

By Senator Perry

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1                                   A bill to be entitled  
2       An act relating to the Florida School for Competitive  
3       Academics; amending s. 1000.04, F.S.; revising the  
4       components of the delivery of public education within  
5       the Florida Early Learning-20 education system to  
6       include the Florida School for Competitive Academics;  
7       creating s. 1002.351, F.S.; providing for the  
8       establishment of the Florida School for Competitive  
9       Academics; providing for the purpose and mission of  
10      the school; requiring the Commissioner of Education to  
11      ensure eligible students are informed of the school;  
12      providing for the appointment of the board of  
13      trustees; prescribing the powers and duties of the  
14      board of trustees; providing sovereign immunity to the  
15      board of trustees; specifying the board's duties  
16      regarding the maintenance of student and employee  
17      records; providing requirements regarding background  
18      screening of school personnel; specifying duties of  
19      the board regarding personnel; providing for funding  
20      of the school; requiring the Auditor General to  
21      conduct audits of the school; authorizing the  
22      Department of Education's Office of Inspector General  
23      to conduct investigations, as appropriate; exempting  
24      the school from specified requirements in the Florida  
25      Early Learning-20 Education Code; providing  
26      exceptions; specifying applicability of certain  
27      provisions of law; creating s. 1011.58, F.S.;  
28      prescribing procedures for the school's submittal of  
29      legislative budget requests; requiring the school to

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30 submit an implementation plan to the Department of  
31 Education; requiring the Commissioner of Education to  
32 include the school in the department's legislative  
33 budget request, subject to specified conditions;  
34 requiring the school to submit its fixed capital  
35 outlay request to the department; creating s. 1011.59,  
36 F.S.; prescribing procedures and requirements  
37 governing the request and the appropriation of funds  
38 for the operation of the school; requiring the board  
39 to develop an annual operating budget; requiring the  
40 Chief Financial Officer to transfer or reallocate  
41 funds if certain conditions are met; requiring the  
42 board to establish authorized positions within funds  
43 appropriated to the school; providing for the carry  
44 forward of any unexpended funds; providing that the  
45 board of trustees may expend, reserve, or carry  
46 forward of certain balances for fixed capital outlay  
47 projects; amending s. 11.45, F.S.; revising the duties  
48 of the Auditor General to conform to changes made by  
49 the act; amending s. 110.205, F.S.; exempting school  
50 personnel from provisions governing the state career  
51 service system; amending s. 216.251, F.S.; specifying  
52 the manner of setting salaries for positions within  
53 the school; amending s. 447.203, F.S.; revising the  
54 definition of the terms "public employer" or  
55 "employer" to include the school for purposes of part  
56 II of ch. 447, F.S.; making technical changes;  
57 amending s. 1001.20, F.S.; revising the powers of the  
58 department's Office of Inspector General to conform to

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59 changes made by the act; providing a directive to the  
60 Division of Law Revision; providing an effective date.

61  
62 Be It Enacted by the Legislature of the State of Florida:

63  
64 Section 1. Subsection (6) is added to section 1000.04,  
65 Florida Statutes, to read:

66 1000.04 Components for the delivery of public education  
67 within the Florida Early Learning-20 education system.—Florida's  
68 Early Learning-20 education system provides for the delivery of  
69 early learning and public education through publicly supported  
70 and controlled K-12 schools, Florida College System  
71 institutions, state universities and other postsecondary  
72 educational institutions, other educational institutions, and  
73 other educational services as provided or authorized by the  
74 Constitution and laws of the state.

75 (6) THE FLORIDA SCHOOL FOR COMPETITIVE ACADEMICS.—The  
76 Florida School for Competitive Academics is a component of the  
77 delivery of public education within Florida's Early Learning-20  
78 education system.

79 Section 2. Section 1002.351, Florida Statutes, is created  
80 to read:

81 1002.351 The Florida School for Competitive Academics.—

82 (1) ESTABLISHMENT.—There is established the Florida School  
83 for Competitive Academics. The school shall be located in  
84 Alachua County and is a state-supported public school for  
85 Florida residents in grades 6-12. The primary purpose of the  
86 school is to provide a rigorous academic curriculum, and the  
87 secondary purpose is to prepare students for regional, state,

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88 and national academic competitions in all areas of study,  
89 including, but not limited to, science, technology, engineering,  
90 and mathematics. The school may admit students in grades 6-12  
91 beginning in the 2024-2025 school year.

