

1 A bill to be entitled

2 An act relating to public education; creating s.
3 1003.615, F.S.; providing a short title; providing
4 legislative intent and purpose; providing to certain
5 school districts the option of statutory waivers from
6 certain statutes in ch. 1000-1013, F.S., and
7 corresponding administrative rules; authorizing the
8 State Board of Education to enter into a performance
9 contract with a school district to provide a statutory
10 waiver; authorizing a school district, upon a
11 supermajority vote by the district school board, to
12 apply for a waiver from certain statutes; requiring
13 that a school district that receives one or more
14 waivers comply with certain statutes; specifying
15 exceptions to the statutory waivers; requiring that an
16 application for each waiver request be submitted to
17 the commissioner and the State Board of Education;
18 providing requirements for the application; providing
19 that a waiver may be requested at any point during the
20 fiscal year; requiring that the commissioner and the
21 State Board of Education make a decision within a
22 specified period of time; providing that the governing
23 board of a school district is the duly elected
24 district school board; requiring that each school
25 district submit an annual report to the Governor and
26 the Legislature by a specified date; providing

27 requirements for the report; providing an effective
 28 date.

30 Be It Enacted by the Legislature of the State of Florida:

32 Section 1. Section 1003.615, Florida Statutes, is created
 33 to read:

34 1003.615 Public Education Innovation and Efficiency Act.-

35 (1) SHORT TITLE.-This section may be cited as the "Public
 36 Education Innovation and Efficiency Act."

37 (2) LEGISLATIVE INTENT; PURPOSE.-The Legislature intends
 38 to provide school districts with the statutory and regulatory
 39 flexibility to reform public education in the state by exempting
 40 certain school districts from specified statutes in chapters
 41 1000-1013, subject to certain exceptions. The purpose of this
 42 section is to maintain and significantly improve student
 43 achievement through a variety of means, including, but not
 44 limited to:

45 (a) Developing public-private partnerships with local
 46 communities to expand opportunities for increased student
 47 performance.

48 (b) Expanding public school parental choice programs
 49 within the school district to meet local community employment
 50 and educational needs.

51 (c) Expanding public school virtual education programs.

52 (d) Allowing greater flexibility in the use of tax

53 revenue, which will allow that revenue to be redirected to
54 classroom expenditures while ensuring compliance with the
55 applicable constitutional and statutory requirements.

56 (3) STATUTORY WAIVERS.—

57 (a) The State Board of Education may enter into a
58 performance contract with a school district for the purpose of
59 providing a statutory waiver, upon the school district's
60 request, with the intent of continuing significant improvements
61 in student achievement through a variety of means. A school
62 district, upon a supermajority vote by the district school
63 board, may apply for a waiver from any statute in chapters 1000-
64 1013, except those specified in paragraph (b), which govern
65 school and school district operations and policies, as well as
66 corresponding administrative rules.

67 (b) A school district that is granted one or more
68 statutory waivers must comply with chapter 119 and s. 286.011
69 relating to public records and meetings. A school district may
70 not request a waiver from laws that govern the election,
71 appointment, duties, or responsibilities of the district school
72 superintendent or board members, or laws that pertain to:

73 1. Student health, safety, and welfare.

74 2. Services for students who have disabilities.

75 3. Civil rights, including s. 1000.05, relating to
76 discrimination.

77 4. The student assessment program and the school grading
78 system, including chapter 1008.

- 79 5. Financial disclosure by elected officials.
- 80 6. Conflicts of interest by elected officials.
- 81 7. Instructional materials, except s. 1006.37, relating to
 82 the requisition of state-adopted materials from the depository
 83 under contract with the publisher, and s. 1006.40(3)(a),
 84 relating to the use of 50 percent of the instructional materials
 85 allocation.
- 86 8. Financial matters, including those laws in chapter
 87 1010, except s. 1010.20(3).
- 88 9. Educational facilities, including those laws in chapter
 89 1013, except s. 1013.20, relating only to covered walkways for
 90 portables, and s. 1013.21, relating to the use of relocatable
 91 facilities that exceed 20 years of age.
- 92 10. Planning and budgeting, including those laws in
 93 chapter 1011, except s. 1011.62(9)(d), relating to the
 94 requirement for a comprehensive reading plan. A school district
 95 that is exempt from submitting the plan is deemed approved to
 96 receive the research-based reading instruction allocation.
- 97 11. Section 1012.22(1)(c), relating to compensation and
 98 salary schedules.
- 99 12. Section 1012.33(5), relating to workforce reductions.
- 100 13. Section 1012.335, relating to contracts with
 101 instructional personnel hired on or after July 1, 2011.
- 102 14. Section 1012.34, relating to the substantive
 103 requirements for performance evaluations for instructional,
 104 administrative, and supervisory personnel.

105 15. Section 1003.03, relating to the maximum class size,
106 except that the calculation for compliance pursuant to s.
107 1003.03 is the average at the school level for a school choice
108 program in which a parent or guardian chooses to place his or
109 her child, rather than the child being placed pursuant to a
110 school district assignment.

111 (c) A school district shall submit an application for each
112 waiver request to the commissioner and the State Board of
113 Education, which must include the purpose for making the
114 request, the goal or goals to be achieved by the waiver, and
115 supporting evidence or other documentation outlining the impact
116 if the waiver is approved or disapproved. Each waiver request
117 must contain a statement indicating how the waiver would enhance
118 instructional programs or provide for greater efficiency or
119 efficacy in school district operations. A waiver may be
120 requested at any point during a fiscal year and may be granted,
121 for no more than 3 years, if the commissioner and the State
122 Board of Education agree that the waiver will assist the school
123 district in maintaining or improving its academic or fiscal
124 performance status. The commissioner and the State Board of
125 Education shall grant or deny a waiver request within 90 days
126 after receiving the request.

127 (4) GOVERNING BOARD.—The governing board of a school
128 district is the duly elected district school board.

129 (5) ANNUAL REPORT.—By January 15, 2015, and each year
130 thereafter, each school district that is granted at least one

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131 waiver shall submit an annual report to the Governor, the
132 President of the Senate, the Speaker of the House of
133 Representatives, and the State Board of Education. The report
134 must contain the strategies that the school district used to
135 implement the provisions of this section and the results of
136 student performance evaluations and district operational
137 efficiency programs.

138 Section 2. This act shall take effect July 1, 2014.