

1 A bill to be entitled
2 An act relating to the Florida Statutes;
3 repealing various statutory provisions that
4 have become obsolete, have had their effect,
5 have served their purpose, or have been
6 impliedly repealed or superseded; amending s.
7 229.121, F.S.; deleting obsolete provisions
8 relating to exchange of land of the State
9 School Fund by the State Board of Education;
10 repealing s. 232.2451(4), F.S., relating to
11 effect and applicability of provisions relating
12 to readiness for postsecondary education and
13 the workplace; repealing s. 232.271(5), F.S.,
14 relating to reports to the Legislature on
15 expulsion of students from the classroom;
16 repealing s. 232.36, F.S., relating to
17 sanitation of schools; amending s. 228.053,
18 F.S.; deleting a cross reference, to conform;
19 repealing s. 236.0815, F.S., relating to
20 restrictions on inclusion of certain students
21 within basic programs; repealing s. 236.0817,
22 F.S., relating to allocation of categorical
23 funds to developmental research schools;
24 repealing s. 236.0841, F.S., relating to
25 provision of student enrichment, remedial, and
26 dropout prevention programs; amending s.
27 232.246, F.S.; deleting a cross reference, to
28 conform; repealing s. 236.092, F.S., relating
29 to mathematics, science, and computer learning
30 laboratories; repealing s. 236.1228, F.S.,
31 relating to accountability program grants;

1 amending s. 236.13, F.S.; deleting a cross
2 reference, to conform; repealing ss. 236.1229
3 and 236.12295, F.S., relating to the Florida
4 School Improvement and Academic Achievement
5 Trust Fund and its grant program; repealing s.
6 236.145, F.S., relating to reimbursement of
7 residential nonpublic school contracts;
8 amending s. 236.687, F.S.; deleting obsolete
9 implementation provisions of the Florida
10 Maximum Class Size Study Act; repealing s.
11 236.69, F.S., relating to development of a
12 state plan for use of funds received under
13 Title I of the federal Elementary and Secondary
14 Education Act of 1965, as amended and
15 readopted; repealing s. 238.05(5)(a), F.S.,
16 relating to optional membership in the
17 Teachers' Retirement System by persons
18 qualified for retirement under the Judicial
19 Retirement System; providing an effective date.
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21 Be It Enacted by the Legislature of the State of Florida:
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23 Section 1. Section 229.121, Florida Statutes, is
24 amended to read:

25 229.121 Land of the State School Fund; exemption from
26 taxation ~~State board authorized to exchange land.--~~

27 ~~(1) The State Board of Education of this state is~~
28 ~~hereby authorized in its discretion to exchange land of the~~
29 ~~State School Fund held by said board for other land in this~~
30 ~~state held by any other state agency, or by any county in this~~
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1 ~~state, or by any person, private or corporate, where such~~
2 ~~exchange will be advantageous to said fund.~~

3 ~~(2) The said State Board of Education shall have~~
4 ~~authority to fix the terms and conditions of any such exchange~~
5 ~~and to select and agree upon the lands to be conveyed to and~~
6 ~~to be received by said board, and to make and enter into~~
7 ~~contracts and agreements therefor. To be acceptable, the land~~
8 ~~to be received by said board in exchange shall be free of tax~~
9 ~~or other debt and shall be clear as to title.~~

10 ~~(3) In making exchange of land, the said board may in~~
11 ~~its discretion convey said land without the reservation of~~
12 ~~oil, gas, or of phosphate and other minerals required by s.~~
13 ~~270.11, where deeds to land received in exchange convey title~~
14 ~~in fee simple without such reservations, or to determine the~~
15 ~~part or parts to be reserved and the part or parts to be~~
16 ~~conveyed so as to facilitate exchange on a basis as nearly~~
17 ~~equal as may be.~~