92 (2) MISSION.—

93 (a) The mission of the Florida School for Competitive  
94 Academics is to provide students who meet selective admissions  
95 requirements an environment that will foster high academic  
96 engagement and advanced understanding of subject areas, develop  
97 productive work habits, build resiliency, connect students with  
98 industry leaders, and promote civic leadership.

99 (b) To assist in the recruitment of students, the  
100 Commissioner of Education shall ensure all eligible students are  
101 informed of the Florida School for Competitive Academics. The  
102 commissioner shall inform parents of public school students that  
103 they may provide their child's student records to the Florida  
104 School for Competitive Academics Board of Trustees for  
105 recruitment purposes.

106 (3) BOARD OF TRUSTEES.—

107 (a)1. The Florida School for Competitive Academics shall be  
108 governed by a board of trustees composed of seven members  
109 appointed by the Governor to 4-year terms and confirmed by the  
110 Senate. For purposes of staggering terms, four members,  
111 including the chair as designated by the Governor, shall be  
112 appointed to 4-year terms beginning July 1, 2023, and three  
113 members shall be appointed to 2-year terms beginning July 1,  
114 2023. After the initial 4-year term, the chair shall be elected  
115 by the board.

116 2. No more than one employee of the school may serve on the

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117 board of trustees as a member or as chairman.

118 (b) Members of the board of trustees shall serve without  
119 compensation, but may be reimbursed for per diem and travel  
120 expenses pursuant to s. 112.061.

121 (c) The board of trustees is a public agency entitled to  
122 sovereign immunity pursuant to s. 768.28, and board members are  
123 public officers who bear fiduciary responsibility for the  
124 Florida School for Competitive Academics.

125 (d) The board of trustees is a body corporate with all the  
126 powers of a body corporate, and such authority as is needed for  
127 the proper operation and improvement of the Florida School for  
128 Competitive Academics. Title to any gift, donation, or bequest  
129 received by the board of trustees must vest in the board of  
130 trustees. Title to all other property and other assets of the  
131 Florida School for Competitive Academics must vest in the State  
132 Board of Education, but the board of trustees has complete  
133 jurisdiction over the management of the school.

134 (e) The board of trustees has the full power and authority  
135 to:

136 1. Adopt rules pursuant to ss. 120.536(1) and 120.54 to  
137 implement provisions of law relating to operation of the Florida  
138 School for Competitive Academics. Such rules must be submitted  
139 to the State Board of Education for approval or disapproval.  
140 After a rule is approved by the State Board of Education, the  
141 rule must be filed immediately with the Department of State. The  
142 board of trustees shall act at all times in conjunction with the  
143 rules of the State Board of Education.

144 2. Appoint a principal, administrators, teachers, and other  
145 employees.

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146       3. Remove principals, administrators, teachers, and other  
147 employees at the board's discretion.

148       4. Determine eligibility of students and procedures for  
149 admission.

150       5. Provide for the proper keeping of accounts and records  
151 and for budgeting of funds.

152       6. Receive gifts, donations, and bequests of money or  
153 property, real or personal, tangible or intangible, from any  
154 person, firm, corporation, or other legal entity for the use and  
155 benefit of the school.

156       7. Recommend to the Legislature for the school to become a  
157 residential public school.

158       8. Do and perform every other matter or thing requisite to  
159 the proper management, maintenance, support, and control of the  
160 school at the highest efficiency economically possible.

161       9. Allow the school to have a stand-alone law enforcement  
162 agency.

163       10. After receiving approval from the Administration  
164 Commission, exercise the power of eminent domain in the manner  
165 provided in chapter 73 or chapter 74.

166       (f) The board of trustees shall:

167       1. Prepare and submit legislative budget requests for  
168 operations and fixed capital outlay, in accordance with chapter  
169 216 and ss. 1011.56 and 1013.60, to the Department of Education  
170 for review and approval. The department must analyze the amount  
171 requested for fixed capital outlay to determine if the request  
172 is consistent with the school's campus master plan, educational  
173 plant survey, and facilities master plan.

