

By Senator Wise

5-00020-08

2008234__

1 A bill to be entitled
2 An act relating to the Governor's School for Science and
3 Technology; creating s. 1002.371, F.S.; establishing the
4 school within the Florida K-20 public education system and
5 the Department of Education; providing for the Governor's
6 School for Science and Technology to offer intensive
7 instruction for students in grades 9 through 12 and summer
8 programs for teachers; providing for the school to be
9 located in Brevard County; providing for a board of
10 trustees to be appointed by the Governor and subject to
11 confirmation by the Senate; providing for terms of office;
12 providing for members of the board of trustees to be
13 reimbursed for travel expenses; authorizing the board of
14 trustees to adopt rules, subject to approval by the State
15 Board of Education; providing powers and duties of the
16 board of trustees; requiring the board of trustees to
17 submit a progress report; providing requirements for
18 legislative budget requests; providing for funding the
19 Governor's School for Science and Technology in the
20 General Appropriations Act and from private entities;
21 requiring that students enrolled in the school be recorded
22 as enrolled in their home school district for purposes of
23 funding; amending ss. 110.205, 216.251, 1000.04, 1002.20,
24 and 1003.02, F.S., relating to exemptions concerning
25 career service positions, appropriations for salaries, the
26 components of the delivery of public education, the rights
27 of students and parents concerning public school choice,
28 and parental notice of acceleration mechanisms by district
29 school boards; conforming provisions to changes made by

5-00020-08

2008234__

30 the act; providing an effective date.

31
32 Be It Enacted by the Legislature of the State of Florida:

33
34 Section 1. Section 1002.371, Florida Statutes, is created
35 to read:

36 1002.371 Governor's School for Science and Technology.--The
37 Governor's School for Science and Technology is established
38 within the Florida K-20 public education system and shall be
39 administratively housed within the Department of Education.

40 (1) The mission of the Governor's School for Science and
41 Technology is to provide advanced educational classes in the
42 areas of science, mathematics, engineering, and technology in a
43 residential setting which are taught by highly qualified
44 scientists and instructors and organized and provided in short
45 periods of intensive specialized real-life learning experiences
46 for highly motivated and talented students in grades 9 through
47 12.

48 (2) The school shall be located in Brevard County and be
49 situated where a formal partnership between the school and the
50 Kennedy Space Center may readily be established and maintained in
51 order to provide real-life learning experiences for students. The
52 attendance area for the school is the entire state; however,
53 admission to the school is a privilege reserved for those
54 qualified students who are selected through a statewide
55 application and qualification system and is not a right afforded
56 to the general population of students in this state. Students
57 enrolled in the school must reside on the school's premises and
58 be under the control of the school.

5-00020-08

2008234__

59 (3) The board of trustees created in subsection (5) shall
60 take such actions as are necessary for planning and establishing
61 the Governor's School for Science and Technology as provided in
62 this section. The board shall submit a progress report to the
63 Commissioner of Education, the Governor, the President of the
64 Senate, and the Speaker of the House of Representatives by
65 January 1, 2009, which must include a timeline for future actions
66 to be completed and a summary of the legislative budget request
67 for the 2009-2010 fiscal year.

68 (4) It is the intent of the Legislature that existing
69 facilities be used for the school and that by the 2010-2011
70 school year the school begin offering:

71 (a) Advanced learning opportunities in the areas of
72 mathematics, science, engineering, and technology to qualified
73 students; and

74 (b) Summer programs for elementary, middle, and high school
75 teachers.

76 (5) (a) A board of trustees is created for the Governor's
77 School for Science and Technology which shall consist of seven
78 members. The trustees shall be appointed by the Governor and are
79 subject to confirmation by the Senate. Trustees shall be
80 appointed to 4-year terms, except that the initial terms shall be
81 staggered so that three members are appointed to 4-year terms,
82 two members are appointed to 3-year terms, and two members are
83 appointed to 2-year terms. The Governor may remove any member for
84 cause and shall fill all vacancies that occur.

85 (b) The board of trustees shall elect a chair annually. The
86 trustees are entitled to reimbursement for travel expenses as
87 provided in s. 112.061, the accounts of which shall be paid by

5-00020-08

2008234__

88 the Chief Financial Officer upon itemized vouchers duly approved
89 by the chair.

90 (c) The board of trustees may adopt rules pursuant to ss.
91 120.536(1) and 120.54 to implement provisions of law relating to
92 operation of the Governor's School for Science and Technology.
93 Such rules shall be submitted to the State Board of Education for
94 approval or disapproval. After a rule is approved by the State
95 Board of Education, the rule shall be filed immediately with the
96 Department of State. The board of trustees shall act at all times
97 in conjunction with the rules of the State Board of Education.

98 (d) The board of trustees is a body corporate and shall
99 have a corporate seal. Unless otherwise provided by law, all
100 actions of the board of trustees shall be consistent with all
101 laws and rules applicable to state agencies. Title to any gift,
102 donation, or bequest received by the board of trustees pursuant
103 to subparagraph (e)11. shall vest in the board of trustees. Title
104 to all other property and other assets of the Governor's School
105 for Science and Technology shall vest in the State Board of
106 Education, but the board of trustees has complete jurisdiction
107 over the management of the school.

