

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1619 CS

Supplemental Powers and Duties of District School Boards

SPONSOR(S): Murzin

TIED BILLS:

IDEN./SIM. BILLS:

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>PreK-12 Committee</u>	<u>6 Y, 0 N, w/CS</u>	<u>Hassell</u>	<u>Mizereck</u>
2) <u>Education Appropriations Committee</u>	<u>15 Y, 0 N, w/CS</u>	<u>Eggers</u>	<u>Hamon</u>
3) <u>Education Council</u>	<u>10 Y, 0 N, w/CS</u>	<u>Beagle</u>	<u>Cobb</u>
4) _____	_____	_____	_____
5) _____	_____	_____	_____

SUMMARY ANALYSIS

The bill includes several provisions impacting district school boards in the areas of student dress codes, the purchase of food with federal funds when permitted, selection of class ring vendors, senior photographs, and student transportation. The bill renames the Florida Business and Education in School Together (Florida BEST) program as the A Business Community School (ABC'S).

The bill may increase the number of students who choose to buy class rings or senior photographs from vendors not under contract with the district school board.

The bill has an effective date of July 1, 2006.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provides Limited Government-- The bill places certain requirements on district school boards' selection of class ring vendors and photographers.

Safeguard Individual Liberty-- The bill requires districts to provide information so that students know they may purchase class rings from vendors not under contract with the school district. The bill allows students to wear sun-protective clothing while outside during the school day.

B. EFFECT OF PROPOSED CHANGES:

Dress Codes and Sun-Protective Clothing

Section 1001.43, F.S. grants district school boards authority to adopt dress codes and school uniform policies. House bill 1619 specifically allows students to wear sun-protective clothing while outside during school hours.

Purchase of Food

The federal Title I program allows the use of funds for the purchase of food by eligible schools for the purpose of carrying out the required activities of the program. Such activities include parental involvement events where schools have provided snacks and drinks.

In conflict with this allowance, "The Reference Guide for State Expenditures" produced by the Division of Accounting and Auditing in the Department of Financial Services, specifically prohibits the purchase of food and beverages unless expressly provided by law. As a result, some districts have received state audit criticisms for these purchases.

The bill will resolve these audit criticisms by allowing the use of federal funds to purchase food when federal program guidelines permit such use.

Class Ring Vendors

Florida law grants local district school boards authority to control K-12 education operations in the district. Educational curricula, facilities operation and maintenance, student discipline and attendance policies, transportation, reporting, and record keeping are among the duties prescribed to district school boards in statute.¹

The bill establishes criteria that district school boards must follow in selecting vendors to market class rings. The bill requires school districts that choose to contract with a class ring vendor to contract with at least two vendors. The bill requires that selected vendors may not intimidate students and that students be allowed to purchase class rings from any vendor and participate in class ring ceremonies regardless of their choice of class ring vendor. The bill requires district school boards to provide written notification to students and parents that students may purchase a class ring through any vendor, regardless of the district's contractual arrangements.

Senior Yearbook Photographs

The bill requires school districts that contract with a photographer for the purpose of taking student yearbook photos to contract with at least two photographers. The bill specifies that a student's senior photo must be allowed to appear in the school yearbook regardless of the student's choice of photographer, so long as the photo meets the specifications of the school principal and yearbook staff.

¹ Section 1003.02, F.S.

Student Transportation

Florida law governing student transportation limits the types of vehicles that may be used to transport students.² Subject to limited exceptions, students must be transported on school buses. Currently, students may not be transported to school related activities in school or school district-owned passenger vehicles or light trucks. This has caused particular disruptions to agricultural education programs.

The bill specifies that school or school district-owned passenger vehicles or light trucks may be used to transport students to and from school sites or agricultural education related events or competitions. The bill also allows students to drive the vehicle on school or private property for limited purposes relating to the agricultural education curriculum. The bill specifically prohibits the use of district owned passenger vehicles or light trucks to transport students between the student's home and agricultural education sites.

A Business Community School (ABC'S)

The Florida Business and Education in School Together (Florida BEST) program was enacted to enable businesses to house on-site public schools for students in kindergarten through grade 3.

The bill renames the Florida BEST program as the A Business Community School (ABC'S) program.

The bill takes effect July 1, 2006.

C. SECTION DIRECTORY:

Section 1. Amends s. 1001.43, F.S.; providing that students may wear sun protective clothing while outside during school hours and authorizing the use of federal funds to purchase food when federal program guidelines permit such use.

Section 2. Amends s. 1003.02, F.S.; providing certain requirements pertaining to class ring vendors and yearbook photographs.

Section 3. Amends s. 1006.22, F.S.; providing an exception to student transportation requirements.

Section 4. Amends s. 1013.501, F.S.; renaming the Florida Business and Education in School Together (Florida BEST) program as the A Business Community School (ABC'S) program.

Section 5. Amends s. 1013.502, F.S.; deleting reference to the Florida BEST schools and replacing with ABC'S school.

Section 6. Providing an effective date of July 1, 2006.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The bill does not appear to have a fiscal impact on state government revenues.

2. Expenditures:

The bill does not appear to have a fiscal impact on state government expenditures.

² Section 1006.22, F.S.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

The bill does not appear to have a fiscal impact on local government revenues.

2. Expenditures:

The bill does not appear to have a fiscal impact on local government expenditures.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

This bill may increase the number of students choosing to buy class rings or senior photos from vendors not under contract with the district school board.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditure of funds.

This bill does not reduce the authority that counties or municipalities have to raise revenues in the aggregate.

This bill does not reduce the percentage of a state tax shared with counties and municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

On March 28, 2006 the PreK-12 Committee adopted a strike-all amendment and one amendment to the strike-all.

- The strike-all amendment adds provisions pertaining to sun-protective clothing, class ring vendors, and student transportation to the contents of the bill
- The amendment to the strike-all states that a student's senior photo must meet the specifications of the school principal and yearbook staff. The original bill stated that it need only meet the specifications of the yearbook staff.

On April 11, 2006, the Education Appropriations Committee adopted an amendment allowing the use of federal funds to purchase food when federal program guidelines permit such use.

On April 18, 2006, the Education Council adopted two amendments and reported the bill favorably.

- Amendment one renames the Florida Business and Education in School Together (Florida BEST) program as the A Business Community School (ABC'S) program.
- Amendment two specifically prohibits the use of district owned passenger vehicles or light trucks to transport students between the student's home and agricultural education sites.

This bill analysis reflects the bill as amended.