

1 A bill to be entitled
2 An act relating to education and vocational training;
3 amending s. 477.013, F.S.; providing and amending
4 definitions; redefining "cosmetology" to include hair
5 technician, esthetician, and nail technician services;
6 including body wrapping within esthetician services;
7 removing a distinction between specialty salons and other
8 salons; creating s. 477.0131, F.S.; authorizing licensure
9 for hair technicians, estheticians, nail technicians, and
10 cosmetologists; amending s. 477.0132, F.S.; requiring
11 passage of a specified course to receive a hair braiding
12 registration; increasing the total hours of instruction
13 and modifying the content of instruction required to
14 constitute a hair braiding course; providing an exemption
15 from a portion of required hair braiding coursework;
16 eliminating future body wrapping registrations;
17 authorizing renewal of current body wrapping
18 registrations; specifying that only the Board of
19 Cosmetology may review, evaluate, and approve required
20 text; amending s. 477.014, F.S.; revising requirements for
21 qualification to practice under ch. 477, F.S.; authorizing
22 current specialists to sit for licensure examinations in
23 certain circumstances; providing for the renewal of
24 current specialty registrations; amending s. 477.019,
25 F.S.; revising qualification, education, licensure and
26 renewal, supervised practice, and endorsement requirements
27 for cosmetologist licenses to include and differentiate

28 | qualification, education, licensure and renewal,
29 | supervised practice, and endorsement requirements for hair
30 | technician, esthetician, and nail technician licenses;
31 | requiring the board to adopt certain procedures relating
32 | to licensure by endorsement; amending s. 477.0212, F.S.;
33 | increasing fee caps for the reactivation of an inactive
34 | license; requiring the board to adopt certain rules
35 | relating to license renewal or continuing education;
36 | amending s. 477.023, F.S.; stipulating that the Department
37 | of Education is not prevented from issuing grooming and
38 | salon services certification; creating s. 477.0231, F.S.;
39 | providing for cosmetology internships; providing
40 | requirements for the board, cosmetology interns,
41 | internship sponsors, and cosmetology salons relating to
42 | cosmetology internships; amending s. 477.025, F.S.,
43 | relating to cosmetology and specialty salons, requisites,
44 | licensure, inspection, and mobile cosmetology salons, to
45 | conform; amending s. 477.026, F.S.; revising fee
46 | provisions to conform; increasing fee caps for certain
47 | fees; providing a fee cap for internship sponsors;
48 | amending s. 477.0263, F.S., to conform; specifying
49 | circumstances under which cosmetology or specialty
50 | services may be practiced outside of a licensed salon;
51 | amending s. 477.0265, F.S., relating to prohibited acts,
52 | to conform; amending s. 477.028, F.S., relating to
53 | disciplinary proceedings, to conform; amending s. 477.029,
54 | F.S., relating to penalties, to conform; repealing s.

55 | 477.0201, F.S., relating to specialty registration,
56 | qualifications, registration renewal, and endorsement;
57 | amending s. 1001.43, F.S., relating to district school
58 | board powers and duties; allowing students to wear sun-
59 | protective items while outdoors during school hours;
60 | authorizing use of federal funds to purchase food when
61 | federal program guidelines permit such use; amending s.
62 | 1003.02, F.S.; requiring certain district school boards to
63 | request proposals from at least two class ring vendors
64 | annually; requiring public access to information;
65 | providing criteria for selection of such vendors;
66 | requiring that the purchase of a class ring may be through
67 | any vendor marketing class rings and that a student may
68 | participate in related ceremonies or activities regardless
69 | of the vendor through which the purchase was made;
70 | requiring certain district school boards to request
71 | proposals from at least two photographers annually;
72 | requiring public access to information; allowing student
73 | choice of photographer; permitting the inclusion of
74 | certain photographs in student yearbooks; amending s.
75 | 1006.22, F.S.; revising provisions for district school
76 | board transportation of students in vehicles other than
77 | school buses; authorizing use of such vehicles for trips
78 | to and from certain sites and activities; revising
79 | criteria for such vehicles and their use; requiring
80 | district school boards and charter schools to adopt a
81 | policy that addresses procedures and liability for trips

82 using vehicles other than school buses; amending ss.
 83 1013.501 and 1013.502, F.S.; redesignating the Florida
 84 Business and Education in School Together (Florida BEST)
 85 Program as A Business-Community School (ABC'S) Program;
 86 providing an effective date.

87

88 Be It Enacted by the Legislature of the State of Florida:

89

90 Section 1. Section 477.013, Florida Statutes, is amended
 91 to read:

92 477.013 Definitions.--As used in this chapter, the term:

93 (1) "Board" means the Board of Cosmetology.

94 (2) "Department" means the Department of Business and
 95 Professional Regulation.

96 (3) "Cosmetologist" means a person who is licensed to
 97 engage in the practice of all cosmetology services in this state
 98 under the authority of this chapter, including hair technician
 99 services, esthetician services, and nail technician services, or
 100 a person who is licensed prior to January 1, 2007, to engage in
 101 the practice of cosmetology in this state.

102 (4) "Cosmetology" means the practice of performing or
 103 offering to perform for compensation any of the following
 104 services for aesthetic rather than medical purposes:

105 (a) Hair technician services, which are:

106 1. Treating a person's hair by:

107 a. Providing any method of treatment as a primary service,
 108 including arranging, beautifying, lightening, cleansing,

109 coloring, cutting, dressing, processing, shampooing, shaping,
110 singeing, straightening, styling, tinting, or waving;

111 b. Providing a necessary service that is preparatory or
112 ancillary to a service under sub-subparagraph a., including
113 clipping, cutting, or trimming; or

114 c. Cutting a person's hair as a separate and independent
115 service for which a charge is directly or indirectly made
116 separately from charges for any other service.

117 2. Weaving or braiding a person's hair.

118 3. Shampooing and conditioning a person's hair.

119 4. Servicing a person's wig or artificial hairpiece on a
120 person's head in any manner listed in subparagraph 1.

121 5. Treating a person's mustache or beard by coloring,
122 processing, styling, or trimming.

123 (b) Esthetician services, which are:

124 1. Cleansing, exfoliating, or stimulating a person's skin
125 by hand or by using a mechanical device, apparatus, or appliance
126 with the use of any cosmetic preparation, antiseptic, lotion,
127 powder, oil, clay, cream, or appliance.

128 2. Beautifying a person's skin using a cosmetic
129 preparation, antiseptic, lotion, powder, oil, clay, cream, or
130 appliance.

131 3. Administering facial treatments.

132 4. Removing superfluous hair from a person's body using
133 depilatories, threading, waxing, sugaring, or tweezing.

134 5. Tinting eyebrows or eyelashes with products
135 manufactured specifically for eyebrows or eyelashes.

