

By the Committee on Education Pre-K - 12 Appropriations; and
Senator Wise

602-2680-07

1 A bill to be entitled

2 An act relating to the Governor's School for

3 Science and Technology; creating s. 1002.371,

4 F.S.; establishing the school within the

5 Florida K-20 public education system and the

6 Department of Education; providing for the

7 Governor's School for Science and Technology to

8 offer intensive instruction for students in

9 grades 9 through 12 and summer programs for

10 teachers; providing for the school to be

11 located in Brevard County; providing for a

12 board of trustees to be appointed by the

13 Governor and subject to confirmation by the

14 Senate; providing for terms of office;

15 providing for members of the board of trustees

16 to be reimbursed for travel expenses;

17 authorizing the board of trustees to adopt

18 rules, subject to approval by the State Board

19 of Education; providing powers and duties of

20 the board of trustees; requiring the board of

21 trustees to submit a progress report; providing

22 requirements for legislative budget requests;

23 providing for funding the Governor's School for

24 Science and Technology in the General

25 Appropriations Act; requiring that students

26 enrolled in the school be recorded as enrolled

27 in their home school district for purposes of

28 funding; amending ss. 1000.04, 1002.20, and

29 1003.02, F.S., relating to the components for

30 the delivery of public education, the rights of

31 students and parents concerning public school

1 choice, and parental notice of acceleration
2 mechanisms by district school boards;
3 conforming provisions to changes made by the
4 act; providing an effective date.
5

6 Be It Enacted by the Legislature of the State of Florida:
7

8 Section 1. Section 1002.371, Florida Statutes, is
9 created to read:

10 1002.371 Governor's School for Science and
11 Technology.--The Governor's School for Science and Technology
12 is established within the Florida K-20 public education system
13 and shall be administratively housed within the Department of
14 Education.

15 (1) The mission of the Governor's School for Science
16 and Technology is to provide advanced educational
17 opportunities in the areas of science, mathematics,
18 engineering, and technology in a residential setting with
19 highly qualified scientists and instructors organized and
20 provided in short periods of intensive specialized real-life
21 learning experiences for highly motivated and talented
22 students in grades 9 through 12.

23 (2) The school shall be located in Brevard County and
24 be situated where a formal partnership between the school and
25 the Kennedy Space Center may readily be established and
26 maintained to provide real-life learning experiences for
27 students. The attendance area for the school is the entire
28 state; however, admission to the school is a privilege
29 reserved for those qualified students who are selected through
30 a statewide application and qualification system and is not a
31 right afforded to the general population of students in this

1 state. Students enrolled in the school must reside on the
2 school's premises and be under the control of the school.

3 (3) The board of trustees created in subsection (5)
4 shall take such actions as are necessary for planning and
5 establishing the Governor's School for Science and Technology
6 as provided in this section. The board shall submit a progress
7 report to the Commissioner of Education, the Governor, the
8 President of the Senate, and the Speaker of the House of
9 Representatives by January 1, 2008, which must include a
10 timeline for future actions to be completed and a summary of
11 the legislative budget request for the 2008-2009 fiscal year.

12 (4) It is the intent of the Legislature that existing
13 facilities be used for the school and that by the 2009-2010
14 school year the school begin offering:

15 (a) Advanced learning opportunities in the areas of
16 mathematics, science, engineering, and technology to qualified
17 students; and

18 (b) Summer programs for elementary, middle, and high
19 school teachers.

20 (5)(a) A board of trustees is created for the
21 Governor's School for Science and Technology which shall
22 consist of seven members. The trustees shall be appointed by
23 the Governor and are subject to confirmation by the Senate.
24 Trustees shall be appointed to 4-year terms, except that the
25 initial terms shall be staggered so that three members are
26 appointed to 4-year terms, two members are appointed to 3-year
27 terms, and two members are appointed to 2-year terms. The
28 Governor may remove any member for cause and shall fill all
29 vacancies that occur.

30 (b) The board of trustees shall elect a chair
31 annually. The trustees are entitled to reimbursement for

1 travel expenses as provided in s. 112.061, the accounts of
2 which shall be paid by the Chief Financial Officer upon
3 itemized vouchers duly approved by the chair.

4 (c) The board of trustees may adopt rules pursuant to
5 ss. 120.536(1) and 120.54 to implement provisions of law
6 relating to operation of the Governor's School for Science and
7 Technology. Such rules shall be submitted to the State Board
8 of Education for approval or disapproval. After a rule is
9 approved by the State Board of Education, the rule shall be
10 filed immediately with the Department of State. The board of
11 trustees shall act at all times in conjunction with the rules
12 of the State Board of Education.

13 (d) The board of trustees is a body corporate and
14 shall have a corporate seal. Unless otherwise provided by law,
15 all actions of the board of trustees shall be consistent with
16 all laws and rules applicable to state agencies. Title to any
17 gift, donation, or bequest received by the board of trustees
18 pursuant to subparagraph (e)11. shall vest in the board of
19 trustees. Title to all other property and other assets of the
20 Governor's School for Science and Technology shall vest in the
21 State Board of Education, but the board of trustees shall have
22 complete jurisdiction over the management of the school.

