

## Council for Education Policy Research and Improvement

**ISSUE: EDUCATION GOVERNANCE and LEADERSHIP:  
District School Boards and District School Superintendents**

### **Questions submitted by Council member Mrs. Pat Telson:**

#### **1. What are the job descriptions of school board members and superintendents?**

##### District School Boards

In accordance with the provisions of Section 4(b) Article IX of the Florida Constitution, “district school boards shall operate, control, and supervise all free public schools in their respective districts and may exercise any power except as expressly prohibited by the State Constitution or general law.”

Section 1001.41, Florida Statutes, identifies the following general powers of district school boards:

- (1) Determine policies and programs consistent with state law and rule deemed necessary by it for the efficient operation and general improvement of the district school system.
- (2) Adopt rules pursuant to ss. [120.536](#)(1) and [120.54](#) to implement the provisions of law conferring duties upon it to supplement those prescribed by the State Board of Education and the Commissioner of Education.
- (3) Prescribe and adopt standards as are considered desirable by it for improving the district school system.
- (4) Contract, sue, and be sued. The district school board shall constitute the contracting agent for the district school system.
- (5) Perform duties and exercise those responsibilities that are assigned to it by law or by rules of the State Board of Education or the Commissioner of Education and, in addition thereto, those that it may find to be necessary for the improvement of the district school system in carrying out the purposes and objectives of the education code.
- (6) Assign students to schools.
- (7) Enter into agreements for accepting credit card, charge card, and debit card payments as compensation for goods, services, tuition, and fees, as authorized by law.

See Section 1001.42, Florida Statutes for a comprehensive list of school board powers and duties in the following areas:

- Conduct meetings

- Adopt school program
- Establish, organize and operate schools
- Personnel
- Student Welfare
- Course of Study and other instructional materials
- Transportation of Students
- School Plant
- Finance
- Records and Reports
- Cooperation with other school district boards
- Enforcement of laws and rules
- School lunch program
- Public information and parental involvement program
- Implement school improvement and accountability
- Local level decision-making
- Opportunity scholarships
- Authority to declare an emergency
- School-within-a-school
- Florida Virtual School
- Adopt rules

Section 1001.43, F.S., authorizes supplemental powers and duties for district school boards in the areas of:

- Student Management
- Fiscal Management
- Instructional Aids
- Facilities Management
- School-Community Relations
- Legal Issues
- First Aid and Emergencies
- Student Assessment and Affairs
- Administrative Support Services
- District School Board Governance and Operations
- Personnel
- Cooperation with Community Colleges

#### District School Superintendents

Article IX, Section 5 of the Florida Constitution states that “In each school district there shall be a superintendent of schools who shall be elected at the general election in each year the number of which is a multiple of four for a term of four years; or, when provided by resolution of the district school board, or by special law, approved by vote of the electors.”

Section 1001.32, Florida Statutes, states that “responsibility for the administration and management of the schools and for the supervision of instruction in the district shall be vested in the district school superintendent as the secretary and executive officer of the district school board, as provided by law.”

The general powers of district school superintendents appear in Section 1001.49, F.S. as follows:

(1) General Oversight.--Exercise general oversight over the district school system in order to determine problems and needs, and recommend improvements.

(2) Advise, Counsel, and Recommend to district school board.--Advise and counsel with the district school board on all educational matters and recommend to the district school board for action such matters as should be acted upon.

(3) Recommend Policies.--Recommend to the district school board for adoption such policies pertaining to the district school system as the district school superintendent may consider necessary for its more efficient operation.

(4) Recommend and Execute Rules.--Prepare and organize by subjects and submit to the district school board for adoption such rules to supplement those adopted by the State Board of Education as, in the district school superintendent's opinion, will contribute to the efficient operation of any aspect of education in the district. When rules have been adopted, the district school superintendent shall see that they are executed.

(5) Recommend and Execute Minimum Standards.--From time to time prepare, organize by subject, and submit to the district school board for adoption such minimum standards relating to the operation of any phase of the district school system as are needed to supplement those adopted by the State Board of Education and as will contribute to the efficient operation of any aspect of education in the district and ensure that minimum standards adopted by the district school board and the state board are observed.

(6) Perform Duties and Exercise Responsibilities --Perform such duties and exercise such responsibilities as are assigned to the district school superintendent by law and by rules of the State Board of Education.

A comprehensive list of duties and responsibilities of district school superintendents appears in Section 1001.51, F.S. in the following areas:

- Assist in the Organization of district school board
- Regular and special meetings of district school board
- Records for the district school board
- School Property
- School programs; prepare plans
- Establishment, organization and operation of schools, classes and services
- Personnel
- Courses of Study and other instructional aids

- Transportation of students
- School Plant
- Finance
- Records and Reports
- Cooperation with other agencies
- Enforcement of laws and rules
- Cooperate with district school board
- Visitation of schools
- Conferences, Institutes and Study courses
- Professional and general improvement
- Recommend revoking certificates
- Make records available to successor
- Record procedures for informing general public
- School improvement and accountability
- Parental involvement
- Quality Teachers
- Orderly classrooms and school buses
- Other duties and responsibilities

**2. What was the date that the Constitution of Florida was written? Did it include school boards and that each county would have one school board? Was the salary, job description, etc. set at that time? Has there been states statutes changing the original wording?**

The 1885 Constitution in Article XII, Section 10, provided that a county or counties may be divided into convenient school districts and Section 11 provided that municipalities could be school districts.