136 6. Body wrapping, which is a treatment program that uses
137 wraps for the purposes of cleansing and beautifying a person's
138 skin for aesthetic rather than medical or weight-loss purposes
139 and is the application of oils, lotions, or other fluids to the
140 body using wraps. Body wrapping does not include manipulation of
141 the body's superficial tissue, other than that resulting from
142 the application of the wrap materials.

143 7. Submersing parts of the body in a bath of clay, oils,
144 lotions, or other fluids.

145 (c) Nail technician services, which are:

146 1. Treating a person's nails by:

147 a. Cutting, trimming, polishing, painting, printing,
148 tinting, coloring, cleansing, manicuring, or pedicuring; or

149 b. Affixing artificial nails, extensions, or capping.

150 2. Cleansing, treating, or beautifying a person's
151 forearms, hands, legs below the knee, or feet ~~mechanical or~~
152 ~~chemical treatment of the head, face, and scalp for aesthetic~~
153 ~~rather than medical purposes, including, but not limited to,~~
154 ~~hair shampooing, hair cutting, hair arranging, hair coloring,~~
155 ~~permanent waving, and hair relaxing for compensation. This term~~
156 ~~also includes performing hair removal, including wax treatments,~~
157 ~~manicures, pedicures, and skin care services.~~

158 (5) "Salon" means a place of business where the practice
159 of one or more of the cosmetology or specialty services are
160 offered or performed for compensation.

161 (6)-(5) "Specialist" means any person registered pursuant
162 to s. 477.014(6) to practice one or more of the following

163 specialties: holding a specialty registration in one or more of
164 the specialties registered under this chapter.

165 ~~(6) "Specialty" means the practice of one or more of the~~
166 ~~following:~~

167 (a) Manicuring, or the cutting, polishing, tinting,
168 coloring, cleansing, adding, or extending of the nails, and
169 massaging of the hands. This term includes any procedure or
170 process for the affixing of artificial nails, except those nails
171 which may be applied solely by use of a simple adhesive.

172 (b) Pedicuring, or the shaping, polishing, tinting, or
173 cleansing of the nails of the feet, and massaging or beautifying
174 of the feet.

175 (c) Facials, or the massaging or treating of the face or
176 scalp with oils, creams, lotions, or other preparations, and
177 skin care services, which means the treatment of the skin of a
178 person's body, in addition to a person's head, face, and scalp,
179 by the use of a sponge, brush, cloth, or similar device to apply
180 or remove a chemical preparation or other substance without
181 involving massage, as defined in s. 480.033(3), except that
182 chemical peels may be removed by peeling an applied preparation
183 from the skin by hand.

184 (7) "Shampooing" means the cleansing ~~washing~~ of the hair
185 with soap and water or with a special preparation, ~~or applying~~
186 ~~hair tonics.~~

187 ~~(8) "Specialty salon" means any place of business wherein~~
188 ~~the practice of one or all of the specialties as defined in~~
189 ~~subsection (6) are engaged in or carried on.~~

190 ~~(8)-(9)~~ "Hair braiding" means the weaving or interweaving
 191 of a person's own natural ~~human~~ hair for compensation without
 192 cutting, coloring, permanent waving, relaxing, removing, or
 193 chemical treatment and does not include the use of hair
 194 extensions or wefts.

195 ~~(9)-(10)~~ "Hair wrapping" means the wrapping of manufactured
 196 materials around a strand or strands of human hair, for
 197 compensation, without cutting, coloring, permanent waving,
 198 relaxing, removing, weaving, chemically treating, braiding,
 199 using hair extensions, or performing any other service defined
 200 as cosmetology.

201 ~~(10)-(11)~~ "Photography studio salon" means an establishment
 202 where the hair-arranging services and the application of
 203 cosmetic products are performed solely for the purpose of
 204 preparing the model or client for the photographic session
 205 without shampooing, cutting, coloring, permanent waving,
 206 relaxing, or removing of hair or performing any other service
 207 defined as cosmetology.

208 (11) "Cosmetology intern" means a student enrolled in a
 209 cosmetology school or program to earn school or program hours by
 210 interning under the direct supervision of a licensed
 211 cosmetologist in a licensed salon.

212 (12) "Internship sponsor" means a licensed cosmetologist
 213 registered with the board for the purpose of supervising a
 214 cosmetology intern and ensuring compliance by the intern with
 215 the laws and rules of this state and the internship requirements

216 established by the board and administered through the school or
217 program.

218 ~~(12) "Body wrapping" means a treatment program that uses~~
219 ~~herbal wraps for the purposes of cleansing and beautifying the~~
220 ~~skin of the body, but does not include:~~

221 ~~(a) The application of oils, lotions, or other fluids to~~
222 ~~the body, except fluids contained in presoaked materials used in~~
223 ~~the wraps; or~~

224 ~~(b) Manipulation of the body's superficial tissue, other~~
225 ~~than that arising from compression emanating from the wrap~~
226 ~~materials.~~

227 ~~(13) "Skin care services" means the treatment of the skin~~
228 ~~of the body, other than the head, face, and scalp, by the use of~~
229 ~~a sponge, brush, cloth, or similar device to apply or remove a~~
230 ~~chemical preparation or other substance, except that chemical~~
231 ~~peels may be removed by peeling an applied preparation from the~~
232 ~~skin by hand. Skin care services must be performed by a licensed~~
233 ~~cosmetologist or facial specialist within a licensed cosmetology~~
234 ~~or specialty salon, and such services may not involve massage,~~
235 ~~as defined in s. 480.033(3), through manipulation of the~~
236 ~~superficial tissue.~~

237 Section 2. Section 477.0131, Florida Statutes, is created
238 to read:

239 477.0131 Hair technician, esthetician, nail technician,
240 and cosmetology licenses.--

241 (1) A person who is otherwise qualified by this chapter
 242 and who is authorized to practice all of the services listed in
 243 s. 477.013(4) (a) shall be licensed as a hair technician.

244 (2) A person who is otherwise qualified by this chapter
 245 and who is authorized to practice all of the services listed in
 246 s. 477.013(4) (b) shall be licensed as an esthetician.

247 (3) A person who is otherwise qualified by this chapter
 248 and who is authorized to practice all of the services listed in
 249 s. 477.013(4) (c) shall be licensed as a nail technician.

250 (4) A person who is otherwise qualified by this chapter
 251 and who is authorized to practice all of the services listed in
 252 s. 477.013(4) shall be licensed as a cosmetologist.

253 Section 3. Section 477.0132, Florida Statutes, is amended
 254 to read:

255 477.0132 Hair braiding, hair wrapping, and body wrapping
 256 registration.--

257 (1) A person whose occupation or practice is confined
 258 solely to hair braiding shall register with the department,
 259 shall pay the applicable registration fees, and shall take and
 260 pass a course consisting of a minimum of 40 hours, except as
 261 otherwise provided in this subsection. The course shall be
 262 approved by the board and shall consist of 4 hours of
 263 instruction in HIV/AIDS and other communicable diseases, 5 hours
 264 of instruction in sanitation and sterilization, 5 hours of
 265 instruction in disorders and diseases of the scalp, 2 hours of
 266 instruction regarding laws affecting hair braiding, and 24 hours
 267 of instruction in the application and removal of hair braiding.

