

1 A bill to be entitled
 2 An act relating to district school board home rule
 3 powers; creating s. 1003.07, F.S.; providing a short
 4 title; providing legislative findings; authorizing
 5 certain district school boards to form home rule
 6 school districts; requiring a school district that
 7 wishes to establish home rule to adopt a specified
 8 rule and provide a copy to the Commissioner of
 9 Education within a specified period; authorizing
 10 exemptions from certain state laws; requiring a home
 11 rule school district to comply with certain state
 12 laws; authorizing categorical funds to be expended for
 13 certain purposes; requiring the superintendent of a
 14 home rule school district to submit an annual report
 15 to the district school board; requiring a public
 16 hearing within a specified period; requiring a copy of
 17 the annual report to be submitted to the commissioner
 18 within a specified period; providing severability;
 19 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 1003.07, Florida Statutes, is created
 24 to read:

25 1003.07 District school board home rule powers.—
 26 (1) SHORT TITLE.—This act may be cited as the "District

27 School Board Educational Innovation and Home Rule Powers Act."

28 (2) LEGISLATIVE FINDINGS.—The Legislature finds that:

29 (a) District school boards are charged with operating,
30 controlling, and supervising all free public schools within
31 their respective school districts pursuant to s. 4, Art. IX of
32 the State Constitution.

33 (b) The exercise of expanded local control and flexibility
34 by district school boards, which is currently exercised by
35 charter schools, will inspire school boards to initiate
36 educational innovation and implement financial efficiencies to
37 meet the needs of their respective students, parents, and
38 communities.

39 (c) The exercise of expanded home rule powers by locally
40 elected district school boards under this section will expand
41 educational innovation in public education for the academic and
42 economic betterment of all Floridians.

43 (3) DESIGNATION.—A district school board that wishes to
44 independently govern its district in a manner that best suits
45 the needs of the students in its district may form a home rule
46 school district upon adoption of a rule pursuant to ss.
47 120.536(1) and 120.54 which implements and conforms to this
48 section. Upon adoption of the rule, the school district shall be
49 designated and referred to as a home rule school district for
50 the purposes of this section. A copy of the rule, and any
51 related amendments, must be provided to the Commissioner of
52 Education within 10 days after adoption by the district school

53 board.

54 (4) EXEMPTIONS FROM STATUTES.—With the exception of the
55 provisions identified in paragraph (a), and upon a determination
56 by a district school board, a home rule school district is
57 exempt from chapters 1000-1013, including any implementing rules
58 adopted by the State Board of Education and identified by
59 district rule.

60 (a) A home rule school district must comply with the
61 following provisions in chapters 1000-1013:

62 1. Those statutes specifically applying to home rule
63 school districts, including this section.

64 2. Those statutes pertaining to the student assessment
65 program and school grading system.

66 3. Those statutes pertaining to the provision of services
67 for students with disabilities.

68 4. Those statutes pertaining to civil rights, including s.
69 1000.05, relating to discrimination.

70 5. Those statutes pertaining to student health, safety,
71 and welfare.

72 (b) A home rule school district must also comply with the
73 following provisions:

74 1. Section 286.011, relating to public meetings and
75 records, public inspection, and criminal and civil penalties.

76 2. Chapter 119, relating to public records.

77 3. Section 1003.03, relating to maximum class size, except
78 that the calculation for compliance pursuant to s. 1003.03 must

79 be at the average school level.

80 4. Section 1012.22(1)(c), relating to compensation and
81 salary schedules.

82 5. Section 1012.33(5), relating to workforce reductions.

83 6. Section 1012.335, relating to contracts with
84 instructional personnel hired on or after July 1, 2011.

85 7. Section 1012.34, relating to the substantive
86 requirements for performance evaluations for instructional
87 personnel and school administrators.

88 (c) Notwithstanding any other provision of law,
89 categorical funds identified in s. 1011.62 or any other
90 earmarked funds that are appropriated by the Legislature to a
91 home rule school district may be expended for a different
92 purpose as identified by the district school board.

93 (d) The district school board may determine the extent of
94 any exemption authorized under this section.

95 (5) ANNUAL REPORT.—The superintendent of a home rule
96 school district shall annually provide a written report to the
97 district school board on the implementation and effectiveness of
98 the exemptions exercised under this section. The report shall
99 include any recommended amendments to the rule adopted pursuant
100 to subsection (3). The district school board shall conduct a
101 public hearing to review the annual report within 60 days after
102 receipt of the superintendent's written report. A copy of the
103 annual report shall be submitted to the commissioner within 10
104 days after the public hearing.

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105 Section 2. If any provision of this act or its application
106 to any person or circumstance is held invalid, the invalidity
107 does not affect other provisions or applications of the act
108 which can be given effect without the invalid provision or
109 application, and to this end the provisions of this act are
110 severable.

111 Section 3. This act shall take effect upon becoming a law.