

By Senators Altman and Wise

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1                   A bill to be entitled  
2           An act relating to the Governor's School for Science  
3           and Technology; creating s. 1002.371, F.S.;  
4           establishing the Governor's School for Science and  
5           Technology within the Florida K-20 public education  
6           system and the Department of Education; providing that  
7           the school offer intensive instruction for students in  
8           grades 9 through 12 and summer programs for teachers;  
9           providing for the school to be located in Brevard  
10          County; providing legislative intent; providing for a  
11          board of trustees to be appointed by the Governor,  
12          subject to confirmation by the Senate; providing for  
13          terms of office; providing for members of the board of  
14          trustees to be reimbursed for travel expenses;  
15          authorizing the board of trustees to adopt rules,  
16          subject to approval by the State Board of Education;  
17          providing powers and duties of the board of trustees;  
18          requiring the board of trustees to submit a progress  
19          report by a certain date; providing requirements for  
20          legislative budget requests; providing for funding;  
21          requiring that a student enrolled in the school be  
22          recorded as enrolled in the student's home school  
23          district for purposes of funding; amending ss.  
24          110.205, 216.251, 1000.04, 1002.20, and 1003.02, F.S.;  
25          conforming provisions to changes made by the act;  
26          providing an effective date.

27  
28   Be It Enacted by the Legislature of the State of Florida:  
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30 Section 1. Section 1002.371, Florida Statutes, is created  
31 to read:

32 1002.371 Governor's School for Science and Technology.—The  
33 Governor's School for Science and Technology is established  
34 within the Florida K-20 public education system and shall be  
35 administratively housed within the Department of Education.

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

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

55 (3) It is the intent of the Legislature that existing  
56 facilities be used for the school and that by the 2011-2012  
57 school year the school begin offering:

58 (a) Advanced learning opportunities in the areas of

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59 mathematics, science, engineering, and technology to qualified  
60 students; and

61 (b) Summer programs for elementary, middle, and high school  
62 teachers.

63 (4) (a) A board of trustees is created for the Governor's  
64 School for Science and Technology which shall consist of seven  
65 members. The trustees shall be appointed by the Governor and are  
66 subject to confirmation by the Senate. Trustees shall be  
67 appointed to 4-year terms, except that the initial terms shall  
68 be staggered so that three members are appointed to 4-year  
69 terms, two members are appointed to 3-year terms, and two  
70 members are appointed to 2-year terms. The Governor may remove  
71 any member for cause and shall fill all vacancies that occur.

72 (b) The board of trustees shall elect a chair annually. The  
73 trustees are entitled to reimbursement for travel expenses as  
74 provided in s. 112.061, the accounts of which shall be paid by  
75 the Chief Financial Officer upon itemized vouchers duly approved  
76 by the chair.

77 (c) The board of trustees may adopt rules pursuant to ss.  
78 120.536(1) and 120.54 to implement provisions of law relating to  
79 the operation of the Governor's School for Science and  
80 Technology. Such rules shall be submitted to the State Board of  
81 Education for approval or disapproval. After a rule is approved  
82 by the State Board of Education, the rule shall be filed  
83 immediately with the Department of State. The board of trustees  
84 shall act at all times in conjunction with the rules of the  
85 State Board of Education.

86 (d) The board of trustees is a body corporate and shall  
87 have a corporate seal. Unless otherwise provided by law, all

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88 actions of the board of trustees shall be consistent with all  
89 laws and rules applicable to state agencies. Title to any gift,  
90 donation, or bequest received by the board of trustees pursuant  
91 to subparagraph (e)11. shall vest in the board of trustees.  
92 Title to all other property and other assets of the Governor's  
93 School for Science and Technology shall vest in the State Board  
94 of Education; however, the board of trustees has complete  
95 jurisdiction over the management of the school.

96 (e) The board of trustees may:

97 1. Appoint or remove a director, faculty, teachers, and  
98 other employees according to its best judgment and fix their  
99 compensation.

100 2. Procure professional services such as architectural and  
101 engineering services.

102 3. Procure legal services without the prior written  
103 approval of the Attorney General.