268 A person who demonstrates skill in the application and removal
269 of hair braiding through a board-approved examination may be
270 exempt from the 24 hours of instruction in the application and
271 removal of hair braiding.

272 ~~(a) Persons whose occupation or practice is confined~~
273 ~~solely to hair braiding must register with the department, pay~~
274 ~~the applicable registration fee, and take a two-day 16-hour~~
275 ~~course. The course shall be board approved and consist of 5~~
276 ~~hours of HIV/AIDS and other communicable diseases, 5 hours of~~
277 ~~sanitation and sterilization, 4 hours of disorders and diseases~~
278 ~~of the scalp, and 2 hours of studies regarding laws affecting~~
279 ~~hair braiding.~~

280 (2)(b) A person ~~Persons~~ whose occupation or practice is
281 confined solely to hair wrapping shall ~~must~~ register with the
282 department, pay the applicable registration fee, and take a one-
283 day 6-hour course. The course shall be board approved and
284 consist of instruction ~~education~~ in HIV/AIDS and other
285 communicable diseases, sanitation and sterilization, disorders
286 and diseases of the scalp, and instruction ~~studies~~ regarding
287 laws affecting hair wrapping.

288 (3) A person holding a registration in body wrapping
289 before January 1, 2007, may continue to practice body wrapping
290 as described in s. 477.013(4)(b)6. The board shall adopt by rule
291 continuing education requirements for the renewal of body
292 wrapping registrations.

293 ~~(c) Unless otherwise licensed or exempted from licensure~~
294 ~~under this chapter, any person whose occupation or practice is~~

295 ~~body wrapping must register with the department, pay the~~
 296 ~~applicable registration fee, and take a two day 12 hour course.~~
 297 ~~The course shall be board approved and consist of education in~~
 298 ~~HIV/AIDS and other communicable diseases, sanitation and~~
 299 ~~sterilization, disorders and diseases of the skin, and studies~~
 300 ~~regarding laws affecting body wrapping.~~

301 (4)(d) Only the board may review, evaluate, and approve a
 302 course and text required of an applicant for registration under
 303 this section ~~subsection~~ in the occupation or practice of hair
 304 braiding or, hair wrapping, ~~or body wrapping~~. A provider of such
 305 a course is not required to hold a license under chapter 1005.

306 (5)(2) Hair braiding and, hair wrapping, ~~and body wrapping~~
 307 are not required to be practiced in a ~~cosmetology~~ salon ~~or~~
 308 ~~specialty~~ salon. When hair braiding or, hair wrapping, ~~or body~~
 309 ~~wrapping~~ is practiced outside a ~~cosmetology~~ salon ~~or~~ ~~specialty~~
 310 ~~salon~~, disposable implements shall ~~must~~ be used or all
 311 implements shall ~~must~~ be sanitized in a disinfectant approved
 312 for hospital use or approved by the federal Environmental
 313 Protection Agency.

314 ~~(3)~~ Pending issuance of registration, a person is eligible
 315 to practice hair braiding, hair wrapping, or body wrapping upon
 316 submission of a registration application that includes proof of
 317 successful completion of the education requirements and payment
 318 of the applicable fees required by this chapter.

319 Section 4. Section 477.014, Florida Statutes, is amended
 320 to read:

321 477.014 Qualifications for practice.--

322 (1) On and after January 1, 2007, a ~~1979, no~~ person who is
323 not other than a duly licensed or registered under this chapter
324 may not cosmetologist shall practice in any of the cosmetology
325 areas provided in s. 477.013(4) or use the name or title of
326 cosmetologist, hair technician, esthetician, or nail technician.

327 (2) A person licensed or registered under this chapter on
328 or after January 1, 2007, may not practice or hold himself or
329 herself out as qualified to practice in an area in which he or
330 she is not specifically licensed or registered under this
331 chapter.

332 (3) A cosmetologist licensed before January 1, 2007, may
333 perform all the services of a licensed cosmetologist as defined
334 in this chapter.

335 (4) A facial specialist registered or enrolled in a
336 cosmetology school before January 1, 2007, may take the
337 examination for an esthetician license.

338 (5) A manicure, pedicure, and nail extension specialist
339 registered or enrolled in a cosmetology school before January 1,
340 2007, may take the examination for a nail technician license.

341 (6) A specialist registered under this chapter before
342 January 1, 2007, may continue to practice under the name of his
343 or her specialty registration without taking the respective
344 licensure examination. Renewal of all registrations existing
345 before January 1, 2007, shall be accomplished pursuant to rules
346 adopted by the board. Such renewal shall include a full
347 specialty registration, which combines facial and manicure,
348 pedicure, and nail extension.

349 Section 5. Section 477.019, Florida Statutes, is amended
350 to read:

351 477.019 Cosmetologists; hair technicians; estheticians;
352 nail technicians; qualifications; licensure; supervised
353 practice; license renewal; endorsement; continuing education.--

354 (1) A person desiring to be licensed in the field of
355 cosmetology ~~as a cosmetologist~~ shall apply to the department for
356 licensure.

357 (2) An applicant is ~~shall be~~ eligible for licensure by
358 examination to practice cosmetology, hair technician services,
359 esthetician services, or nail technician services if the
360 applicant:

361 (a) Is at least 16 years of age or has received a high
362 school diploma or graduate equivalency diploma or has passed an
363 ability-to-benefit test, which is an independently administered
364 test approved by the United States Secretary of Education as
365 provided in 20 U.S.C. s. 1091(d).+

366 (b) Pays the required application fee, which is not
367 refundable, and the required examination fee, which is
368 refundable if the applicant is determined to not be eligible for
369 licensure for any reason other than failure to successfully
370 complete the licensure examination. ~~+~~ and

371 (c)1. Is authorized to practice cosmetology in another
372 state or country, has been so authorized for at least 1 year,
373 and does not qualify for licensure by endorsement as provided
374 for in subsection (6); or

375 2.a. Has received a minimum number of hours of training as
 376 follows:

377 (I) For a hair technician, 1,000 hours.

378 (II) For an esthetician, 600 hours.

379 (III) For a nail technician, 350 hours.

380 (IV) For a cosmetologist, 1,800 hours.

381 b. The training ~~Has received a minimum of 1,200 hours of~~
 382 ~~training as established by the board, which~~ shall include, but
 383 ~~need~~ shall not be limited to, the equivalent of completion of
 384 services directly related to the practice of cosmetology at one
 385 of the following:

386 (I)a. A school of cosmetology licensed pursuant to chapter
 387 1005.

388 (II)b. A cosmetology program within the public school
 389 system.