174       2. Approve and administer an annual operating budget in

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175 accordance with ss. 1011.56 and 1011.57.

176 3. Require all purchases to be in accordance with chapter  
177 287 except for purchases made with funds received as gifts,  
178 donations, or bequests or funds raised by or belonging to  
179 student clubs or student organizations.

180 4. Administer and maintain personnel programs for all  
181 employees of the board of trustees and the Florida School for  
182 Competitive Academics, who shall be school employees, including  
183 the personnel.

184 5. Ensure that the Florida School for Competitive Academics  
185 complies with s. 1013.351 concerning the coordination of  
186 planning between the Florida School for Competitive Academics  
187 and local governing bodies.

188 6. Ensure that the Florida School for Competitive Academics  
189 complies with s. 112.061 concerning per diem and travel  
190 expenses.

191 7. Adopt a master plan that specifies the objectives of the  
192 Florida School for Competitive Academics. The plan must be for a  
193 period of 5 years and must be reviewed for needed modifications  
194 every 2 years. The board of trustees shall submit the initial  
195 plan and subsequent modifications to the President of the Senate  
196 and the Speaker of the House of Representatives.

197 (4) STUDENT AND EMPLOYEE RECORDS.—The board of trustees  
198 shall provide for the content and custody of student and  
199 employee personnel records. Student records are subject to s.  
200 1002.22. Employee records are subject to s. 1012.31.

201 (5) PERSONNEL.—

202 (a) The Florida School for Competitive Academics Board of  
203 Trustees shall require all employees and applicants for

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204 employment to undergo background screening as provided in s.  
205 1012.32 as a condition of employment and continued employment.  
206 Members of the board of trustees must also undergo background  
207 screening in accordance with the relevant provisions of s.  
208 1012.32. An individual may not be employed as an employee or  
209 contract personnel of the school or serve as a member of the  
210 board of trustees if the individual is on the disqualification  
211 list maintained by the department pursuant to s. 1001.10(4)(b).

212 (b) In accordance with law and rules of the State Board of  
213 Education, the board of trustees shall administer and maintain  
214 personnel programs for all employees of the board of trustees  
215 and the Florida School for Competitive Academics. The board of  
216 trustees may adopt rules, policies, and procedures related to  
217 the appointment, employment, and removal of personnel.

218 1. The board of trustees shall determine the compensation,  
219 including salaries and fringe benefits, and other conditions of  
220 employment for such personnel.

221 2. Classroom teachers employed by the school must be  
222 certified pursuant to chapter 1012.

223 3. Each person employed by the board of trustees in an  
224 academic administrative or instructional capacity with the  
225 Florida School for Competitive Academics is entitled to a  
226 contract as provided by rules of the board of trustees.

227 4. All employees except temporary, seasonal, and student  
228 employees may be provided Florida Retirement System benefits  
229 from the school through operational costs.

230 (6) FUNDING.—

231 (a) The Florida School for Competitive Academics shall  
232 receive state funds for operating purposes as provided in the



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233 General Appropriations Act.

234 (b) In addition to the funds provided in the General  
235 Appropriations Act, the Florida School for Competitive Academics  
236 may receive other funds from grants and donations.

237 (7) AUDITS.—The Auditor General shall conduct audits of the  
238 accounts and records of the Florida School for Competitive  
239 Academics as provided in s. 11.45. The Department of Education’s  
240 Inspector General is authorized to conduct investigations at the  
241 school as provided in s. 1001.20(4)(e).

242 (8) EXEMPTION FROM STATUTES.—

243 (a) The Florida School for Competitive Academics is exempt  
244 from all statutes in chapters 1000-1013. However, the Florida  
245 School for Competitive Academics shall be in compliance with the  
246 following statutes in chapters 1000-1013:

247 1. This section.

248 2. Those statutes pertaining to the student assessment  
249 program and school grading system.

250 3. Those statutes pertaining to the provision of services  
251 to students with disabilities.

