminating any reporting requirements in  
2 | state law that duplicate those in the federal No Child Left  
3 | Behind Act.  
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