390 (III)e. The Cosmetology Division of the Florida School for
 391 the Deaf and the Blind, provided the division meets the
 392 standards of this chapter.

393 (IV)d. A government-operated cosmetology program in this
 394 state.

395 c. A person who has enrolled and begun his or her
 396 education before January 1, 2007, may take the examination to be
 397 licensed as a cosmetologist upon completion of 1,200 hours of
 398 education.

399 d. A person who begins his or her education on or after
 400 January 1, 2007, shall comply with the hour requirements in sub-

401 subparagraph a. in order to qualify to take his or her
402 respective examination.

403
404 ~~The board shall establish by rule procedures whereby the school~~
405 ~~or program may certify that a person is qualified to take the~~
406 ~~required examination after the completion of a minimum of 1,000~~
407 ~~actual school hours. If the person then passes the examination,~~
408 ~~he or she shall have satisfied this requirement; but if the~~
409 ~~person fails the examination, he or she shall not be qualified~~
410 ~~to take the examination again until the completion of the full~~
411 ~~requirements provided by this section.~~

412 (3) Upon an applicant receiving a passing grade, as
413 established by board rule, on the examination and paying the
414 initial licensing fee, the department shall issue a license to
415 practice in the applicant's respective area of cosmetology
416 provided in s. 477.013(4).

417 (4) After submitting a complete application to take the
418 first available examination for licensure as a cosmetologist,
419 hair technician, esthetician, or nail technician, a graduate of
420 a licensed cosmetology school or a program within the public
421 school system, which school or program is certified by the
422 Department of Education, is eligible to practice in the
423 graduate's respective area for a maximum period of 60 days,
424 provided such graduate practices under the supervision of a
425 professional licensed under this chapter in a licensed salon. A
426 graduate who fails to pass an examination the first time may
427 continue to practice under the supervision of a professional

428 licensed under this chapter in a licensed salon for an
429 additional 60-day period, provided the graduate applies for the
430 next available examination. A graduate may not continue to
431 practice under this subsection if the graduate fails the
432 examination twice. Following the completion of the first
433 ~~licensing examination and pending the results of that~~
434 ~~examination and issuance of a license to practice cosmetology,~~
435 ~~graduates of licensed cosmetology schools or cosmetology~~
436 ~~programs offered in public school systems, which schools or~~
437 ~~programs are certified by the Department of Education, are~~
438 ~~eligible to practice cosmetology, provided such graduates~~
439 ~~practice under the supervision of a licensed cosmetologist in a~~
440 ~~licensed cosmetology salon. A graduate who fails the first~~
441 ~~examination may continue to practice under the supervision of a~~
442 ~~licensed cosmetologist in a licensed cosmetology salon if the~~
443 ~~graduate applies for the next available examination and until~~
444 ~~the graduate receives the results of that examination. No~~
445 ~~graduate may continue to practice under this subsection if the~~
446 ~~graduate fails the examination twice.~~

447 (5) Renewal of license registration shall be accomplished
448 pursuant to rules adopted by the board.

449 (6) The board shall adopt rules specifying procedures for
450 the licensure by endorsement of practitioners desiring to be
451 licensed in this state who hold a current active license in
452 another state or country and who have met qualifications
453 substantially similar to, equivalent to, or greater than the
454 qualifications required of applicants from this state. For

455 purposes of this subsection, work experience may be substituted
 456 for required educational hours in the amount and manner provided
 457 by board rule.

458 (7) (a) The board shall prescribe by rule continuing
 459 education requirements for licensees and registered specialists
 460 that intended to ensure the protection of the public through
 461 updated training of licensees and registered specialists, not to
 462 exceed 16 hours biennially, as a condition for renewal of a
 463 license or registration as a specialist under this chapter.
 464 Continuing education courses shall include, but not be limited
 465 to, the following subjects as they relate to the practice of
 466 cosmetology: HIV/AIDS ~~human immunodeficiency virus and acquired~~
 467 ~~immune deficiency syndrome~~; Occupational Safety and Health
 468 Administration regulations; workers' compensation issues; state
 469 and federal laws and rules as they pertain to cosmetologists,
 470 the practice of cosmetology, salons, specialists, ~~specialty~~
 471 ~~salons~~, and booth renters; chemical makeup as it pertains to
 472 hair, skin, and nails; and environmental issues. Courses given
 473 at educational ~~cosmetology~~ conferences may be counted toward the
 474 number of continuing education hours required if approved by the
 475 board.

476 (b) Any person whose occupation or practice is confined
 477 solely to hair braiding or, ~~hair wrapping, or body wrapping~~ is
 478 exempt from the continuing education requirements of this
 479 subsection.

480 (c) The board may, by rule, require any licensee in
 481 violation of a continuing education requirement to take a

482 refresher course or refresher course and examination in addition
483 to any other penalty. ~~The number of hours for the refresher~~
484 ~~course may not exceed 48 hours.~~

485 Section 6. Section 477.0212, Florida Statutes, is amended
486 to read:

487 477.0212 Inactive status.--

488 (1) A ~~cosmetologist's~~ license issued under this chapter
489 that has become inactive may be reactivated under s. 477.019
490 upon application to the department.

491 (2) The board shall adopt ~~promulgate~~ rules relating to
492 licenses that ~~which~~ have become inactive and for the renewal of
493 inactive licenses. The board shall prescribe by rule a fee not
494 to exceed \$100 ~~\$50~~ for the reactivation of an inactive license
495 ~~and a fee not to exceed \$50 for the renewal of an inactive~~
496 ~~license.~~ The board shall prescribe by rule the continuing
497 education requirements to be met prior to license renewal or
498 reactivation.

499 Section 7. Section 477.023, Florida Statutes, is amended
500 to read:

501 477.023 Schools of cosmetology; licensure.--A ~~No~~ private
502 school of cosmetology may not ~~shall be permitted to~~ operate
503 without a license issued by the Commission for Independent
504 Education pursuant to chapter 1005. However, this chapter does
505 not ~~nothing herein shall be construed to~~ prevent certification
506 by the Department of Education of grooming and salon services
507 and cosmetology training programs within the public school

508 | system or ~~to~~ prevent government operation of any other program
 509 | of cosmetology in this state.

510 | Section 8. Section 477.0231, Florida Statutes, is created
 511 | to read:

512 | 477.0231 Cosmetology internships.--

513 | (1) The selection and placement of cosmetology interns
 514 | shall be determined by the cosmetology school or program. The
 515 | school or program shall determine whether a student is eligible
 516 | to become a cosmetology intern and whether an internship sponsor
 517 | meets the requirements for its educational objectives. The
 518 | school program, on behalf of the student, shall provide written
 519 | notice to the board that an internship sponsor has been selected
 520 | and name the cosmetology intern to be supervised. The school or
 521 | program shall determine the length and schedule of an individual
 522 | cosmetology internship, but such internship may not exceed 24
 523 | months.

