

Committee Substitute for Senate Bill No. 2186

An act relating to deregulated public schools; amending s. 228.0565, F.S.; providing for the continuation of the deregulated public schools pilot project; authorizing additional districts to participate; revising exemptions from statute for purposes of the pilot project; providing an effective date.

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

Section 1. Subsection (1), paragraph (b) of subsection (3), paragraphs (a) and (d) of subsection (6), and paragraph (b) of subsection (7) of section 228.0565, Florida Statutes, 1998 Supplement, are amended to read:

228.0565 Deregulated public schools.—

(1) PILOT PROGRAM.—To provide public schools the same flexibility and accountability afforded charter schools, pilot programs for deregulated public schools shall be conducted ~~in two large, two medium-sized, and two small school districts.~~ For the ~~1998-1999 school year, no more than six schools per district, to include no more than two high schools, two middle schools, and two elementary schools, may participate in the flexibility program.~~ The following districts are authorized to conduct pilot programs ~~program~~ in 1998-1999: Palm Beach, Pinellas, Seminole, Leon, Walton, and Citrus Counties. The schools and school districts which are participating in the pilot program as of January 1, 1999, are authorized to continue the pilot program through the 2003-2004 school year. Lee County is authorized to conduct the pilot program beginning in the 1999-2000 school year through the 2003-2004 school year.

(3) PROPOSAL.—

(b) A district school board shall receive and review all proposals for a deregulated public school ~~during July and August.~~ A district school board must by a majority vote approve or deny a proposal no later than 30 days after the proposal is received. If a proposal is denied, the district school board must, within 10 calendar days, articulate in writing the specific reasons based upon good cause supporting its denial of the proposal.

(6) ELEMENTS OF THE PROPOSAL.—The major issues involving the operation of a deregulated public school shall be considered in advance and written into the proposal.

(a) The proposal shall address, and criteria for approval of the proposal shall be based, on:

1. The school's mission and the students to be served.
2. The focus of the curriculum, the instructional methods to be used, and any distinctive instructional techniques to be employed.

3. The current baseline standard of achievement and the outcomes to be achieved and the method of measurement that will be used.

4. The methods used to identify the educational strengths and needs of students and how well educational goals and performance standards are met by students attending the school. Students in deregulated ~~and flexible~~ public schools shall, at a minimum, participate in the statewide assessment program.

5. In secondary schools, a method for determining that a student has satisfied the requirements for graduation in s. 232.246.

6. A method for resolving conflicts between the school and the district.

7. The admissions procedures and dismissal procedures, including the school's code of student conduct.

8. The ways by which the school's racial/ethnic balance reflects the community it serves or reflects the racial/ethnic range of other public schools in the same school district.

9. The financial and administrative management of the school including a statement of the areas in which the school will have administrative and fiscal autonomy and the areas in which the school will follow school district fiscal and administrative policies.

10. The manner in which the school will be insured, including whether or not the school will be required to have liability insurance, and, if so, the terms and conditions thereof and the amounts of coverage.

11. The qualifications to be required of the teachers.

(d) Upon receipt of the annual report required by paragraph (b), the Department of Education shall provide to the State Board of Education, the Commissioner of Education, the President of the Senate, and the Speaker of the House of Representatives with a copy of each report and an analysis and comparison of the overall performance of students, to include all students in deregulated public schools whose scores are counted as part of the statewide norm-referenced assessment tests, versus comparable public school students in the district as determined by FCAT and district norm-referenced assessment tests ~~currently administered in the school district~~, and, as appropriate, the Florida Writes Assessment Test, the High School Competency Test, and other assessments administered pursuant to s. 229.57(3).

(7) EXEMPTION FROM STATUTES.—

(b) A deregulated public school may, with appropriate justification, request a waiver from the certification requirements of chapter 231. Pursuant to s. 229.592(6), the commissioner may waive requirements of chapter 231 that relate to teacher certification to facilitate innovative practices and to allow local school selection of educational methods. Teachers employed by or under contract to a deregulated public school shall be certified as required

~~by chapter 231.~~ A deregulated public school may employ or contract with skilled selected noncertified personnel to provide instructional services or to assist instructional staff members as education paraprofessionals ~~teacher aides~~ in the same manner as defined in chapter 231. A deregulated public school may not employ an individual to provide instructional services or to serve as an education paraprofessional ~~a teacher aide~~ if the individual's certification or licensure as an educator is suspended or revoked by this or any other state. The qualifications of teachers shall be disclosed to parents.

Section 2. This act shall take effect July 1, 1999.

Approved by the Governor June 8, 1999.

Filed in Office Secretary of State June 8, 1999.