Following revisions in 1968, the Florida Constitution now states in Article IX, Section 4 - School Districts; school boards, that “each county shall constitute a school district; provided, two or more contiguous counties, upon vote of the electors of each county pursuant to law, may be combined into one school district.”

Section 1001.30, Florida Statutes, more specifically states that “each county shall constitute a school district and shall be known as the school district of \_\_\_\_\_ county, Florida.”

**3. What does the Constitution say regarding elected and appointed superintendents? Has there been an amendment to this?**

Florida is one of three states (with Alabama and Mississippi) that have some school districts with elected superintendents.

The election/selection of school board members and superintendents is addressed in Sections 4 and 5 of Article IX of the Florida Constitution. Article IX, Section 5 provides that “in each school district there shall be a superintendent of schools who shall be elected at

the general election in each year the number of which is a multiple of four for a term of four years; or, when provided by resolution of the district school board, or by special law, approved by vote of the electors, the district school superintendent in any school district shall be employed by the district school board as provided by general law.”

More specifically, Section 1001.461, F.S. states that “the district school superintendent shall be appointed by the district school board in a school district wherein the proposition is affirmed by a majority of the qualified electors voting in the same election making the office of district school superintendent appointive. To submit the proposition to the electors, the district school board by formal resolution shall request an election that shall be at a general election or a statewide primary or special election. The board of county commissioners, upon such timely request from the district school board, shall cause to be placed on the ballot at such election the proposition to make the office of district school superintendent appointive. Any district adopting the appointive method for its district school superintendent may after 4 years return to its former status and reject the provisions of this section by following the same procedure outlined in subsection (2) for adopting the provisions thereof.”

Currently, superintendents are elected in 44 of Florida’s 67 school districts.

**4. What was the rationale for the Legislature to give the local school boards the right to set their own salaries and the year this happened? How many boards increased their salaries and how many decreased their salaries? What were the amounts of the changes by county?**

*NOTE: This set of questions was forwarded to Mr. Wayne Blanton, Florida School Boards Association, for review. Mr. Blanton’s responses will be available at the November 12<sup>th</sup> meeting.*

Florida is one of 30 states with paid school boards. Florida’s school board salaries, which averaged \$27,190 in 2001-02, are easily the highest in the U.S.

Enacted by the 2002 Legislature, Section 1001.395, F.S. states that “each district school board shall annually determine the salary of its members at the first regular meeting following the organizational meeting. The proposed salary to be adopted shall be noticed at the time of the meeting notice and shall not be increased during the meeting. The salary adopted by the district school board shall be in effect during the succeeding 12 months.” Prior to this revision, each member of a district school board received a salary that was calculated based on the population of the member's county.

**5. What has given school boards the jobs other than those in their job description? Are they just voluntary on the part of the member?**

In addition to statutory requirements in Sections 1001.42, 1001.43, F.S., the work of the school board varies from district to district. Specific areas of emphasis and attention tend to depend on (1) the level of school board member training on statutory responsibilities, (2) the

effectiveness of the superintendent in monitoring compliance and (3) the strength of the relationship between school board members and the superintendent.

**6. When the 67 districts were formed what was the population in Florida like compared to today?**

**Florida Population Growth**

<u>Year</u>	<u>Census</u>	<u>Change from previous census</u>	
1950	2,771,305	873,891	+ 46 %
1960	4,951,560	2,180,255	+ 79 %
1970	6,791,418	1,839,858	+ 37 %
1980	9,746,324	2,954,906	+ 44 %
1990	12,937,926	3,191,602	+ 33 %
2000	15,982,378	3,044,452	+ 24 %
1950 – 2000 Change:		+ 13,211,073	+ 477 %

<u>Year</u>	<u>Census</u>	<u>Urban</u>	<u>% of Total</u>	<u>Rural</u>	<u>% of Total</u>
1950	2,771,305	1,813,890	66	957,415	34
1960	4,951,560	3,661,383	74	1,290,177	26
1970	6,791,418	5,544,551	82	1,244,892	18
1980	9,746,324	8,212,385	84	1,533,939	16
1990	12,937,926	10,970,445	85	1,967,481	15
2000	15,982,378	NA		NA	

A Current View\*

- There are more than 2,525,000 students in Florida’s 3,600 public schools, making Florida the 4<sup>th</sup> largest public school system in the country.
- Over the last 10 years, Florida’s public school K-12 student population has grown by an average of more than 58,000 students each year.
- There are more than 151,000 teachers in Florida’s public schools. Nationally, Florida ranks 43<sup>rd</sup> in student: teacher ratio.
- The 2002-2003 basic operating budget for K-12 public education was approximately \$13 billion. This provides an average of \$5,149 per student. Under the current budget, Florida spends approximately \$72,000,000 each school day to operate its public schools. Nationally, Florida ranks 38<sup>th</sup> in per pupil spending.
- The average cost (*not* including land purchase) to build an elementary school is about \$11 million; a middle school costs about \$15 million; a high school costs about \$24 million.

\*FSBA

**7. Where is it written that there will be 5, 7, or 9 members on the board for a county?**

Article IX, Section 4, Florida Constitution states that “in each school district there shall be a school board composed of five or more members chosen by vote of the electors in a nonpartisan election for appropriately staggered terms of four years, as provided by law.” Section 1001.34, F.S. more specifically states that “each district school board shall be composed of not less than five members.”

Most district school boards in the State have five members; a few larger districts have seven members and two districts (Dade and Broward) have nine members.