524 | (2) Each internship sponsor shall obtain approval from a
 525 | school or cosmetology program and shall register with the board
 526 | before accepting placement of each cosmetology intern. The
 527 | application for registration shall include the name and contact
 528 | person of the school or program placing the intern, the names
 529 | and addresses of the internship sponsor, and other information
 530 | that the board requires.

531 | (3) The internship sponsor shall actively supervise the
 532 | cosmetology intern in the practice of cosmetology pursuant to
 533 | rules established by the board. A cosmetology intern may only
 534 | practice within the field of cosmetology in which he or she is

535 engaged in the course of study. The internship sponsor shall
536 ensure that the cosmetology intern is complying with the laws
537 and rules governing cosmetology and is complying with the
538 educational objectives and guidelines established by the
539 cosmetology school or program and the board.

540 (4) All services provided by the cosmetology intern shall
541 be expressly approved by the internship sponsor and contracted
542 for by the internship sponsor. The internship sponsor shall
543 ensure that the public is clearly informed that the cosmetology
544 intern is not a licensed cosmetologist.

545 (5) Pursuant to rules established by the board, the
546 cosmetology salon in which a cosmetology intern is engaged in
547 the practice of cosmetology shall post notice in a conspicuous
548 manner within the salon indicating that a student intern is
549 providing services on the premises.

550 (6) While engaged in the practice of cosmetology, a
551 cosmetology intern shall possess written documentation of his or
552 her authorization to engage in the practice of cosmetology from
553 the student's cosmetology school or program and shall furnish
554 such documentation to the department before engaging in the
555 practice of cosmetology and upon request by department
556 personnel.

557 (7) The board shall establish by rule the education
558 prerequisites for cosmetology internships, including the minimum
559 number of hours of classroom instruction and required course
560 work. The board shall establish by rule the number of permitted
561 cosmetology internships per internship sponsor, the minimum and

562 maximum number of internship hours, and the recommended
563 educational objectives and guidelines for an internship program
564 in a cosmetology school or program.

565 (8) The board may terminate the internship of any
566 cosmetology intern and the sponsorship of any internship sponsor
567 for a violation of the laws and rules governing cosmetology. The
568 board shall provide notice of termination of an internship to
569 the internship sponsor, the cosmetology school or program, and
570 the cosmetology intern. In the case of a terminated cosmetology
571 internship, the school or program shall determine the
572 educational status of the cosmetology intern. A cosmetology
573 intern whose internship sponsor has been terminated, has been
574 otherwise disciplined by the board, or has voluntarily withdrawn
575 from sponsorship remains eligible for new placement through the
576 school or program.

577 Section 9. Section 477.025, Florida Statutes, is amended
578 to read:

579 477.025 ~~Cosmetology salons; specialty~~ Salons; requisites;
580 licensure; inspection; mobile ~~cosmetology~~ salons.--

581 (1) No ~~cosmetology salon or specialty~~ salon shall be
582 permitted to operate without a license issued by the department
583 except as provided in subsection (11).

584 (2) The board shall adopt rules governing the licensure
585 and operation of salons and ~~specialty salons~~ and their
586 facilities, personnel, safety and sanitary requirements, and the
587 license application and granting process.

588 (3) Any person, firm, or corporation desiring to operate a
589 ~~cosmetology salon or specialty~~ salon in the state shall submit
590 to the department a salon ~~an~~ application form ~~upon forms~~
591 provided by the department, ~~and accompanied by~~ any relevant
592 information requested by the department, ~~and by~~ an application
593 fee.

594 (4) Upon receiving the application, the department may
595 cause an investigation to be made of the proposed ~~cosmetology~~
596 ~~salon or specialty~~ salon.

597 (5) When an applicant fails to meet all the requirements
598 provided herein, the department shall deny the application in
599 writing and shall list the specific requirements not met. No
600 applicant denied licensure because of failure to meet the
601 requirements herein shall be precluded from reapplying for
602 licensure.

603 (6) When the department determines that the proposed
604 ~~cosmetology salon or specialty~~ salon may reasonably be expected
605 to meet the requirements set forth herein, the department shall
606 grant the license upon such conditions as it shall deem proper
607 under the circumstances and upon payment of the original
608 licensing fee.

609 (7) No license for operation of a ~~cosmetology salon or~~
610 ~~specialty~~ salon may be transferred from the name of the original
611 licensee to another. It may be transferred from one location to
612 another only upon approval by the department, which approval
613 shall not be unreasonably withheld.

614 (8) Renewal of license registration for ~~cosmetology salons~~
 615 ~~or specialty~~ salons shall be accomplished pursuant to rules
 616 adopted by the board. The board is further authorized to adopt
 617 rules governing delinquent renewal of licenses and may impose
 618 penalty fees for delinquent renewal.

619 (9) The board is authorized to adopt rules governing the
 620 periodic inspection of ~~cosmetology salons and specialty salons~~
 621 licensed under this chapter.

622 (10) (a) The board shall adopt rules governing the
 623 licensure, operation, and inspection of mobile ~~cosmetology~~
 624 salons, including their facilities, personnel, and safety and
 625 sanitary requirements.

626 (b) Each mobile salon must comply with all licensure and
 627 operating requirements specified in this chapter or chapter 455
 628 or rules of the board or department that apply to ~~cosmetology~~
 629 salons at fixed locations, except to the extent that such
 630 requirements conflict with this subsection or rules adopted
 631 pursuant to this subsection.

632 (c) A mobile ~~cosmetology~~ salon must maintain a permanent
 633 business address, located in the inspection area of the local
 634 department office, at which records of appointments,
 635 itineraries, license numbers of employees, and vehicle
 636 identification numbers of the licenseholder's mobile salon shall
 637 be kept and made available for verification purposes by
 638 department personnel, and at which correspondence from the
 639 department can be received.

640 (d) To facilitate periodic inspections of mobile
 641 ~~cosmetology~~ salons, prior to the beginning of each month each
 642 mobile salon licenseholder must file with the board a written
 643 monthly itinerary listing the locations where and the dates and
 644 hours when the mobile salon will be operating.

645 (e) The board shall establish fees for mobile ~~cosmetology~~
 646 salons, not to exceed the fees for ~~cosmetology~~ salons at fixed
 647 locations.

648 (f) The operation of mobile ~~cosmetology~~ salons must be in
 649 compliance with all local laws and ordinances regulating
 650 business establishments, with all applicable requirements of the
 651 Americans with Disabilities Act relating to accommodations for
 652 persons with disabilities, and with all applicable OSHA
 653 requirements.

654 (11) Facilities licensed under part II or part III of
 655 chapter 400 shall be exempt from the provisions of this section
 656 and a cosmetologist licensed pursuant to s. 477.019 may provide
 657 salon services exclusively for facility residents.