104 4. Determine eligibility of students and procedures for  
105 admission, including, but not limited to:

106 a. The requirements that an individual must meet in order  
107 to be qualified for admission to the Governor's School for  
108 Science and Technology and the standards by which applicants  
109 will be selected for admission to the school. Priority must be  
110 given to individuals who excel or demonstrate interest in the  
111 areas of mathematics, science, engineering, or technology. The  
112 requirements and standards may include, but need not be limited  
113 to, scores on tests or favorable recommendations from teachers  
114 or other school officials.

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

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117 c. The procedures by which an individual may apply for  
118 admission to the school or appeal a decision concerning an  
119 application to attend the school.

120 5. Provide necessary housing, food, and transportation for  
121 students while attending the school and the cost of  
122 transportation to and from their homes.

123 6. Provide for the proper keeping of accounts and records  
124 and for budgeting of funds.

125 7. Enter into contracts.

126 8. Sue and be sued.

127 9. Secure public liability insurance.

128 10. Perform any duty necessary to properly manage,  
129 maintain, support, and control the school at the highest  
130 efficiency economically possible, taking into consideration the  
131 mission of the school.

132 11. Receive gifts, donations, and bequests of money or  
133 property, real or personal, tangible or intangible, from any  
134 person, firm, corporation, or other legal entity. However, the  
135 board of trustees may not obligate the state to any expenditure  
136 or policy that is not specifically authorized by law. If the  
137 bill of sale, will, trust indenture, deed, or other legal  
138 conveyance specifies terms and conditions concerning the use of  
139 such money or property, the board of trustees shall observe such  
140 terms and conditions.

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

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146 13. Invest such moneys in securities enumerated under s.  
147 215.47(1), (2)(c), (3), (4), and (9), and in The Common Fund, an  
148 Investment Management Fund exclusively for nonprofit educational  
149 institutions.

150 (f) The board of trustees shall:

151 1. Annually prepare and submit a legislative budget request  
152 for the Governor's School for Science and Technology. The  
153 legislative budget request shall be prepared using the same  
154 format, procedures, and timelines required for the submission of  
155 the legislative budget of the Department of Education. The  
156 school's legislative budget request shall be submitted to the  
157 department for review and approval. After the department  
158 approves the school's legislative budget request, the  
159 commissioner shall include the Governor's School for Science and  
160 Technology in the department's legislative budget request which  
161 shall be submitted to the Governor, the State Board of  
162 Education, and the Legislature. The legislative budget request  
163 and the appropriation for the Governor's School for Science and  
164 Technology shall be a separate identifiable sum in the public  
165 schools budget entity of the department. The annual  
166 appropriation for the school shall be distributed in  
167 approximately equal monthly payments.

168 2. Approve and administer an annual operating budget.

169 3. Require all funds received other than gifts, donations,  
170 or bequests; funds raised by or belonging to student clubs or  
171 student organizations; and funds held for specific students or  
172 in accounts for individual students to be deposited in the State  
173 Treasury and expended as authorized in the General  
174 Appropriations Act.

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175       4. Require all purchases to be in accordance with the  
176 provisions of chapter 287, except for purchases made with funds  
177 received as gifts, donations, or bequests; funds raised by or  
178 belonging to student clubs or student organizations; or funds  
179 held for specific students or in accounts for individual  
180 students.

181       5. Administer and maintain personnel programs for all  
182 employees of the board of trustees and the Governor's School for  
183 Science and Technology. Such employees shall be state employees  
184 in accordance with the personnel classification and pay plan  
185 established in ss. 110.205(2)(d) and 216.251(2)(a) for academic  
186 and academic administrative personnel, chapter 110, and the  
187 provisions of law that grant authority to the Department of  
188 Management Services over such programs for state employees.

189       6. Give preference in appointment and retention in  
190 positions of employment as provided in s. 295.07(1).

191       7. Ensure that the Governor's School for Science and  
192 Technology complies with procedures that are comparable to those  
193 set forth in s. 1013.351 which concern the coordination of  
194 planning between the school and local governing bodies.