252 4. Those statutes pertaining to civil rights, including,  
253 but not limited to, s. 1000.05, relating to discrimination.

254 5. Those statutes pertaining to student health, safety, and  
255 welfare.

256 (b) Additionally, the Florida School for Competitive  
257 Academics shall be in compliance with the following statutes:

258 1. Section 286.011, relating to public meetings and  
259 records, public inspection, and criminal and civil penalties.

260 2. Chapter 119, relating to public records.

261 3. Section 1006.12, relating to safe-school officers.

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262       4. Section 1006.07(7), relating to threat assessment teams.

263       5. Section 1006.07(9), relating to school environmental  
264 safety incident reporting.

265       6. Section 1006.07(10), relating to reporting of  
266 involuntary examinations.

267       7. Section 1006.1493, relating to the Florida Safe Schools  
268 Assessment Tool.

269       8. Section 1006.07(6)(d), relating to adopting active  
270 assailant response plans.

271       9. Section 943.082(4)(b), relating to the mobile suspicious  
272 activity reporting tool.

273       10. Section 1012.584, relating to youth mental health  
274 awareness and assistance training.

275       11. Section 1003.4282, relating to requirements for a  
276 standard high school diploma.

277       12. Section 1003.03(1), relating to class size maximums.

278       13.a. Section 1011.61, relating to instructional hours  
279 requirements.

280       b. Notwithstanding sub-subparagraph a., the school may  
281 provide instruction that exceeds the minimum time requirements  
282 for the purposes of offering a summer program.

283       (c) For purposes of this subsection:

284       1. The duties assigned to a district school superintendent  
285 apply to the director of the Florida School for Competitive  
286 Academics.

287       2. The duties assigned to a district school board apply to  
288 the board of trustees.

289       Section 3. Section 1011.58, Florida Statutes, is created to  
290 read:

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291 1011.58 Procedure for legislative budget requests for the  
292 Florida School for Competitive Academics.-

293 (1) (a) The legislative budget request of the Florida School  
294 for Competitive Academics established in s. 1002.351 must be  
295 prepared using the same format, procedures, and timelines  
296 required for the submission of the legislative budget of the  
297 Department of Education.

298 (b) The Florida School for Competitive Academics shall  
299 submit its legislative budget request to the Department of  
300 Education for review and approval. The school must create and  
301 submit to the department an implementation plan before the  
302 department may approve the budget request.

303 (c) Subsequent to the Department of Education's approval,  
304 the Commissioner of Education shall include the Florida School  
305 for Competitive Academics in the department's legislative budget  
306 request to the State Board of Education, the Governor, and the  
307 Legislature. The legislative budget request and the  
308 appropriation for the Florida School for Competitive Academics  
309 must be a separate identifiable sum in the public schools budget  
310 entity of the Department of Education.

311 (d) The annual appropriation for the school shall be  
312 distributed monthly, without using the Florida Education Finance  
313 Program, in payments as nearly equal as possible. Appropriations  
314 for textbooks, instructional technology, and school buses may be  
315 released and distributed as necessary to serve the instructional  
316 program for the students.

317 (2) The school shall submit its fixed capital outlay  
318 request to the Department of Education for review and approval  
319 in accordance with s. 1002.36(4) (f)1. Subsequent to the

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320 department's approval, the school's request must be included  
321 within the department's public education capital outlay  
322 legislative budget request.

323 Section 4. Section 1011.59, Florida Statutes, is created to  
324 read:

325 1011.59 Florida School for Competitive Academics; board of  
326 trustees; management flexibility.-

327 (1) Notwithstanding ss. 216.031, 216.181, and 216.262 to  
328 the contrary and pursuant s. 216.351, but subject to any  
329 guidelines imposed in the General Appropriations Act, funds for  
330 the operation of the Florida School for Competitive Academics  
331 shall be requested and appropriated within budget entities,  
332 program components, program categories, lump sums, or special  
333 categories. Funds appropriated to the Florida School for  
334 Competitive Academics for each program category, lump sum, or  
335 special category may be transferred to traditional categories  
336 for expenditure by the board of trustees of the school. The  
337 board of trustees shall develop an annual operating budget that  
338 allocates funds by program component and traditional expenditure  
339 category.