658 Section 10. Section 477.026, Florida Statutes, is amended
 659 to read:

660 477.026 Fees; disposition.--

661 (1) The board shall set fees according to the following
 662 schedule:

663 (a) For hair technicians, estheticians, nail technicians,
 664 or cosmetologists, fees for original licensing, license renewal,
 665 and delinquent renewal may ~~shall~~ not exceed \$50 ~~\$25~~.

666 (b) For hair technicians, estheticians, nail technicians,
 667 or cosmetologists, fees for endorsement application,
 668 examination, and reexamination may shall not exceed \$150 ~~\$50~~.

669 (c) For ~~cosmetology and specialty~~ salons, fees for license
 670 application, original licensing, license renewal, and delinquent
 671 renewal may shall not exceed \$100 ~~\$50~~.

672 ~~(d) For specialists, fees for application and endorsement~~
 673 ~~registration shall not exceed \$30.~~

674 ~~(d)(e)~~ For specialists, fees for ~~initial registration,~~
 675 registration renewal, and delinquent renewal may shall not
 676 exceed \$100 ~~\$50~~.

677 ~~(e)(f)~~ For hair braiders and, hair wrappers, ~~and body~~
 678 ~~wrappers,~~ fees for registration may shall not exceed \$40 ~~\$25~~.

679 (f) For internship sponsors, fees for registration may not
 680 exceed \$30.

681 (2) All moneys collected by the department from fees
 682 authorized by this chapter shall be paid into the Professional
 683 Regulation Trust Fund, which fund is created in the department,
 684 and shall be applied in accordance with ss. 215.37 and 455.219.
 685 The Legislature may appropriate any excess moneys from this fund
 686 to the General Revenue Fund.

687 (3) The department, with the advice of the board, shall
 688 prepare and submit a proposed budget in accordance with law.

689 Section 11. Section 477.0263, Florida Statutes, is amended
 690 to read:

691 477.0263 Cosmetology services to be performed in licensed
 692 salon; exceptions ~~exception~~.--

693 (1) Cosmetology or specialty services shall be performed
694 only by licensed cosmetologists, hair technicians, estheticians,
695 nail technicians, or registered specialists in licensed salons,
696 except as otherwise provided in this section.

697 (2) Pursuant to rules established by the board,
698 cosmetology or specialty services may be performed by a licensed
699 cosmetologist, hair technician, esthetician, nail technician, or
700 registered specialist in a location other than a licensed salon,
701 including, but not limited to, a nursing home, hospital, or
702 residence, when a client for reasons of ill health is unable to
703 go to a licensed salon. Arrangements for the performance of such
704 cosmetology or specialty services in a location other than a
705 licensed salon shall be made only through a licensed salon.

706 (3) Any person who holds a valid cosmetology license in
707 any state or who is authorized to practice cosmetology in any
708 country, territory, or jurisdiction of the United States may
709 perform cosmetology services in a location other than a licensed
710 salon when such services are performed in connection with the
711 motion picture, fashion photography, theatrical, or television
712 industry; a photography studio salon; a manufacturer trade show
713 demonstration; a department store demonstration; or an
714 educational seminar.

715 (4) Pursuant to rules established by the board,
716 cosmetology, hair technician, esthetician, nail technician, or
717 specialty services may be performed in a location other than a
718 licensed salon when such services are performed in connection
719 with a special event and are performed by a person who is

720 employed by a licensed salon and who holds the proper license or
 721 specialty registration. Scheduling an appointment for the
 722 performance of such services in a location other than a licensed
 723 salon shall be made through a licensed salon.

724 Section 12. Section 477.0265, Florida Statutes, is amended
 725 to read:

726 477.0265 Prohibited acts.--

727 (1) It is unlawful for any person to:

728 (a) Engage in the practice of cosmetology or a specialty
 729 without an active license in the field of cosmetology ~~as a~~
 730 ~~cosmetologist~~ or registration as a specialist issued by the
 731 department pursuant to the provisions of this chapter unless
 732 authorized as a cosmetology intern pursuant to this chapter and
 733 supervised by a licensed cosmetologist.

734 (b) Own, operate, maintain, open, establish, conduct, or
 735 have charge of, either alone or with another person or persons,
 736 a ~~cosmetology salon or specialty~~ salon:

737 1. Which is not licensed under the provisions of this
 738 chapter; or

739 2. In which a person not licensed in the field of
 740 cosmetology, authorized as a cosmetology intern, or registered
 741 as a ~~cosmetologist or a~~ specialist is permitted to perform
 742 cosmetology services or any specialty.

743 (c) Engage in willful or repeated violations of this
 744 chapter or of any rule adopted by the board.

745 (d) Permit an employed person to engage in the practice of
 746 cosmetology or of a specialty unless such person holds a valid,

747 | active license in the field of cosmetology ~~as a cosmetologist~~ or
 748 | a registration as a specialist or is authorized as a cosmetology
 749 | intern pursuant to this chapter and supervised by a licensed
 750 | cosmetologist.

751 | (e) Obtain or attempt to obtain a license or registration
 752 | for money, other than the required fee, or any other thing of
 753 | value or by fraudulent misrepresentations.

754 | (f) Use or attempt to use a license to practice in the
 755 | field of cosmetology or a registration to practice a specialty,
 756 | which license or registration is suspended or revoked.

757 | (g) Advertise or imply that skin care services or body
 758 | wrapping, as performed under this chapter, has ~~have~~ any
 759 | relationship to the practice of massage therapy as defined in s.
 760 | 480.033(3), except those practices or activities defined in s.
 761 | 477.013.

762 | (h) In the practice of cosmetology, use or possess a
 763 | cosmetic product containing a liquid nail monomer containing any
 764 | trace of methyl methacrylate (MMA).

765 | (2) Any person who violates any provision of this section
 766 | commits a misdemeanor of the second degree, punishable as
 767 | provided in s. 775.082 or s. 775.083.

768 | Section 13. Section 477.028, Florida Statutes, is amended
 769 | to read:

770 | 477.028 Disciplinary proceedings.--

771 | (1) The board may ~~shall have the power to~~ revoke or
 772 | suspend the license of a cosmetologist, hair technician,
 773 | esthetician, or nail technician licensed under this chapter, or

774 the registration of a specialist registered under this chapter,
 775 and may ~~to~~ reprimand, censure, deny subsequent licensure or
 776 registration of, or otherwise discipline a cosmetologist, hair
 777 technician, esthetician, nail technician, or a specialist
 778 licensed or registered under this chapter in any of the
 779 following cases:

780 (a) Upon proof that a license or registration has been
 781 obtained by fraud or misrepresentation.

782 (b) Upon proof that the holder of a license or
 783 registration is guilty of fraud or deceit or of gross
 784 negligence, incompetency, or misconduct in the practice or
 785 instruction of cosmetology or a specialty.

786 (c) Upon proof that the holder of a license or
 787 registration is guilty of aiding, assisting, procuring, or
 788 advising any unlicensed person to practice in the field of
 789 cosmetology ~~as a cosmetologist~~.

