

1                   A bill to be entitled  
2           An act relating to district school boards; amending s.  
3           1001.43, F.S., relating to district school board powers  
4           and duties; allowing students to wear sun-protective items  
5           while outdoors during school hours; authorizing use of  
6           federal funds to purchase food when federal program  
7           guidelines permit such use; amending s. 1003.02, F.S.;  
8           requiring certain district school boards to request  
9           proposals from at least two class ring vendors annually;  
10          requiring public access to information; providing criteria  
11          for selection of such vendors; requiring that the purchase  
12          of a class ring may be through any vendor marketing class  
13          rings and that a student may participate in related  
14          ceremonies or activities regardless of the vendor through  
15          which the purchase was made; requiring certain district  
16          school boards to request proposals from at least two  
17          photographers annually; requiring public access to  
18          information; allowing student choice of photographer;  
19          permitting the inclusion of certain photographs in student  
20          yearbooks; amending s. 1006.22, F.S.; revising provisions  
21          for district school board transportation of students in  
22          vehicles other than school buses; authorizing use of such  
23          vehicles for trips to and from certain sites and  
24          activities; revising criteria for such vehicles and their  
25          use; requiring district school boards and charter schools  
26          to adopt a policy that addresses procedures and liability  
27          for trips using vehicles other than school buses; amending

28 ss. 1013.501 and 1013.502, F.S.; redesignating the Florida  
 29 Business and Education in School Together (Florida BEST)  
 30 Program as A Business-Community School (ABC'S) Program;  
 31 providing an effective date.

32  
 33 Be It Enacted by the Legislature of the State of Florida:

34  
 35 Section 1. Paragraph (b) of subsection (1) of section  
 36 1001.43, Florida Statutes, is amended, and paragraph (g) is  
 37 added to subsection (2) of that section, to read:

38 1001.43 Supplemental powers and duties of district school  
 39 board.--The district school board may exercise the following  
 40 supplemental powers and duties as authorized by this code or  
 41 State Board of Education rule.

42 (1) STUDENT MANAGEMENT.--The district school board may  
 43 adopt programs and policies to ensure the safety and welfare of  
 44 individuals, the student body, and school personnel, which  
 45 programs and policies may:

46 (b) Require uniforms to be worn by the student body, or  
 47 impose other dress-related requirements, if the district school  
 48 board finds that those requirements are necessary for the safety  
 49 or welfare of the student body or school personnel. However,  
 50 students may wear sunglasses, hats, or other sun-protective wear  
 51 while outdoors during school hours, such as when students are at  
 52 recess.

53 (2) FISCAL MANAGEMENT.--The district school board may  
 54 adopt policies providing for fiscal management of the school

55 | district with respect to school purchasing, facilities, nonstate  
56 | revenue sources, budgeting, fundraising, and other activities  
57 | relating to the fiscal management of district resources,  
58 | including, but not limited to, the policies governing:

59 |       (g) Use of federal funds to purchase food when federal  
60 | program guidelines permit such use.

61 |       Section 2. Subsections (5) and (6) are added to section  
62 | 1003.02, Florida Statutes, to read:

63 |       1003.02 District school board operation and control of  
64 | public K-12 education within the school district.--As provided  
65 | in part II of chapter 1001, district school boards are  
66 | constitutionally and statutorily charged with the operation and  
67 | control of public K-12 education within their school district.  
68 | The district school boards must establish, organize, and operate  
69 | their public K-12 schools and educational programs, employees,  
70 | and facilities. Their responsibilities include staff  
71 | development, public K-12 school student education including  
72 | education for exceptional students and students in juvenile  
73 | justice programs, special programs, adult education programs,  
74 | and career education programs. Additionally, district school  
75 | boards must:

76 |       (5) (a) If selecting a vendor to market class rings to  
77 | students, request proposals from at least two vendors annually.  
78 | Results of proposals, including vendor contact information,  
79 | shall be open to the public and posted on the district school  
80 | board's website.

81 (b) Vendors selected by the district school board may not  
82 discourage students from purchasing class rings from another  
83 vendor nor may they establish practices, policies, or procedures  
84 that interfere with the ability of students to purchase class  
85 rings from another vendor. Vendors may not discriminate against  
86 a student who purchases a class ring from another vendor.

87 (c) Students may not be prohibited from purchasing a class  
88 ring from any vendor and may not be excluded from participation  
89 in any ceremony or activity relating to the receipt of a class  
90 ring.