23 (e) The board of trustees has full power and authority
24 to:

25 1. Appoint or remove a director, faculty, teachers,
26 and other employees according to its best judgment and fix
27 their compensation.

28 2. Procure professional services such as architectural
29 and engineering services.

30 3. Procure legal services without the prior written
31 approval of the Attorney General.

1 4. Determine eligibility of students and procedure for
2 admission, including, but not limited to:

3 a. The requirements that an individual must meet in
4 order to be qualified for admission to the Governor's School
5 for Science and Technology and the standards by which
6 applicants will be selected for admission to the school.
7 Priority must be given to individuals who excel or demonstrate
8 interest in the areas of mathematics, science, engineering, or
9 technology. The requirements and standards may include, but
10 need not be limited to, scores on tests or favorable
11 recommendations from teachers or other school officials.

12 b. The number of students that may be enrolled at the
13 school based on the resources that are available.

14 c. The procedures by which an individual may apply for
15 admission to the school or appeal a decision concerning an
16 application to attend the school.

17 5. Provide necessary housing, food, and transportation
18 for students while attending the school and the cost of
19 transportation from their home to the school and return.

20 6. Provide for the proper keeping of accounts and
21 records and for budgeting of funds.

22 7. Enter into contracts.

23 8. Sue and be sued.

24 9. Secure public liability insurance.

25 10. Do and perform every other matter or thing
26 requisite to the proper management, maintenance, support, and
27 control of the school at the highest efficiency economically
28 possible, taking into consideration the purposes of the
29 school.

30 11. Receive gifts, donations, and bequests of money or
31 property, real or personal, tangible or intangible, from any

1 person, firm, corporation, or other legal entity. However, the
2 board of trustees may not obligate the state to any
3 expenditure or policy that is not specifically authorized by
4 law. If the bill of sale, will, trust indenture, deed, or
5 other legal conveyance specifies terms and conditions
6 concerning the use of such money or property, the board of
7 trustees shall observe such terms and conditions.

8 12. Sell or convey by bill of sale, deed, or other
9 legal instrument any property, real or personal, received as a
10 gift, donation, or bequest, upon such terms and conditions as
11 the board of trustees considers to be in the best interest of
12 the school and its students.

13 13. Invest such moneys in securities enumerated under
14 s. 215.47(1), (2)(c), (3), (4), and (9), and in The Common
15 Fund, an Investment Management Fund exclusively for nonprofit
16 educational institutions.

17 (f) The board of trustees shall:

18 1. Annually prepare and submit a legislative budget
19 request for the Governor's School for Science and Technology.
20 The legislative budget request shall be prepared using the
21 same format, procedures, and timelines required for the
22 submission of the legislative budget of the Department of
23 Education. The legislative budget request shall be submitted
24 to the department for review and approval. Subsequent to the
25 department's approval, the commissioner shall include the
26 Governor's School for Science and Technology in the
27 department's legislative budget request to the State Board of
28 Education, the Governor, and the Legislature. The legislative
29 budget request and the appropriation for the Governor's School
30 for Science and Technology shall be a separate identifiable
31 sum in the public schools budget entity of the Department of

1 Education. The annual appropriation for the school shall be
2 distributed monthly in payments as nearly equal as possible.
3 2. Approve and administer an annual operating budget.
4 3. Require all funds received other than gifts,
5 donations, bequests, funds raised by or belonging to student
6 clubs or student organizations, and funds held for specific
7 students or in accounts for individual students to be
8 deposited in the State Treasury and expended as authorized in
9 the General Appropriations Act.
10 4. Require all purchases to be in accordance with the
11 provisions of chapter 287, except for purchases made with
12 funds received as gifts, donations, or bequests; funds raised
13 by or belonging to student clubs or student organizations; or
14 funds held for specific students or in accounts for individual
15 students.
16 5. Administer and maintain personnel programs for all
17 employees of the board of trustees and the Governor's School
18 for Science and Technology who shall be state employees,
19 including the personnel classification and pay plan
20 established in accordance with ss. 110.205(2)(d) and
21 216.251(2)(a)2. for academic and academic administrative
22 personnel, the provisions of chapter 110, and the provisions
23 of law that grant authority to the Department of Management
24 Services over such programs for state employees.
25 6. Give preference in appointment and retention in
26 positions of employment as provided within s. 295.07(1).
27 7. Ensure that the Governor's School for Science and
28 Technology complies with s. 1013.351 concerning the
29 coordination of planning between the school and local
30 governing bodies.
31

1 (6) If the Board of Trustees for the Governor's School
2 for Science and Technology determines that a specific
3 requirement of the School Code prohibits the implementation of
4 an innovative instructional practice by the Governor's School
5 for Science and Technology, the school shall provide a report
6 to the Legislature explaining the desired practice and the
7 statute that prohibits its implementation.

8 (7) Funding for instruction, room, board, and
9 transportation of students and for the operation of the
10 Governor's School for Science and Technology shall be as
11 authorized in the General Appropriations Act. Other funding
12 for the Governor's School for Science and Technology may be
13 provided from:

14 (a) Appropriations from the Legislature or a state
15 agency; and

16 (b) Contributions or endowments from private entities.