790 (2) The board may ~~shall have the power to~~ revoke or
 791 suspend the license of a ~~cosmetology salon or a specialty~~ salon
 792 licensed under this chapter; ~~to~~ deny subsequent licensure of
 793 such salon; ~~or~~ ~~to~~ reprimand, censure, or otherwise discipline
 794 the owner of such salon in either of the following cases:

795 (a) Upon proof that a license has been obtained by fraud
 796 or misrepresentation.

797 (b) Upon proof that the holder of a license is guilty of
 798 fraud or deceit or of gross negligence, incompetency, or
 799 misconduct in the operation of the salon so licensed.

800 (3) Disciplinary proceedings shall be conducted pursuant
 801 to the provisions of chapter 120.

802 (4) The department may ~~shall~~ not issue or renew a license
 803 or certificate of registration under this chapter to any person
 804 against whom or salon against which the board has assessed a
 805 fine, interest, or costs associated with investigation and
 806 prosecution until the person or salon has paid in full such
 807 fine, interest, or costs associated with investigation and
 808 prosecution or until the person or salon complies with or
 809 satisfies all terms and conditions of the final order.

810 Section 14. Section 477.029, Florida Statutes, is amended
 811 to read:

812 477.029 Penalty.--

813 (1) It is unlawful for any person to:

814 (a) Hold himself or herself out as a cosmetologist, hair
 815 technician, esthetician, nail technician, specialist, hair
 816 wrapper, hair braider, or body wrapper unless duly licensed or
 817 registered, or otherwise authorized, as provided in this
 818 chapter.

819 (b) Operate any ~~cosmetology~~ salon unless it has been duly
 820 licensed as provided in this chapter.

821 (c) Permit an employed person to practice cosmetology or a
 822 specialty unless duly licensed or registered, or otherwise
 823 authorized, as provided in this chapter.

824 (d) Present as his or her own the license of another.

825 (e) Give false or forged evidence to the department in
 826 obtaining any license provided for in this chapter.

827 (f) Impersonate any other licenseholder of like or
 828 different name.

829 (g) Use or attempt to use a license that has been revoked.

830 (h) Violate any provision of s. 455.227(1), s. 477.0265,
 831 or s. 477.028.

832 (i) Violate or refuse to comply with any provision of this
 833 chapter or chapter 455 or a rule or final order of the board or
 834 the department.

835 (2) Any person who violates the provisions of this section
 836 ~~is shall be~~ subject to one or more of the following penalties,
 837 as determined by the board:

838 (a) Revocation or suspension of any license or
 839 registration issued pursuant to this chapter.

840 (b) Issuance of a reprimand or censure.

841 (c) Imposition of an administrative fine not to exceed
 842 \$500 for each count or separate offense.

843 (d) Placement on probation for a period of time and
 844 subject to such reasonable conditions as the board may specify.

845 (e) Refusal to certify to the department an applicant for
 846 licensure.

847 Section 15. Section 477.0201, Florida Statutes, is
 848 repealed.

849 Section 16. Paragraph (b) of subsection (1) of section
 850 1001.43, Florida Statutes, is amended, and paragraph (g) is
 851 added to subsection (2) of that section, to read:

852 1001.43 Supplemental powers and duties of district school
 853 board.--The district school board may exercise the following

854 supplemental powers and duties as authorized by this code or
855 State Board of Education rule.

856 (1) STUDENT MANAGEMENT.--The district school board may
857 adopt programs and policies to ensure the safety and welfare of
858 individuals, the student body, and school personnel, which
859 programs and policies may:

860 (b) Require uniforms to be worn by the student body, or
861 impose other dress-related requirements, if the district school
862 board finds that those requirements are necessary for the safety
863 or welfare of the student body or school personnel. However,
864 students may wear sunglasses, hats, or other sun-protective wear
865 while outdoors during school hours, such as when students are at
866 recess.

867 (2) FISCAL MANAGEMENT.--The district school board may
868 adopt policies providing for fiscal management of the school
869 district with respect to school purchasing, facilities, nonstate
870 revenue sources, budgeting, fundraising, and other activities
871 relating to the fiscal management of district resources,
872 including, but not limited to, the policies governing:

873 (g) Use of federal funds to purchase food when federal
874 program guidelines permit such use.

875 Section 17. Subsections (5) and (6) are added to section
876 1003.02, Florida Statutes, to read:

877 1003.02 District school board operation and control of
878 public K-12 education within the school district.--As provided
879 in part II of chapter 1001, district school boards are
880 constitutionally and statutorily charged with the operation and

881 control of public K-12 education within their school district.
882 The district school boards must establish, organize, and operate
883 their public K-12 schools and educational programs, employees,
884 and facilities. Their responsibilities include staff
885 development, public K-12 school student education including
886 education for exceptional students and students in juvenile
887 justice programs, special programs, adult education programs,
888 and career education programs. Additionally, district school
889 boards must:

890 (5) (a) If selecting a vendor to market class rings to
891 students, request proposals from at least two vendors annually.
892 Results of proposals, including vendor contact information,
893 shall be open to the public and posted on the district school
894 board's website.

895 (b) Students may purchase a class ring from any vendor.

896 (c) Vendors may not discriminate against a student who
897 purchases a class ring from another vendor or exclude the
898 student from participation in any ceremony or activity relating
899 to the receipt of a class ring.

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

905 (b) District school boards may not require students to
906 purchase senior photographs from a contract vendor and must
907 allow students to purchase photographs from a photographer of

908 their choice. A student's senior photograph must be allowed to
909 appear in the yearbook when taken by a photographer not under
910 contract with the district school board if the photograph meets
911 the reasonable specifications of the principal and yearbook
912 staff for senior photographs.

913 Section 18. Subsection (1) of section 1006.22, Florida
914 Statutes, is amended to read:

915 1006.22 Safety and health of students being
916 transported.--Maximum regard for safety and adequate protection
917 of health are primary requirements that must be observed by
918 district school boards in routing buses, appointing drivers, and
919 providing and operating equipment, in accordance with all
920 requirements of law and rules of the State Board of Education in
921 providing transportation pursuant to s. 1006.21:

922 (1) (a) District school boards shall use school buses, as
923 defined in s. 1006.25, for all regular transportation. Regular
924 transportation or regular use means transportation of students
925 to and from school or school-related activities that are part of
926 a scheduled series or sequence of events to the same location.
927 "Students" means, for the purposes of this section, students
928 enrolled in the public schools in prekindergarten disability
929 programs and in kindergarten through grade 12. District school
930 boards may regularly use motor vehicles other than school buses
931 only under the following conditions:

932 1.(a) When the transportation is for physically
933 handicapped or isolated students and the district school board

934 has elected to provide for the transportation of the student
935 through written or oral contracts or agreements.