91 (6) (a) If entering into a contract with a photographer for  
92 the purpose of taking student photographs, request proposals  
93 from at least two photographers annually. Results of proposals,  
94 including vendor contact information, shall be open to the  
95 public and posted on the district school board's website.

96 (b) District school boards may not require students to  
97 purchase senior photographs from a contract vendor and must  
98 allow students to purchase photographs from a photographer of  
99 their choice. A student's senior photograph must be allowed to  
100 appear in the yearbook when taken by a photographer not under  
101 contract with the district school board if the photograph meets  
102 the reasonable specifications of the principal and yearbook  
103 staff for senior photographs.

104 Section 3. Subsection (1) of section 1006.22, Florida  
105 Statutes, is amended to read:

106 1006.22 Safety and health of students being  
107 transported.--Maximum regard for safety and adequate protection

108 | of health are primary requirements that must be observed by  
109 | district school boards in routing buses, appointing drivers, and  
110 | providing and operating equipment, in accordance with all  
111 | requirements of law and rules of the State Board of Education in  
112 | providing transportation pursuant to s. 1006.21:

113 |       (1) (a) District school boards shall use school buses, as  
114 | defined in s. 1006.25, for all regular transportation. Regular  
115 | transportation or regular use means transportation of students  
116 | to and from school or school-related activities that are part of  
117 | a scheduled series or sequence of events to the same location.  
118 | "Students" means, for the purposes of this section, students  
119 | enrolled in the public schools in prekindergarten disability  
120 | programs and in kindergarten through grade 12. District school  
121 | boards may regularly use motor vehicles other than school buses  
122 | only under the following conditions:

123 |       1. ~~(a)~~ When the transportation is for physically  
124 | handicapped or isolated students and the district school board  
125 | has elected to provide for the transportation of the student  
126 | through written or oral contracts or agreements.

127 |       2. ~~(b)~~ When the transportation is a part of a comprehensive  
128 | contract for a specialized educational program between a  
129 | district school board and a service provider who provides  
130 | instruction, transportation, and other services.

131 |       3. ~~(c)~~ When the transportation is provided through a public  
132 | transit system.

133 |       4. ~~(d)~~ When the transportation is for trips to and from  
134 | school sites or agricultural education sites or for trips to and

135 from agricultural education-related events or competitions, but  
136 is not for customary transportation between a student's  
137 residence and such sites. ~~When the transportation of students is~~  
138 ~~necessary or practical in a motor vehicle owned or operated by a~~  
139 ~~district school board other than a school bus, such~~  
140 ~~transportation must be provided in designated seating positions~~  
141 ~~in a passenger car not to exceed 8 students or in a multipurpose~~  
142 ~~passenger vehicle designed to transport 10 or fewer persons~~  
143 ~~which meets all applicable federal motor vehicle safety~~  
144 ~~standards. Multipurpose passenger vehicles classified as utility~~  
145 ~~vehicles with a wheelbase of 110 inches or less which are~~  
146 ~~required by federal motor vehicle standards to display a~~  
147 ~~rollover warning label may not be used.~~

148  
149 ~~When students are transported in motor vehicles, the occupant~~  
150 ~~crash protection system provided by the vehicle manufacturer~~  
151 ~~must be used unless the student's physical condition prohibits~~  
152 ~~such use.~~

153 (b) When the transportation of students is provided, as  
154 authorized in this subsection, in a vehicle other than a school  
155 bus that is owned, operated, rented, contracted, or leased by a  
156 school district or charter school, the following provisions  
157 shall apply:

158 1. The vehicle must be a passenger car or multipurpose  
159 passenger vehicle or truck, as defined in Title 49 C.F.R. part  
160 571, designed to transport fewer than 10 students. Students must  
161 be transported in designated seating positions and must use the

162 occupant crash protection system provided by the manufacturer  
163 unless the student's physical condition prohibits such use.

164 2. An authorized vehicle may not be driven by a student on  
165 a public right-of-way. An authorized vehicle may be driven by a  
166 student on school or private property as part of the student's  
167 educational curriculum if no other student is in the vehicle.

168 3. The driver of an authorized vehicle transporting  
169 students must maintain a valid driver's license and must comply  
170 with the requirements of the school district's locally adopted  
171 safe driver plan, which includes review of driving records for  
172 disqualifying violations.

173 4. The district school board or charter school must adopt  
174 a policy that addresses procedures and liability for trips under  
175 this paragraph, including a provision that school buses are to  
176 be used whenever practical and specifying consequences for  
177 violation of the policy.

