

1                                   A bill to be entitled  
2           An act relating to the Governor's School for Space Science  
3           and Technology; creating s. 1002.371, F.S.; establishing  
4           the school within the Florida K-20 public education system  
5           and the Department of Education; providing for the  
6           Governor's School for Space Science and Technology to  
7           offer intensive instruction for students in grades 9  
8           through 12 and summer programs for teachers; providing for  
9           the school to be located in Brevard County; providing for  
10          a board of trustees to be appointed by the Governor and  
11          subject to confirmation by the Senate; providing for terms  
12          of office; providing for members of the board of trustees  
13          to be reimbursed for travel expenses; authorizing the  
14          board of trustees to adopt rules, subject to approval by  
15          the State Board of Education; providing powers and duties  
16          of the board of trustees; requiring the board of trustees  
17          to submit a progress report; providing requirements for  
18          legislative budget requests; providing for funding the  
19          Governor's School for Space 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  
 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 Space Science and  
 37 Technology.--The Governor's School for Space Science and  
 38 Technology is established within the Florida K-20 public  
 39 education system and shall be administratively housed within the  
 40 Department of Education.

41 (1) The mission of the Governor's School for Space Science  
 42 and Technology is to provide advanced educational classes in the  
 43 areas of science, mathematics, engineering, and technology in a  
 44 residential setting which are taught by highly qualified  
 45 scientists and instructors and organized and provided in short  
 46 periods of intensive specialized real-life learning experiences  
 47 for highly motivated and talented students in grades 9 through  
 48 12.

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

57 to the general population of students in this state. Students  
58 enrolled in the school must reside on the school's premises and  
59 be under the control of the school.

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

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

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

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

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

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85 any member for cause and shall fill all vacancies that occur.

86 (b) The board of trustees shall elect a chair annually.

87 The trustees are entitled to reimbursement for travel expenses

88 as provided in s. 112.061, the accounts of which shall be paid

89 by the Chief Financial Officer upon itemized vouchers duly

90 approved by the chair.

91 (c) The board of trustees may adopt rules pursuant to ss.

92 120.536(1) and 120.54 to implement provisions of law relating to

93 operation of the Governor's School for Space Science and

94 Technology. Such rules shall be submitted to the State Board of

95 Education for approval or disapproval. After a rule is approved

96 by the State Board of Education, the rule shall be filed

97 immediately with the Department of State. The board of trustees

98 shall act at all times in conjunction with the rules of the

99 State Board of Education.

100 (d) The board of trustees is a body corporate and shall

101 have a corporate seal. Unless otherwise provided by law, all

102 actions of the board of trustees shall be consistent with all

103 laws and rules applicable to state agencies. Title to any gift,

104 donation, or bequest received by the board of trustees pursuant

105 to subparagraph (e)11. shall vest in the board of trustees.

106 Title to all other property and other assets of the Governor's

107 School for Space Science and Technology shall vest in the State

108 Board of Education, but the board of trustees has complete

109 jurisdiction over the management of the school.

110 (e) The board of trustees may:

111 1. Appoint or remove a director, faculty, teachers, and

112 other employees according to its best judgment and to fix their

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- 113 compensation.
- 114 2. Procure professional services such as architectural and  
115 engineering services.
- 116 3. Procure legal services without the prior written  
117 approval of the Attorney General.
- 118 4. Determine eligibility of students and procedures for  
119 admission, including, but not limited to:
- 120 a. The requirements that an individual must meet in order  
121 to be qualified for admission to the Governor's School for Space  
122 Science and Technology and the standards by which applicants  
123 will be selected for admission to the school. Priority must be  
124 given to individuals who excel or demonstrate interest in the  
125 areas of mathematics, science, engineering, or technology. The  
126 requirements and standards may include, but need not be limited  
127 to, scores on tests or favorable recommendations from teachers  
128 or other school officials.
- 129 b. The number of students that may be enrolled at the  
130 school based on the resources that are available.
- 131 c. The procedures by which an individual may apply for  
132 admission to the school or appeal a decision concerning an  
133 application to attend the school.
- 134 5. Provide necessary housing, food, and transportation for  
135 students while attending the school and the cost of  
136 transportation from their home to the school and return.
- 137 6. Provide for the proper keeping of accounts and records  
138 and for budgeting of funds.
- 139 7. Enter into contracts.
- 140 8. Sue and be sued.

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141       9. Secure public liability insurance.