936 2.(b) When the transportation is a part of a comprehensive
937 contract for a specialized educational program between a
938 district school board and a service provider who provides
939 instruction, transportation, and other services.

940 3.(e) When the transportation is provided through a public
941 transit system.

942 4.(d) When the transportation is for trips to and from
943 school sites or agricultural education sites or for trips to and
944 from agricultural education-related events or competitions, but
945 is not for customary transportation between a student's
946 residence and such sites. ~~When the transportation of students is~~
947 ~~necessary or practical in a motor vehicle owned or operated by a~~
948 ~~district school board other than a school bus, such~~
949 ~~transportation must be provided in designated seating positions~~
950 ~~in a passenger car not to exceed 8 students or in a multipurpose~~
951 ~~passenger vehicle designed to transport 10 or fewer persons~~
952 ~~which meets all applicable federal motor vehicle safety~~
953 ~~standards. Multipurpose passenger vehicles classified as utility~~
954 ~~vehicles with a wheelbase of 110 inches or less which are~~
955 ~~required by federal motor vehicle standards to display a~~
956 ~~rollover warning label may not be used.~~

957
958 ~~When students are transported in motor vehicles, the occupant~~
959 ~~crash protection system provided by the vehicle manufacturer~~

960 ~~must be used unless the student's physical condition prohibits~~
961 ~~such use.~~

962 (b) When the transportation of students is provided, as
963 authorized in this subsection, in a vehicle other than a school
964 bus that is owned, operated, rented, contracted, or leased by a
965 school district or charter school, the following provisions
966 shall apply:

967 1. The vehicle must be a passenger car or multipurpose
968 passenger vehicle or truck, as defined in Title 49 C.F.R. part
969 571, designed to transport fewer than 10 students. Students must
970 be transported in designated seating positions and must use the
971 occupant crash protection system provided by the manufacturer
972 unless the student's physical condition prohibits such use.

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

977 3. The driver of an authorized vehicle transporting
978 students must maintain a valid driver's license and must comply
979 with the requirements of the school district's locally adopted
980 safe driver plan, which includes review of driving records for
981 disqualifying violations.

982 4. The district school board or charter school must adopt
983 a policy that addresses procedures and liability for trips under
984 this paragraph, including a provision that school buses are to
985 be used whenever practical and specifying consequences for
986 violation of the policy.

987 Section 19. Section 1013.501, Florida Statutes, is amended
 988 to read:

989 1013.501 A Business-Community School (ABC'S) ~~Florida~~
 990 ~~Business and Education in School Together (Florida BEST)~~
 991 Program.--

992 (1) In order to increase business partnerships in
 993 education, to reduce school and classroom overcrowding
 994 throughout the state, and to offset the high costs of
 995 educational facilities construction, the Legislature intends to
 996 encourage the formation of partnerships between business and
 997 education by creating A Business-Community School (ABC'S) ~~the~~
 998 ~~Florida Business and Education in School Together (Florida BEST)~~
 999 Program.

1000 (2) Each school board shall, through advertisements in
 1001 local media and other means, request proposals from area
 1002 businesses to allow the operation of a business and education
 1003 partnership school in facilities owned or operated by the
 1004 business.

1005 (3) Each school district shall establish an ABC'S a
 1006 ~~Florida BEST~~ school evaluation committee.

1007 (a) The committee shall be appointed by the school board
 1008 and be composed of one school district administrator, at least
 1009 one member of the business community, and at least one member of
 1010 a local chamber of commerce.

1011 (b) The committee shall evaluate the feasibility of each
 1012 proposal, including the operating cost, number of students to be
 1013 served, proposed student-to-teacher ratio, proposed number of

1014 | years the satellite school would operate, and any other
 1015 | operational or facilities considerations the school board or
 1016 | committee deems appropriate.

1017 | (c) The committee shall recommend to the school board
 1018 | those proposals for satellite schools which the committee deems
 1019 | viable and worthy of being established. The school board must
 1020 | take official action on the recommendation of the committee
 1021 | within 60 days after receipt of the recommendation.

1022 | (4) "A Business-Community School (ABC'S)" ~~"Florida Business~~
 1023 | ~~and Education in School Together (Florida BEST)~~ school" is
 1024 | defined as a public school offering instruction to students from
 1025 | kindergarten through third grade. The school may offer
 1026 | instruction in any single grade level or for multiple grade
 1027 | levels. ABC'S ~~Florida BEST~~ schools shall comply with the
 1028 | constitutional class size requirements.

1029 | (a) First priority for admission of students to the ABC'S
 1030 | ~~Florida BEST~~ school shall be given to the children of owners and
 1031 | employees of the host business. If additional student capacity
 1032 | remains after those children are admitted, the host business may
 1033 | choose which other neighboring businesses may also participate
 1034 | to generate a viable number of students for the school. The
 1035 | school board shall make the necessary arrangements to
 1036 | accommodate students from other school districts whose parents
 1037 | are associated with the host business or business partners.

1038 | (b) Parents shall be responsible for providing
 1039 | transportation to and from school for the students.

1040 (5) A multiyear contract for operation of the ABC'S
 1041 ~~Florida BEST~~ school may be entered into between the school
 1042 district and the host business. The contract must at least
 1043 include provisions relating to any cost of facilities
 1044 modifications, provide for the assignment or waiver of
 1045 appropriate insurance costs, specify the number of students
 1046 expected to be served, provide grounds for canceling the lease,
 1047 and specify the advance notice required before the school may be
 1048 closed.

1049 (a) The school board shall be responsible for providing
 1050 the appropriate instructional, support, and administrative staff
 1051 and textbooks, materials, and supplies. The school district may
 1052 also agree to operate or contract for the operation of a before-
 1053 school and after-school program using the donated facilities.

1054 (b) The host business shall provide the appropriate types
 1055 of space for operating the school. If special facilities, such
 1056 as restrooms or dining, recreational, or other areas are
 1057 required, the district may contribute a part of the cost of the
 1058 construction, remodeling, or renovation for such facilities from
 1059 capital outlay funds of the district. A multiyear lease for
 1060 operation of the facility must be agreed to if the school
 1061 district contributes to the cost of such construction.

1062 Section 20. Section 1013.502, Florida Statutes, is amended
 1063 to read:

1064 1013.502 ABC'S ~~Florida BEST~~ school facilities;
 1065 standards.--Notwithstanding any local government ordinance or
 1066 regulation, any business or corporation may expand the square

1067 | footage or floor area of its current or proposed facility to
1068 | accommodate an ABC'S ~~a Florida Business and Education in School~~
1069 | ~~Together (Florida BEST)~~ school. Facilities constructed to house
1070 | an ABC'S ~~a Florida BEST~~ school must comply with the State
1071 | Uniform Building Code for Public Educational Facilities
1072 | Construction adopted pursuant to s. 1013.37 and must meet state
1073 | and local health, environmental, and safety laws and codes.

1074 | Section 21. This act shall take effect July 1, 2006.