340 (2) Notwithstanding s. 216.181 and pursuant to s. 216.351,  
341 but subject to any requirements imposed in the General  
342 Appropriations Act, a lump-sum plan is not required to implement  
343 the special categories, program categories, or lump-sum  
344 appropriations. Upon release of the special categories, program  
345 categories, or lump-sum appropriations to the board of trustees,  
346 the Chief Financial Officer shall, upon the request of the board  
347 of trustees, transfer or reallocate funds to or among accounts  
348 established for disbursement purposes. The board of trustees

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349 shall maintain records to account for the original  
350 appropriation.

351 (3) Notwithstanding ss. 216.031, 216.181, 216.251, and  
352 216.262 to the contrary and pursuant to s. 216.351, but subject  
353 to any requirements imposed in the General Appropriations Act,  
354 the board of trustees shall establish the authorized positions  
355 and may amend such positions within the total funds authorized  
356 annually in the appropriations act.

357 (4) (a) Notwithstanding s. 216.301 to the contrary, all  
358 unexpended funds appropriated for the Florida School for  
359 Competitive Academics shall be carried forward and included as  
360 the balance forward for that fund in the approved operating  
361 budget for the following year.

362 (b) Notwithstanding any other law, for the 2023-2024  
363 through 2027-2028 fiscal years, the school's board of trustees  
364 may expend, reserve, or carry forward balances from prior year  
365 operational and programmatic appropriations for fixed capital  
366 outlay projects needed for the establishment of this school.

367 Section 5. Paragraphs (d) and (f) of subsection (2) of  
368 section 11.45, Florida Statutes, are amended to read:

369 11.45 Definitions; duties; authorities; reports; rules.—

370 (2) DUTIES.—The Auditor General shall:

371 (d) Annually conduct financial audits of the accounts and  
372 records of all district school boards in counties with  
373 populations of fewer than 150,000, according to the most recent  
374 federal decennial statewide census, ~~and~~ the Florida School for  
375 the Deaf and the Blind, and the Florida School for Competitive  
376 Academics.

377 (f) At least every 3 years, conduct operational audits of

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378 the accounts and records of state agencies, state universities,  
379 state colleges, district school boards, the Florida Clerks of  
380 Court Operations Corporation, water management districts, ~~and~~  
381 the Florida School for the Deaf and the Blind, and the Florida  
382 School for Competitive Academics.

383

384 The Auditor General shall perform his or her duties  
385 independently but under the general policies established by the  
386 Legislative Auditing Committee. This subsection does not limit  
387 the Auditor General's discretionary authority to conduct other  
388 audits or engagements of governmental entities as authorized in  
389 subsection (3).

390 Section 6. Paragraph (d) of subsection (2) of section  
391 110.205, Florida Statutes, is amended to read:

392 110.205 Career service; exemptions.—

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

395 (d) All officers and employees of the state universities  
396 and the academic personnel and academic administrative personnel  
397 of the Florida School for the Deaf and the Blind and the Florida  
398 School for Competitive Academics. In accordance with ~~the~~  
399 ~~provisions of s. 1002.36,~~ the salaries for academic personnel  
400 and academic administrative personnel of the Florida School for  
401 the Deaf and the Blind and the Florida School for Competitive  
402 Academics shall be set by the board of trustees for the  
403 respective schools ~~school,~~ subject only to the approval of the  
404 State Board of Education.

405 Section 7. Paragraph (a) of subsection (2) of section  
406 216.251, Florida Statutes, is amended to read:

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407 216.251 Salary appropriations; limitations.—

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

411 1. Within the classification and pay plans provided for in  
412 chapter 110.

413 2. Within the classification and pay plans established by  
414 the Board of Trustees for the Florida School for the Deaf and  
415 the Blind of the Department of Education and approved by the  
416 State Board of Education for academic and academic  
417 administrative personnel.

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

421 4. Within the classification and pay plan approved by the  
422 President of the Senate and the Speaker of the House of  
423 Representatives, as the case may be, for employees of the  
424 Legislature.

