

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 1429 District and School Advisory Councils

SPONSOR(S): Education Quality Subcommittee, Bell and others

TIED BILLS: None. **IDEN./SIM. BILLS:** SB 1652

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Education Quality Subcommittee	14 Y, 0 N, As CS	Wolff	Sanchez
2) Education & Employment Committee		Wolff	Hassell

SUMMARY ANALYSIS

Current law requires that each district school board establish an advisory council for each school in the district and to develop procedures for the election and appointment of advisory council members. The school advisory council shall be the sole body responsible for final decisionmaking at the school relating to implementation of school improvement and education accountability.

The bill updates the name for the district and school advisory council to the district and community advisory board. The bill requires that at least 70 percent of the members of the board be persons not employed by the school district. The bill specifies the length of member terms and provides term limits for specified community advisory board members, specifically, members serve 2-year terms while the president, vice president, secretary, and treasurer of the board may not serve consecutive terms.

The bill requires the community advisory board to publicize open positions on the community advisory board, information regarding board elections and appointments, and information about becoming a member of the community advisory board. Additionally, the bill requires the board to work with each school to ensure the board's efforts to publicize such information are effective.

The bill requires that the advisory board adopt bylaws for the approval, review, and updating of its bylaws. Each district school board must establish a schedule to approve, review, and update such bylaws.

The bill does not appear to have a fiscal impact.

The bill has an effective date of July 1, 2024.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

District and School Advisory Councils

Current law requires that each district school board establish an advisory council for each school in the district and develop procedures for the election and appointment of advisory council members. The school advisory council shall be the sole body responsible for final decisionmaking at the school relating to implementation of school improvement and education accountability.¹

The advisory councils must consist of the principal and an appropriately balanced number of teachers,² education support employees,³ students, parents, and other business and community citizens who are representative of the ethnic, racial, and economic community served by the school. Career center and high school advisory councils shall include students, and middle and junior high school advisory councils may include students. School advisory councils of career centers and adult education centers are not required to include parents as members. Council members representing teachers, education support employees, students, and parents shall be elected by their respective peer groups at the school in a fair and equitable manner.⁴

The district school board must review the membership composition of each advisory council. If the district school board determines that the membership elected by the school is not representative of the ethnic, racial, and economic community served by the school, the district school board shall appoint additional members to achieve proper representation. The commissioner of education shall determine if schools have maximized their efforts to include on their advisory councils minority persons and persons of lower socioeconomic status.⁵

The law provides an exception to the requirement that each school have a school advisory council for school districts with a student population of 10,000 or less. In such districts, the district school board is only required to establish a district advisory council that includes at least one duly elected teacher from each school in the district.⁶

The district school board may establish a district advisory council representative of the district that is composed of teachers, students, parents, and other citizens or a district advisory council that may be comprised of representatives of each school advisory council.⁷ Similarly, the district school boards may establish a district advisory council with appropriate representatives for the purpose of developing and monitoring a district school improvement plan that encompasses all such schools in the district for those schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs.⁸

Each school advisory council shall adopt bylaws establishing procedures for:

- Requiring a quorum, or a majority of the membership, to be present before a vote may be taken by the school advisory council.

¹ Section 1001.452(1)(a), F.S.

² For the purposes of school advisory councils and district advisory councils, the term “teacher” includes classroom teachers, certified student services personnel, and media specialists.

³ For the purposes of school advisory councils and district advisory councils, “education support employee” means any person employed by a school who is not defined as instructional or administrative personnel and whose duties require 20 or more hours in each normal working week.

⁴ *Id.*

⁵ *Id.* (flush left provision at the end of the paragraph).

⁶ *Id.* (flush left provision at the end of the paragraph).

⁷ Section 1001.452(1)(b), F.S.

⁸ Section 1001.452(1)(c), F.S.

- Requiring at least 3 days' advance notice in writing to all members of the advisory council of any matter that is scheduled to come before the council for a vote.
- Scheduling meetings when parents, students, teachers, businesspersons, and members of the community can attend.
- Replacing any member who has two unexcused consecutive absences from a school advisory council meeting that is noticed according to the procedures in the bylaws.
- Recording minutes of meetings.⁹

The district school board may review all proposed bylaws of a school advisory council and shall maintain a record of minutes of council meetings.¹⁰

Each advisory council must perform functions established by regulations of the district school board; however, no advisory council can have any of the powers and duties reserved by law to the district school board. Each school advisory council shall assist in the preparation and evaluation of the school improvement plan. Additionally, with technical assistance from the Department of Education, each school advisory council must assist in the preparation of the school's annual budget.¹¹

Currently, members serving on a school advisory council do not have term limits.

Effect of Proposed Changes

The bill updates the name for the district and school advisory council to the district and community advisory board. The bill requires that at least 70 percent of the members of the board be persons not employed by the school district.

The bill requires the community advisory board to publicize open positions on the community advisory board, information regarding board elections and appointments, and information about becoming a member of the community advisory board. Additionally, the bill requires the board to work with each school to ensure the board's efforts to publicize such information are effective.

The bill specifies the length of member terms and provides term limits for specified community advisory board members, specifically, members serve 2-year terms while the president, vice president, secretary, and treasurer of the board may not serve consecutive terms.

The bill requires school districts to provide, and board members to complete, training to advisory board members.

The bill requires that the advisory board adopt bylaws for the approval, review, and updating of its bylaws. Each district school board must establish a schedule to approve, review, and update such bylaws.

B. SECTION DIRECTORY:

Section 1: Amends s. 1001.452, F.S.; renaming district advisory councils and school advisory councils as "district community advisory boards" and "community advisory boards," respectively; requiring community advisory boards to publicize specified information; establishing terms for board members; establishing term limits for specified board officers; requiring district school boards to establish training for community advisory board members; requiring members of such boards to complete such training; revising the requirements for community advisory board bylaws

Section 2: Amends s. 24.121, F.S.; conforming provisions to changes made by the act.

Section 3: Amends s. 1001.42, F.S.; conforming provisions to changes made by the act.

⁹ Section 1001.452(1)(d), F.S.

¹⁰ *Id.* (flush left provision at the end of the paragraph).

¹¹ Section 1001.452(2), F.S.

- Section 4:** Amends s. 1001.43, F.S.; conforming provisions to changes made by the act.
- Section 5:** Amends s. 1002.23, F.S.; conforming provisions to changes made by the act.
- Section 6:** Amends s. 1002.32, F.S.; conforming provisions to changes made by the act.
- Section 7:** Amends s. 1002.33, F.S.; conforming provisions to changes made by the act.
- Section 8:** Amends s. 1003.02, F.S.; conforming provisions to changes made by the act.
- Section 9:** Amends s. 1003.4203, F.S.; conforming provisions to changes made by the act.
- Section 10:** Amends s. 1006.07, F.S.; conforming provisions to changes made by the act.
- Section 11:** Amends s. 1008.345, F.S.; conforming provisions to changes made by the act.
- Section 12:** Amends s. 1008.36, F.S.; conforming provisions to changes made by the act.
- Section 13:** Amends s. 1012.71, F.S.; conforming provisions to changes made by the act.
- Section 14:** Amends s. 1012.98, F.S.; conforming provisions to changes made by the act.
- Section 15:** Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

On January 25, 2024, the Education Quality Subcommittee adopted one amendment and reported the bill favorably as a committee substitute. The amendment:

- requires that at least 70 percent of the members of a district and community advisory board be persons not employed by the school district, rather than a simple majority as previously required.

The analysis is drafted to the committee substitute adopted by the Education Quality Subcommittee.