18 ~~(4) The land comprising part of the State School Fund~~
19 ~~shall not be subject to taxes of any kind whatsoever, but~~
20 ~~shall enjoy constitutional immunity therefrom, nor shall taxes~~
21 ~~of any kind be imposed thereon; nor, since not subject to tax,~~
22 ~~shall the state or any state agency be liable for taxes or the~~
23 ~~equivalent thereof sought to be imposed upon said land. All~~
24 ~~outstanding tax sale certificates against land of the State~~
25 ~~School Fund are hereby canceled.~~

26 ~~(5) Any such exchanges of land heretofore made by said~~
27 ~~State Board of Education are hereby confirmed and validated.~~

28 Section 2. Subsection (4) of section 232.2451, Florida
29 Statutes, is repealed.

30 Section 3. Subsection (5) of section 232.271, Florida
31 Statutes, is repealed.

1 Section 4. Section 232.36, Florida Statutes, is
2 repealed.

3 Section 5. Paragraph (b) of subsection (12) of section
4 228.053, Florida Statutes, is amended to read:

5 228.053 Developmental research schools.--

6 (12) EXCEPTIONS TO LAW.--To encourage innovative
7 practices and facilitate the mission of the developmental
8 research schools, in addition to the exceptions to law
9 specified in s. 229.592, the following exceptions shall be
10 permitted for developmental research schools:

11 (b) The following statutes or related rules may be
12 waived for any developmental research school so requesting,
13 provided the general statutory purpose of each section is met
14 and the developmental research school has submitted a written
15 request to the Joint Developmental Research School Planning,
16 Articulation, and Evaluation Committee for approval pursuant
17 to this subsection: ss. 229.555; 231.291; 232.2462; ~~232.367~~
18 233.34; 237.01; 237.02; 237.031; 237.041; 237.061; 237.081;
19 237.111; 237.121; 237.131; 237.141; 237.151; 237.161; 237.162;
20 237.171; 237.181; 237.211; and 237.34. Notwithstanding
21 reference to the responsibilities of the superintendent or
22 school board in chapter 237, developmental research schools
23 shall follow the policy intent of the chapter and shall, at
24 least, adhere to the general state agency accounting
25 procedures established in s. 11.46.

26 1. Two or more developmental research schools may
27 jointly originate a request for waiver and submit the request
28 to the committee if such waiver is approved by the school
29 advisory council of each developmental research school
30 desiring the waiver.

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1 2. A developmental research school may submit a
2 request to the committee for a waiver if such request is
3 presented by a school advisory council established pursuant to
4 s. 229.58, if such waiver is required to implement a school
5 improvement plan required by s. 230.23(16), and if such
6 request is made using forms established pursuant to s.
7 229.592. The Joint Developmental Research School Planning,
8 Articulation, and Evaluation Committee shall monitor the
9 waiver activities of all developmental research schools and
10 shall report annually to the department, in conjunction with
11 the feedback report required pursuant to s. 229.592, the
12 number of waivers requested and submitted to the committee by
13 developmental research schools, and the number of such waiver
14 requests not approved. For each waiver request not approved,
15 the committee shall report the statute or rule for which the
16 waiver was requested, the rationale for the developmental
17 research school request, and the reason the request was not
18 approved.

19 Section 6. Section 236.0815, Florida Statutes, is
20 repealed.

21 Section 7. Section 236.0817, Florida Statutes, is
22 repealed.

23 Section 8. Section 236.0841, Florida Statutes, is
24 repealed.

25 Section 9. Paragraph (a) of subsection (7) of section
26 232.246, Florida Statutes, is amended to read:

27 232.246 General requirements for high school
28 graduation.--

29 (7) No student may be granted credit toward high
30 school graduation for enrollment in the following courses or
31 programs:

1 (a) More than a total of nine elective credits in
2 remedial programs ~~as provided for in s. 236.0841.~~

3 Section 10. Section 236.092, Florida Statutes, is
4 repealed.

5 Section 11. Section 236.1228, Florida Statutes, is
6 repealed.

7 Section 12. Subsection (3) of section 236.13, Florida
8 Statutes, is amended to read:

9 236.13 Expenditure of funds by school board.--All
10 state funds apportioned to the credit of any district
11 constitute a part of the district school fund of that district
12 and must be budgeted and expended under authority of the
13 school board of that district subject to the provisions of
14 law, regulations of the state board, and rules of the
15 commissioner.