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

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

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

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

164       (f) The board of trustees shall:

165       1. Annually prepare and submit a legislative budget  
166 request for the Governor's School for Space Science and  
167 Technology. The legislative budget request shall be prepared  
168 using the same format, procedures, and timelines required for

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169 the submission of the legislative budget of the Department of  
170 Education. The school's legislative budget request shall be  
171 submitted to the department for review and approval. Subsequent  
172 to the department's approval, the commissioner shall include the  
173 Governor's School for Space Science and Technology in the  
174 department's legislative budget request to the State Board of  
175 Education, the Governor, and the Legislature. The legislative  
176 budget request and the appropriation for the Governor's School  
177 for Space Science and Technology shall be a separate  
178 identifiable sum in the public schools budget entity of the  
179 Department of Education. The annual appropriation for the school  
180 shall be distributed monthly in payments as nearly equal as  
181 possible.

182 2. Approve and administer an annual operating budget.

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

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

195 5. Administer and maintain personnel programs for all  
196 employees of the board of trustees and the Governor's School for

197 Space Science and Technology, who shall be state employees,  
 198 including the personnel classification and pay plan established  
 199 in accordance with ss. 110.205(2)(d) and 216.251(2)(a)6. for  
 200 academic and academic administrative personnel, the provisions  
 201 of chapter 110, and the provisions of law that grant authority  
 202 to the Department of Management Services over such programs for  
 203 state employees.

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

206 7. Ensure that the Governor's School for Space Science and  
 207 Technology complies with procedures that are comparable to those  
 208 set out in s. 1013.351 concerning the coordination of planning  
 209 between the school and local governing bodies.

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

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

223 (a) Appropriations from the Legislature or a state agency;  
 224 and



225           (b) Contributions or endowments from private entities.  
 226           (8) Students who are approved for attendance at the  
 227 Governor's School for Space Science and Technology shall  
 228 continue to be recorded as enrolled and in attendance for the  
 229 purpose of funding in their home school district for the period  
 230 of time the student is away attending the Governor's School for  
 231 Space Science and Technology.

232           Section 2. Paragraph (d) of subsection (2) of section  
 233 110.205, Florida Statutes, is amended to read:

234           110.205 Career service; exemptions.--

235           (2) EXEMPT POSITIONS.--The exempt positions that are not  
 236 covered by this part include the following:

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

247           Section 3. Paragraph (a) of subsection (2) of section  
 248 216.251, Florida Statutes, is amended to read:

249           216.251 Salary appropriations; limitations.--

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

253 1. Within the classification and pay plans provided for in  
254 chapter 110.

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

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

263 4. Within the classification and pay plan approved by the  
264 President of the Senate and the Speaker of the House of  
265 Representatives, as the case may be, for employees of the  
266 Legislature.

267 5. Within the approved classification and pay plan for the  
268 judicial branch.

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

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

276 1000.04 Components for the delivery of public education  
277 within the Florida K-20 education system.--Florida's K-20  
278 education system provides for the delivery of public education  
279 through publicly supported and controlled K-12 schools,  
280 community colleges, state universities and other postsecondary

281 | educational institutions, other educational institutions, and  
 282 | other educational services as provided or authorized by the  
 283 | Constitution and laws of the state.

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

288 | Section 5. Paragraph (a) of subsection (6) of section  
 289 | 1002.20, Florida Statutes, is amended to read:

290 | 1002.20 K-12 student and parent rights.--Parents of public  
 291 | school students must receive accurate and timely information  
 292 | regarding their child's academic progress and must be informed  
 293 | of ways they can help their child to succeed in school. K-12  
 294 | students and their parents are afforded numerous statutory  
 295 | rights including, but not limited to, the following:

296 | (6) EDUCATIONAL CHOICE.--

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

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309 School for Space Science and Technology, and the Florida Virtual  
310 School. These options may also include the public school choice  
311 options of the Opportunity Scholarship Program and the McKay  
312 Scholarships for Students with Disabilities Program.

313 Section 6. Paragraph (i) of subsection (1) of section  
314 1003.02, Florida Statutes, is amended to read:

315 1003.02 District school board operation and control of  
316 public K-12 education within the school district.--As provided  
317 in part II of chapter 1001, district school boards are  
318 constitutionally and statutorily charged with the operation and  
319 control of public K-12 education within their school district.  
320 The district school boards must establish, organize, and operate  
321 their public K-12 schools and educational programs, employees,  
322 and facilities. Their responsibilities include staff  
323 development, public K-12 school student education including  
324 education for exceptional students and students in juvenile  
325 justice programs, special programs, adult education programs,  
326 and career education programs. Additionally, district school  
327 boards must:

328 (1) Provide for the proper accounting for all students of  
329 school age, for the attendance and control of students at  
330 school, and for proper attention to health, safety, and other  
331 matters relating to the welfare of students in the following  
332 fields:

333 (i) Parental notification of acceleration mechanisms.--At  
334 the beginning of each school year, notify parents of students in  
335 or entering high school of the opportunity and benefits of  
336 advanced placement, International Baccalaureate, Advanced

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337 International Certificate of Education, dual enrollment,  
338 Governor's School for Space Science and Technology, and Florida  
339 Virtual School courses.

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