108 (e) The board of trustees may:

109 1. Appoint or remove a director, faculty, teachers, and
110 other employees according to its best judgment and to fix their
111 compensation.

112 2. Procure professional services such as architectural and
113 engineering services.

114 3. Procure legal services without the prior written
115 approval of the Attorney General.

116 4. Determine eligibility of students and procedures for

5-00020-08

2008234__

117 admission, including, but not limited to:

118 a. The requirements that an individual must meet in order
119 to be qualified for admission to the Governor's School for
120 Science and Technology and the standards by which applicants will
121 be selected for admission to the school. Priority must be given
122 to individuals who excel or demonstrate interest in the areas of
123 mathematics, science, engineering, or technology. The
124 requirements and standards may include, but need not be limited
125 to, scores on tests or favorable recommendations from teachers or
126 other school officials.

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

129 c. The procedures by which an individual may apply for
130 admission to the school or appeal a decision concerning an
131 application to attend the school.

132 5. Provide necessary housing, food, and transportation for
133 students while attending the school and the cost of
134 transportation from their home to the school and return.

135 6. Provide for the proper keeping of accounts and records
136 and for budgeting of funds.

137 7. Enter into contracts.

138 8. Sue and be sued.

139 9. Secure public liability insurance.

140 10. Do and perform every other matter or thing requisite to
141 the proper management, maintenance, support, and control of the
142 school at the highest efficiency economically possible, taking
143 into consideration the purposes of the school.

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

5-00020-08

2008234__

146 person, firm, corporation, or other legal entity. However, the
147 board of trustees may not obligate the state to any expenditure
148 or policy that is not specifically authorized by law. If the bill
149 of sale, will, trust indenture, deed, or other legal conveyance
150 specifies terms and conditions concerning the use of such money
151 or property, the board of trustees shall observe such terms and
152 conditions.

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

158 13. Invest such moneys in securities enumerated under s.
159 215.47(1), (2)(c), (3), (4), and (9), and in The Common Fund, an
160 Investment Management Fund exclusively for nonprofit educational
161 institutions.

162 (f) The board of trustees shall:

163 1. Annually prepare and submit a legislative budget request
164 for the Governor's School for Science and Technology. The
165 legislative budget request shall be prepared using the same
166 format, procedures, and timelines required for the submission of
167 the legislative budget of the Department of Education. The
168 school's legislative budget request shall be submitted to the
169 department for review and approval. Subsequent to the
170 department's approval, the commissioner shall include the
171 Governor's School for Science and Technology in the department's
172 legislative budget request to the State Board of Education, the
173 Governor, and the Legislature. The legislative budget request and
174 the appropriation for the Governor's School for Science and

5-00020-08

2008234__

175 Technology shall be a separate identifiable sum in the public
176 schools budget entity of the Department of Education. The annual
177 appropriation for the school shall be distributed monthly in
178 payments as nearly equal as possible.

179 2. Approve and administer an annual operating budget.

180 3. Require all funds received other than gifts, donations,
181 bequests, funds raised by or belonging to student clubs or
182 student organizations, and funds held for specific students or in
183 accounts for individual students to be deposited in the State
184 Treasury and expended as authorized in the General Appropriations
185 Act.

186 4. Require all purchases to be in accordance with the
187 provisions of chapter 287, except for purchases made with funds
188 received as gifts, donations, or bequests; funds raised by or
189 belonging to student clubs or student organizations; or funds
190 held for specific students or in accounts for individual
191 students.

192 5. Administer and maintain personnel programs for all
193 employees of the board of trustees and the Governor's School for
194 Science and Technology, who shall be state employees, including
195 the personnel classification and pay plan established in
196 accordance with ss. 110.205(2)(d) and 216.251(2)(a)6. for
197 academic and academic administrative personnel, the provisions of
198 chapter 110, and the provisions of law that grant authority to
199 the Department of Management Services over such programs for
200 state employees.

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

203 7. Ensure that the Governor's School for Science and

5-00020-08

2008234__

204 Technology complies with procedures that are comparable to those
205 set out in s. 1013.351 concerning the coordination of planning
206 between the school and local governing bodies.

207 (6) If the Board of Trustees for the Governor's School for
208 Science and Technology determines that a specific requirement of
209 the School Code prohibits the implementation of an innovative
210 instructional practice by the Governor's School for Science and
211 Technology, the school shall provide a report to the Legislature
212 explaining the desired practice and the statute that prohibits
213 its implementation.

214 (7) Funding for instruction, room, board, and
215 transportation of students and for the operation of the
216 Governor's School for Science and Technology shall be as
217 authorized in the General Appropriations Act. Other funding for
218 the Governor's School for Science and Technology may be provided
219 from:

220 (a) Appropriations from the Legislature or a state agency;
221 and

222 (b) Contributions or endowments from private entities.

223 (8) Students who are approved for attendance at the
224 Governor's School for Science and Technology shall continue to be
225 recorded as enrolled and in attendance for the purpose of funding
226 in their home school district for the period of time the student
227 is away attending the Governor's School for Science and
228 Technology.