195       (5) The board of trustees shall perform actions that are  
196 necessary for planning and establishing the Governor's School  
197 for Science and Technology as provided in this section. The  
198 board shall submit a progress report to the Governor, the  
199 Commissioner of Education, the President of the Senate, and the  
200 Speaker of the House of Representatives by January 1, 2010. The  
201 report must include a timeline for future actions to be  
202 completed and a summary of the legislative budget request for  
203 the 2010-2011 fiscal year.

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

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

216       (a) Appropriations from the Legislature or a state agency;  
217 and

218       (b) Contributions or endowments from private entities.

219       (8) A student who is approved for attendance at the  
220 Governor's School for Science and Technology shall continue to  
221 be recorded as enrolled and in attendance for the purpose of  
222 funding in the student's home school district for the period of  
223 time the student is away attending the Governor's School for  
224 Science and Technology.

225       Section 2. Paragraph (d) of subsection (2) of section  
226 110.205, Florida Statutes, is amended to read:

227       110.205 Career service; exemptions.—

228       (2) EXEMPT POSITIONS.—The exempt positions that are not  
229 covered by this part include the following:

230       (d) All officers and employees of the state universities  
231 and the academic personnel and academic administrative personnel  
232 of the Florida School for the Deaf and the Blind and the



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233 Governor's School for Science and Technology. In accordance with  
234 ss. ~~the provisions of s.~~ 1002.36 and 1002.371, the salaries for  
235 academic personnel and academic administrative personnel of the  
236 Florida School for the Deaf and the Blind and the Governor's  
237 School for Science and Technology shall be set by the board of  
238 trustees for each respective ~~the~~ school, subject only to the  
239 approval of the State Board of Education.

240 Section 3. Paragraph (a) of subsection (2) of section  
241 216.251, Florida Statutes, is amended to read:

242 216.251 Salary appropriations; limitations.—

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

246 1. Within the classification and pay plans provided for in  
247 chapter 110.

248 2. Within the classification and pay plans established by  
249 the Board of Trustees for the Florida School for the Deaf and  
250 the Blind of the Department of Education and approved by the  
251 State Board of Education for academic and academic  
252 administrative personnel.

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

256 4. Within the classification and pay plan approved by the  
257 President of the Senate and the Speaker of the House of  
258 Representatives, as the case may be, for employees of the  
259 Legislature.

260 5. Within the approved classification and pay plan for the  
261 judicial branch.

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262       6. Within the classification and pay plans established by  
263 the Board of Trustees for the Governor's School for Science and  
264 Technology of the Department of Education and approved by the  
265 State Board of Education for academic and academic  
266 administrative personnel.

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

269       1000.04 Components for the delivery of public education  
270 within the Florida K-20 education system.—Florida's K-20  
271 education system provides for the delivery of public education  
272 through publicly supported and controlled K-12 schools,  
273 community colleges, state universities and other postsecondary  
274 educational institutions, other educational institutions, and  
275 other educational services as provided or authorized by the  
276 Constitution and laws of the state.

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

281       Section 5. Paragraph (a) of subsection (6) of section  
282 1002.20, Florida Statutes, is amended to read:

283       1002.20 K-12 student and parent rights.—Parents of public  
284 school students must receive accurate and timely information  
285 regarding their child's academic progress and must be informed  
286 of ways they can help their child to succeed in school. K-12  
287 students and their parents are afforded numerous statutory  
288 rights including, but not limited to, the following:

289       (6) EDUCATIONAL CHOICE.—

290       (a) *Public school choices.*—Parents of public school

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

307 Section 6. Paragraph (i) of subsection (1) of section  
308 1003.02, Florida Statutes, is amended to read:

309 1003.02 District school board operation and control of  
310 public K-12 education within the school district.—As provided in  
311 part II of chapter 1001, district school boards are  
312 constitutionally and statutorily charged with the operation and  
313 control of public K-12 education within their school district.  
314 The district school boards must establish, organize, and operate  
315 their public K-12 schools and educational programs, employees,  
316 and facilities. Their responsibilities include staff  
317 development, public K-12 school student education including  
318 education for exceptional students and students in juvenile  
319 justice programs, special programs, adult education programs,

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320 and career education programs. Additionally, district school  
321 boards must:

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

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

334 Section 7. This act shall take effect July 1, 2009.