16 (3) Funds expended from school nonrecurring incentives
17 or bonus type state or federal funded programs based on
18 performance outcomes, ~~such as those provided for in s.~~
19 ~~236.1228 for the accountability program,~~ may not be used for
20 measuring compliance with state or federal maintenance of
21 effort, supplanting, or comparability standards.

22 Section 13. Sections 236.1229 and 236.12295, Florida
23 Statutes, are repealed.

24 Section 14. Section 236.145, Florida Statutes, is
25 repealed.

26 Section 15. Section 236.687, Florida Statutes, is
27 amended to read:

28 236.687 ~~Florida~~ Maximum class size goals Study Act.--

29 ~~(1) This section may be cited as the "Florida Maximum~~
30 ~~Class Size Study Act."~~

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1 ~~(2) During school year 1998-1999, each school district~~
 2 ~~using funds provided in the 1998-1999 General Appropriations~~
 3 ~~Act for the purpose of class size reduction shall, in at least~~
 4 ~~one elementary school, reduce the teacher-to-student ratio to~~
 5 ~~one full-time equivalent teacher to 20 students in~~
 6 ~~kindergarten through grade three. In any district where there~~
 7 ~~is a critically low-performing elementary school as identified~~
 8 ~~by the Commissioner of Education, such school shall be~~
 9 ~~selected for inclusion in the program under this subsection in~~
 10 ~~preference to any other school in the district, and the ratio~~
 11 ~~to be achieved in such schools shall be one full-time~~
 12 ~~equivalent teacher to 15 students. In the case of a district~~
 13 ~~with more than one elementary school identified by the~~
 14 ~~commissioner as critically low-performing, the selection of a~~
 15 ~~school shall be performed by the district school board by lot.~~

16 ~~(3) At the conclusion of the 1998-1999 school year,~~
 17 ~~the Department of Education shall conduct a complete study of~~
 18 ~~the efficacy of the reductions in class size provided for in~~
 19 ~~subsection (2). The study shall involve all participating~~
 20 ~~schools and shall be focused on obtaining verifiable data~~
 21 ~~regarding the benefits of class size reduction in terms of~~
 22 ~~student achievement and performance. Results of the study~~
 23 ~~shall be presented to the Governor, the President of the~~
 24 ~~Senate, the Speaker of the House of Representatives, and the~~
 25 ~~minority leader of each house not later than January 1, 2000.~~

26 ~~(4) Beginning with school year 1998-1999, It shall be~~
 27 ~~the goal of the Legislature and each school district that each~~
 28 ~~elementary school in the school district beginning with~~
 29 ~~kindergarten through grade three class sizes not exceed 20~~
 30 ~~students, with a ratio of one full-time equivalent teacher per~~
 31 ~~20 students; except that only in the case of critically~~

1 low-performing schools as identified by the Commissioner of
2 Education, the goal in kindergarten through grade three shall
3 be a ratio of one full-time equivalent teacher per 15
4 students. For purposes of any funding in the General
5 Appropriations Act to meet these goals, the district shall
6 give priority to identified critically low-performing schools
7 in the district. Second priority for the use of any funds
8 designated for meeting these goals shall be for kindergarten
9 through grade one. Third priority for the use of any funds
10 designated for meeting these goals shall be for grades two and
11 three.

12 Section 16. Section 236.69, Florida Statutes, is
13 repealed.

14 Section 17. Paragraph (a) of subsection (5) of section
15 238.05, Florida Statutes, is repealed.

16 Section 18. This act shall take effect upon becoming a
17 law.

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