17 (8) Students who are approved for attendance at the
18 Governor's School for Science and Technology shall continue to
19 be recorded as enrolled and in attendance for the purpose of
20 funding in their home school district for the period of time
21 the student is away attending the Governor's School for
22 Science and Technology.

23 Section 2. Subsection (5) is added to section 1000.04,
24 Florida Statutes, to read:

25 1000.04 Components for the delivery of public
26 education within the Florida K-20 education system.--Florida's
27 K-20 education system provides for the delivery of public
28 education through publicly supported and controlled K-12
29 schools, community colleges, state universities and other
30 postsecondary educational institutions, other educational
31

1 institutions, and other educational services as provided or
2 authorized by the Constitution and laws of the state.

3 (5) THE GOVERNOR'S SCHOOL FOR SCIENCE AND
4 TECHNOLOGY.--The Governor's School for Science and Technology
5 is a component of the delivery of public education within
6 Florida's K-20 education system.

7 Section 3. Paragraph (a) of subsection (6) of section
8 1002.20, Florida Statutes, is amended to read:

9 1002.20 K-12 student and parent rights.--Parents of
10 public school students must receive accurate and timely
11 information regarding their child's academic progress and must
12 be informed of ways they can help their child to succeed in
13 school. K-12 students and their parents are afforded numerous
14 statutory rights including, but not limited to, the following:

15 (6) EDUCATIONAL CHOICE.--

16 (a) Public school choices.--Parents of public school
17 students may seek whatever public school choice options that
18 are applicable to their students and are available to students
19 in their school districts. These options may include
20 controlled open enrollment, lab schools, charter schools,
21 charter technical career centers, magnet schools, alternative
22 schools, special programs, advanced placement, dual
23 enrollment, International Baccalaureate, International General
24 Certificate of Secondary Education (pre-AICE), Advanced
25 International Certificate of Education, early admissions,
26 credit by examination or demonstration of competency, the New
27 World School of the Arts, the Florida School for the Deaf and
28 the Blind, the Governor's School for Science and Technology,
29 and the Florida Virtual School. These options may also include
30 the public school choice options of the Opportunity
31

1 Scholarship Program and the McKay Scholarships for Students
2 with Disabilities Program.

3 Section 4. Paragraph (i) of subsection (1) of section
4 1003.02, Florida Statutes, is amended to read:

5 1003.02 District school board operation and control of
6 public K-12 education within the school district.--As provided
7 in part II of chapter 1001, district school boards are
8 constitutionally and statutorily charged with the operation
9 and control of public K-12 education within their school
10 district. The district school boards must establish, organize,
11 and operate their public K-12 schools and educational
12 programs, employees, and facilities. Their responsibilities
13 include staff development, public K-12 school student
14 education including education for exceptional students and
15 students in juvenile justice programs, special programs, adult
16 education programs, and career education programs.

17 Additionally, district school boards must:

18 (1) Provide for the proper accounting for all students
19 of school age, for the attendance and control of students at
20 school, and for proper attention to health, safety, and other
21 matters relating to the welfare of students in the following
22 fields:

23 (i) Parental notification of acceleration
24 mechanisms.--At the beginning of each school year, notify
25 parents of students in or entering high school of the
26 opportunity and benefits of advanced placement, International
27 Baccalaureate, Advanced International Certificate of
28 Education, dual enrollment, the Governor's School for Science
29 and Technology, and Florida Virtual School courses.

30 Section 5. This act shall take effect July 1, 2007.
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1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 Senate Bill 2598
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5 -The mission of the Governor's School for Science and
6 Technology will also include advanced educational
7 opportunities in engineering.
8
9 -The school shall be established within the K-20 public
10 education system and administratively housed in the Department
11 of Education.
12
13 -The school will be managed by a 7-member board of trustees,
14 rather than operated by the Florida Virtual School.
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16 -The board will be responsible for planning and establishing
17 the school; appointing the staff; procuring professional and
18 legal services; determining student eligibility and
19 enrollment; developing application procedures; providing
20 housing, food, and transportation; providing accounting and
21 budgeting operations; entering into contracts; taking legal
22 action; securing public liability insurance; managing,
23 maintaining, and supporting the school; receiving gifts,
24 donations, and bequests for the school unless terms are
25 illegal; making property transactions, if legal, for the
26 school; investing such funds in securities and the Common
27 Fund; annually submitting legislative budget requests;
28 depositing funds other than gifts and bequests in the State
29 Treasury; making all purchases in accordance with chapter 287;
30 administering and maintaining personnel programs for all
31 employees; giving preference to veterans in employment; and
 coordinating planning efforts with local governing bodies.
 -The board shall provide a report to the Legislature if a
 statute in the school code prohibits an innovative educational
 practice.
 -Funding shall be as authorized in the General Appropriations
 Act in a separate amount in the public schools budget entity.
 -Students attending the school shall continue to be reported
 for funding in their home school districts.