

Bill No. CS for CS for SB 772

Barcode 913970

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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Senator Constantine moved the following amendment:

Senate Amendment (with title amendment)

On page 18, between lines 9 and 10,

insert:

Section 8. Paragraph (b) of subsection (1) of section 1001.43, Florida Statutes, is amended, and paragraph (g) is added to subsection (2) of that section, to read:

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

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

(b) Require uniforms to be worn by the student body, or impose other dress-related requirements, if the district school board finds that those requirements are necessary for the safety or welfare of the student body or school personnel.

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1 However, students may wear sunglasses, hats, or other
2 sun-protective wear while outdoors during school hours, such
3 as when students are at recess.

4 (2) FISCAL MANAGEMENT.--The district school board may
5 adopt policies providing for fiscal management of the school
6 district with respect to school purchasing, facilities,
7 nonstate revenue sources, budgeting, fundraising, and other
8 activities relating to the fiscal management of district
9 resources, including, but not limited to, the policies
10 governing:

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

13 Section 9. Subsections (5) and (6) are added to
14 section 1003.02, Florida Statutes, to read:

15 1003.02 District school board operation and control of
16 public K-12 education within the school district.--As provided
17 in part II of chapter 1001, district school boards are
18 constitutionally and statutorily charged with the operation
19 and control of public K-12 education within their school
20 district. The district school boards must establish, organize,
21 and operate their public K-12 schools and educational
22 programs, employees, and facilities. Their responsibilities
23 include staff development, public K-12 school student
24 education including education for exceptional students and
25 students in juvenile justice programs, special programs, adult
26 education programs, and career education programs.

27 Additionally, district school boards must:

28 (5)(a) If selecting a vendor to market class rings to
29 students, request proposals from at least two vendors
30 annually. Results of proposals, including vendor contact
31 information, shall be open to the public and posted on the

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1 district school board's website.

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

4 (c) Vendors may not discriminate against a student who
5 purchases a class ring from another vendor or exclude the
6 student from participation in any ceremony or activity
7 relating to the receipt of a class ring.

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

14 (b) District school boards may not require students to
15 purchase senior photographs from a contract vendor and must
16 allow students to purchase photographs from a photographer of
17 their choice. A student's senior photograph must be allowed to
18 appear in the yearbook when taken by a photographer not under
19 contract with the district school board if the photograph
20 meets the reasonable specifications of the principal and
21 yearbook staff for senior photographs.

22 Section 10. Subsection (1) of section 1006.22, Florida
23 Statutes, is amended to read:

24 1006.22 Safety and health of students being
25 transported.--Maximum regard for safety and adequate
26 protection of health are primary requirements that must be
27 observed by district school boards in routing buses,
28 appointing drivers, and providing and operating equipment, in
29 accordance with all requirements of law and rules of the State
30 Board of Education in providing transportation pursuant to s.
31 1006.21:

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1 (1)(a) District school boards shall use school buses,
 2 as defined in s. 1006.25, for all regular transportation.
 3 Regular transportation or regular use means transportation of
 4 students to and from school or school-related activities that
 5 are part of a scheduled series or sequence of events to the
 6 same location. "Students" means, for the purposes of this
 7 section, students enrolled in the public schools in
 8 prekindergarten disability programs and in kindergarten
 9 through grade 12. District school boards may regularly use
 10 motor vehicles other than school buses only under the
 11 following conditions:

12 1.(a) When the transportation is for physically
 13 handicapped or isolated students and the district school board
 14 has elected to provide for the transportation of the student
 15 through written or oral contracts or agreements.

16 2.(b) When the transportation is a part of a
 17 comprehensive contract for a specialized educational program
 18 between a district school board and a service provider who
 19 provides instruction, transportation, and other services.

20 3.(c) When the transportation is provided through a
 21 public transit system.

22 4.(d) When the transportation is for trips to and from
 23 school sites or agricultural education sites or for trips to
 24 and from agricultural education-related events or
 25 competitions, but is not for customary transportation between
 26 a student's residence and such sites. ~~When the transportation~~
 27 ~~of students is necessary or practical in a motor vehicle owned~~
 28 ~~or operated by a district school board other than a school~~
 29 ~~bus, such transportation must be provided in designated~~
 30 ~~seating positions in a passenger car not to exceed 8 students~~
 31 ~~or in a multipurpose passenger vehicle designed to transport~~

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1 ~~10 or fewer persons which meets all applicable federal motor~~
 2 ~~vehicle safety standards. Multipurpose passenger vehicles~~
 3 ~~classified as utility vehicles with a wheelbase of 110 inches~~
 4 ~~or less which are required by federal motor vehicle standards~~
 5 ~~to display a rollover warning label may not be used.~~

6
 7 ~~When students are transported in motor vehicles, the occupant~~
 8 ~~crash protection system provided by the vehicle manufacturer~~
 9 ~~must be used unless the student's physical condition prohibits~~
 10 ~~such use.~~

11 (b) When the transportation of students is provided,
 12 as authorized in this subsection, in a vehicle other than a
 13 school bus that is owned, operated, rented, contracted, or
 14 leased by a school district or charter school, the following
 15 provisions shall apply:

16 1. The vehicle must be a passenger car or multipurpose
 17 passenger vehicle or truck, as defined in Title 49 C.F.R. part
 18 571, designed to transport fewer than 10 students. Students
 19 must be transported in designated seating positions and must
 20 use the occupant crash protection system provided by the
 21 manufacturer unless the student's physical condition prohibits
 22 such use.

23 2. An authorized vehicle may not be driven by a
 24 student on a public right-of-way. An authorized vehicle may be
 25 driven by a student on school or private property as part of
 26 the student's educational curriculum if no other student is in
 27 the vehicle.

28 3. The driver of an authorized vehicle transporting
 29 students must maintain a valid driver's license and must
 30 comply with the requirements of the school district's locally
 31 adopted safe driver plan, which includes review of driving

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1 records for disqualifying violations.

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

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8 (Redesignate subsequent sections.)

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11 ===== T I T L E A M E N D M E N T =====

12 And the title is amended as follows:

13 On page 2, line 18, after the semicolon,

14

15 insert:

16 amending s. 1001.43, F.S., relating to district
17 school board powers and duties; allowing
18 students to wear sun-protective items while
19 outdoors during school hours; authorizing use
20 of federal funds to purchase food when federal
21 program guidelines permit such use; amending s.
22 1003.02, F.S.; requiring certain district
23 school boards to request proposals from at
24 least two class ring vendors annually;
25 requiring public access to information;
26 providing criteria for selection of such
27 vendors; requiring that the purchase of a class
28 ring may be through any vendor marketing class
29 rings and that a student may participate in
30 related ceremonies or activities regardless of
31 the vendor through which the purchase was made;

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1 requiring certain district school boards to
2 request proposals from at least two
3 photographers annually; requiring public access
4 to information; allowing student choice of
5 photographer; permitting the inclusion of
6 certain photographs in student yearbooks;
7 amending s. 1006.22, F.S.; revising provisions
8 for district school board transportation of
9 students in vehicles other than school buses;

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