425 5. Within the approved classification and pay plan for the  
426 judicial branch.

427 6. Within the classification and pay plans established by  
428 the Board of Trustees for the Florida School for Competitive  
429 Academics of the Department of Education and approved by the  
430 State Board of Education for academic and academic  
431 administrative personnel.

432 Section 8. Subsection (2) of section 447.203, Florida  
433 Statutes, is amended to read:

434 447.203 Definitions.—As used in this part:

435 (2) "Public employer" or "employer" means the state or any

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436 county, municipality, or special district or any subdivision or  
437 agency thereof which the commission determines has sufficient  
438 legal distinctiveness properly to carry out the functions of a  
439 public employer. With respect to all public employees determined  
440 by the commission as properly belonging to a statewide  
441 bargaining unit composed of State Career Service System  
442 employees or Selected Professional Service employees, the  
443 Governor is ~~shall be~~ deemed to be the public employer; and the  
444 Board of Governors of the State University System, or the  
445 board's designee, is ~~shall be~~ deemed to be the public employer  
446 with respect to all public employees of each constituent state  
447 university. The board of trustees of a community college is  
448 ~~shall be~~ deemed to be the public employer with respect to all  
449 employees of the community college. The district school board is  
450 ~~shall be~~ deemed to be the public employer with respect to all  
451 employees of the school district. The Board of Trustees of the  
452 Florida School for the Deaf and the Blind is ~~shall be~~ deemed to  
453 be the public employer with respect to the academic and academic  
454 administrative personnel of the Florida School for the Deaf and  
455 the Blind. The Board of Trustees of the Florida School for  
456 Competitive Academics is deemed to be the public employer with  
457 respect to the academic and academic administrative personnel of  
458 the Florida School for Competitive Academics. The Governor is  
459 ~~shall be~~ deemed to be the public employer with respect to all  
460 employees in the Correctional Education Program of the  
461 Department of Corrections established pursuant to s. 944.801.

462 Section 9. Paragraph (e) of subsection (4) of section  
463 1001.20, Florida Statutes, is amended to read:

464 1001.20 Department under direction of state board.—



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465 (4) The Department of Education shall establish the  
466 following offices within the Office of the Commissioner of  
467 Education which shall coordinate their activities with all other  
468 divisions and offices:

469 (e) *Office of Inspector General.*—Organized using existing  
470 resources and funds and responsible for promoting  
471 accountability, efficiency, and effectiveness and detecting  
472 fraud and abuse within school districts, the Florida School for  
473 the Deaf and the Blind, the Florida School for Competitive  
474 Academics, and Florida College System institutions in Florida.  
475 If the Commissioner of Education determines that a district  
476 school board, the Board of Trustees for the Florida School for  
477 the Deaf and the Blind, the Board of Trustees for the Florida  
478 School for Competitive Academics, or a Florida College System  
479 institution board of trustees is unwilling or unable to address  
480 substantiated allegations made by any person relating to waste,  
481 fraud, or financial mismanagement within the school district,  
482 the Florida School for the Deaf and the Blind, the Florida  
483 School for Competitive Academics, or the Florida College System  
484 institution, the office must ~~shall~~ conduct, coordinate, or  
485 request investigations into such substantiated allegations. The  
486 office shall investigate allegations or reports of possible  
487 fraud or abuse against a district school board made by any  
488 member of the Cabinet; the presiding officer of either house of  
489 the Legislature; a chair of a substantive or appropriations  
490 committee with jurisdiction; or a member of the board for which  
491 an investigation is sought. The office shall have access to all  
492 information and personnel necessary to perform its duties and  
493 shall have all of its current powers, duties, and

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494 responsibilities authorized in s. 20.055.

495       Section 10. The Division of Law Revision is directed to  
496 revise the title of subpart D of part I of chapter 1011, Florida  
497 Statutes, consisting of ss. 1011.55-1011.59, Florida Statutes,  
498 to read "Florida School for the Deaf and the Blind and Florida  
499 School for Competitive Academics: Preparation, Adoption, and  
500 Implementation of Budgets" to conform to the amendments made by  
501 this act.

502       Section 11. This act shall take effect July 1, 2023.