229 Section 2. Paragraph (d) of subsection (2) of section
230 110.205, Florida Statutes, is amended to read:

231 110.205 Career service; exemptions.--

232 (2) EXEMPT POSITIONS.--The exempt positions that are not

5-00020-08

2008234__

233 covered by this part include the following:

234 (d) All officers and employees of the state universities
235 and the academic personnel and academic administrative personnel
236 of the Florida School for the Deaf and the Blind and the
237 Governor's School for Science and Technology. In accordance with
238 ss. ~~the provisions of s.~~ 1002.36 and 1002.371, the salaries for
239 academic personnel and academic administrative personnel of the
240 Florida School for the Deaf and the Blind and the Governor's
241 School for Science and Technology shall be set by the board of
242 trustees for each respective ~~the~~ school, subject only to the
243 approval of the State Board of Education.

244 Section 3. Paragraph (a) of subsection (2) of section
245 216.251, Florida Statutes, is amended to read:

246 216.251 Salary appropriations; limitations.--

247 (2) (a) The salary for each position not specifically
248 indicated in the appropriations acts shall be as provided in one
249 of the following subparagraphs:

250 1. Within the classification and pay plans provided for in
251 chapter 110.

252 2. Within the classification and pay plans established by
253 the Board of Trustees for the Florida School for the Deaf and the
254 Blind of the Department of Education and approved by the State
255 Board of Education for academic and academic administrative
256 personnel.

257 3. Within the classification and pay plan approved and
258 administered by the Board of Governors or the designee of the
259 board for those positions in the State University System.

260 4. Within the classification and pay plan approved by the
261 President of the Senate and the Speaker of the House of

5-00020-08

2008234__

262 Representatives, as the case may be, for employees of the
263 Legislature.

264 5. Within the approved classification and pay plan for the
265 judicial branch.

266 6. Within the classification and pay plans established by
267 the Board of Trustees for the Governor's School for Science and
268 Technology of the Department of Education and approved by the
269 State Board of Education for academic and academic administrative
270 personnel.

271 Section 4. Subsection (5) is added to section 1000.04,
272 Florida Statutes, to read:

273 1000.04 Components for the delivery of public education
274 within the Florida K-20 education system.--Florida's K-20
275 education system provides for the delivery of public education
276 through publicly supported and controlled K-12 schools, community
277 colleges, state universities and other postsecondary educational
278 institutions, other educational institutions, and other
279 educational services as provided or authorized by the
280 Constitution and laws of the state.

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

285 Section 5. Paragraph (a) of subsection (6) of section
286 1002.20, Florida Statutes, is amended to read:

287 1002.20 K-12 student and parent rights.--Parents of public
288 school students must receive accurate and timely information
289 regarding their child's academic progress and must be informed of
290 ways they can help their child to succeed in school. K-12

5-00020-08

2008234__

291 students and their parents are afforded numerous statutory rights
292 including, but not limited to, the following:

293 (6) EDUCATIONAL CHOICE.--

294 (a) Public school choices.--Parents of public school
295 students may seek whatever public school choice options that are
296 applicable to their students and are available to students in
297 their school districts. These options may include controlled open
298 enrollment, lab schools, charter schools, charter technical
299 career centers, magnet schools, alternative schools, special
300 programs, advanced placement, dual enrollment, International
301 Baccalaureate, International General Certificate of Secondary
302 Education (pre-AICE), Advanced International Certificate of
303 Education, early admissions, credit by examination or
304 demonstration of competency, the New World School of the Arts,
305 the Florida School for the Deaf and the Blind, the Governor's
306 School for Science and Technology, and the Florida Virtual
307 School. These options may also include the public school choice
308 options of the Opportunity Scholarship Program and the McKay
309 Scholarships for Students with Disabilities Program.

310 Section 6. Paragraph (i) of subsection (1) of section
311 1003.02, Florida Statutes, is amended to read:

312 1003.02 District school board operation and control of
313 public K-12 education within the school district.--As provided in
314 part II of chapter 1001, district school boards are
315 constitutionally and statutorily charged with the operation and
316 control of public K-12 education within their school district.
317 The district school boards must establish, organize, and operate
318 their public K-12 schools and educational programs, employees,
319 and facilities. Their responsibilities include staff development,

5-00020-08

2008234__

320 public K-12 school student education including education for
321 exceptional students and students in juvenile justice programs,
322 special programs, adult education programs, and career education
323 programs. Additionally, district school boards must:

324 (1) Provide for the proper accounting for all students of
325 school age, for the attendance and control of students at school,
326 and for proper attention to health, safety, and other matters
327 relating to the welfare of students in the following fields:

328 (i) Parental notification of acceleration mechanisms.--At
329 the beginning of each school year, notify parents of students in
330 or entering high school of the opportunity and benefits of
331 advanced placement, International Baccalaureate, Advanced
332 International Certificate of Education, dual enrollment, the
333 Governor's School for Science and Technology, and Florida Virtual
334 School courses.

335 Section 7. This act shall take effect July 1, 2008.