178 Section 4. Section 1013.501, Florida Statutes, is amended  
179 to read:

180 1013.501 A Business-Community School (ABC'S) Florida  
181 ~~Business and Education in School Together (Florida BEST)-~~  
182 ~~Program.--~~

183 (1) In order to increase business partnerships in  
184 education, to reduce school and classroom overcrowding  
185 throughout the state, and to offset the high costs of  
186 educational facilities construction, the Legislature intends to  
187 encourage the formation of partnerships between business and  
188 education by creating A Business-Community School (ABC'S) the

189 ~~Florida Business and Education in School Together (Florida BEST)~~  
 190 Program.

191 (2) Each school board shall, through advertisements in  
 192 local media and other means, request proposals from area  
 193 businesses to allow the operation of a business and education  
 194 partnership school in facilities owned or operated by the  
 195 business.

196 (3) Each school district shall establish an ABC'S a  
 197 ~~Florida BEST~~ school evaluation committee.

198 (a) The committee shall be appointed by the school board  
 199 and be composed of one school district administrator, at least  
 200 one member of the business community, and at least one member of  
 201 a local chamber of commerce.

202 (b) The committee shall evaluate the feasibility of each  
 203 proposal, including the operating cost, number of students to be  
 204 served, proposed student-to-teacher ratio, proposed number of  
 205 years the satellite school would operate, and any other  
 206 operational or facilities considerations the school board or  
 207 committee deems appropriate.

208 (c) The committee shall recommend to the school board  
 209 those proposals for satellite schools which the committee deems  
 210 viable and worthy of being established. The school board must  
 211 take official action on the recommendation of the committee  
 212 within 60 days after receipt of the recommendation.

213 (4) "A Business-Community School (ABC'S) ~~"Florida Business~~  
 214 ~~and Education in School Together (Florida BEST)~~ school" is  
 215 defined as a public school offering instruction to students from



216 kindergarten through third grade. The school may offer  
217 instruction in any single grade level or for multiple grade  
218 levels. ABC'S ~~Florida BEST~~ schools shall comply with the  
219 constitutional class size requirements.

220 (a) First priority for admission of students to the ABC'S  
221 ~~Florida BEST~~ school shall be given to the children of owners and  
222 employees of the host business. If additional student capacity  
223 remains after those children are admitted, the host business may  
224 choose which other neighboring businesses may also participate  
225 to generate a viable number of students for the school. The  
226 school board shall make the necessary arrangements to  
227 accommodate students from other school districts whose parents  
228 are associated with the host business or business partners.

229 (b) Parents shall be responsible for providing  
230 transportation to and from school for the students.

231 (5) A multiyear contract for operation of the ABC'S  
232 ~~Florida BEST~~ school may be entered into between the school  
233 district and the host business. The contract must at least  
234 include provisions relating to any cost of facilities  
235 modifications, provide for the assignment or waiver of  
236 appropriate insurance costs, specify the number of students  
237 expected to be served, provide grounds for canceling the lease,  
238 and specify the advance notice required before the school may be  
239 closed.

240 (a) The school board shall be responsible for providing  
241 the appropriate instructional, support, and administrative staff  
242 and textbooks, materials, and supplies. The school district may

243 | also agree to operate or contract for the operation of a before-  
244 | school and after-school program using the donated facilities.

245 |       (b) The host business shall provide the appropriate types  
246 | of space for operating the school. If special facilities, such  
247 | as restrooms or dining, recreational, or other areas are  
248 | required, the district may contribute a part of the cost of the  
249 | construction, remodeling, or renovation for such facilities from  
250 | capital outlay funds of the district. A multiyear lease for  
251 | operation of the facility must be agreed to if the school  
252 | district contributes to the cost of such construction.

253 |       Section 5. Section 1013.502, Florida Statutes, is amended  
254 | to read:

255 |       1013.502 ABC'S ~~Florida BEST~~ school facilities;  
256 | standards.--Notwithstanding any local government ordinance or  
257 | regulation, any business or corporation may expand the square  
258 | footage or floor area of its current or proposed facility to  
259 | accommodate an ABC'S ~~a Florida Business and Education in School~~  
260 | ~~Together (Florida BEST)~~ school. Facilities constructed to house  
261 | an ABC'S ~~a Florida BEST~~ school must comply with the State  
262 | Uniform Building Code for Public Educational Facilities  
263 | Construction adopted pursuant to s. 1013.37 and must meet state  
264 | and local health, environmental, and safety laws and codes.

265 |       Section 6. This act shall take effect July 1, 2006.