

1 A bill to be entitled
2 An act relating to schools; amending s.
3 1001.47, F.S.; clarifying the applicability of
4 the salary formula and certification programs
5 to elected district school superintendents;
6 amending s. 1001.50, F.S.; authorizing
7 participation by appointed district school
8 superintendents in certification programs
9 established by the Department of Education;
10 amending s. 1003.02, F.S.; authorizing district
11 school board attendance policies to allow
12 accumulated tardies and early departures to be
13 recorded as unexcused absences; authorizing
14 district school board policies for student
15 referral to a child study team under certain
16 circumstances; amending s. 1003.21, F.S.;
17 providing that students who have attained 16
18 years of age and have not graduated are subject
19 to compulsory school attendance under certain
20 circumstances; requiring student exit
21 interviews prior to terminating school
22 enrollment; amending s. 1003.26, F.S.;
23 providing district school superintendent's
24 responsibility to support local law enforcement
25 agencies in enforcing school attendance;
26 providing required and authorized child study
27 team interventions; authorizing visits by
28 school representatives; transferring and
29 amending s. 1013.721, F.S.; renaming the
30 Florida Business and Education in School
31 Together Program as "A Business-Community (ABC)

1 School Program"; defining the term "A
2 Business-Community School"; requiring each
3 school board to submit certain documentation to
4 the Department of Education; requiring each
5 school board to designate a school program
6 liaison; requiring each school district to
7 establish an evaluation committee; requiring
8 each school board to provide to the department
9 information about each member of the committee;
10 requiring the committee to submit an annual
11 report to the school board and the
12 superintendent; providing for the committee's
13 responsibilities; providing for admissions of
14 students to the school program; authorizing a
15 school district and a business to enter into a
16 contract for operation of the school program;
17 amending s. 1013.502, F.S.; providing for
18 facilities for the school program; requiring
19 certain public schools to have an operational
20 automated external defibrillator on the school
21 grounds; providing for training; requiring such
22 devices to be registered with a local medical
23 services director; creating s. 1003.493, F.S.;
24 defining "career and professional academy";
25 providing academy goals and duties; authorizing
26 an academy to be offered as a described small
27 learning community; creating s. 1003.494, F.S.;
28 requiring the Department of Education to
29 establish a Career High-Skill Occupational
30 Initiative for Career Education (CHOICE)
31 project as a competitive process for the

1 designation of school district participants and
2 CHOICE academies; defining "CHOICE academy" and
3 providing purposes thereof; providing
4 eligibility criteria for such designation and
5 duties of participating school districts and
6 the department; providing for the award to
7 school district participants in the CHOICE
8 project of startup funds for the development of
9 CHOICE academies; amending ss. 288.9015 and
10 445.004, F.S.; providing duties of Enterprise
11 Florida, Inc., and Workforce Florida, Inc., to
12 conform; amending s. 1001.43, F.S., relating to
13 district school board powers and duties;
14 allowing students to wear sun-protective items
15 while outdoors during school hours; authorizing
16 use of federal funds to purchase food when
17 federal program guidelines permit such use;
18 amending s. 1006.22, F.S.; revising provisions
19 for district school board transportation of
20 students in vehicles other than school buses;
21 providing an effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:

24
25 Section 1. Section 1001.47, Florida Statutes, is
26 amended to read:

27 1001.47 District school superintendent; salary.--

28 (1) Each elected district school superintendent shall
29 receive as salary the amount indicated pursuant to this
30 section. However, a district school board, by majority vote,
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1 | may approve a salary in excess of the amount specified in this
2 | section.

3 | (2) Each elected district school superintendent shall
4 | receive a base salary, the amounts indicated in this
5 | subsection, based on the population of the county the elected
6 | superintendent serves. In addition, compensation shall be made
7 | for population increments over the minimum for each population
8 | group, which shall be determined by multiplying the population
9 | in excess of the minimum for the group times the group rate.
10 | The product of such calculation shall be added to the base
11 | salary to determine the adjusted base salary. Laws that
12 | increase the base salary provided in this subsection shall
13 | contain provisions on no other subject.

14	15 Pop. Group	16 County Pop. Range	17 Base Salary	18 Group Rate
		Minimum Maximum		
18	I	-0- 49,999	\$21,250	\$0.07875
19	II	50,000 99,999	24,400	0.06300
20	III	100,000 199,999	27,550	0.02625
21	IV	200,000 399,999	30,175	0.01575
22	V	400,000 999,999	33,325	0.00525
23	VI	1,000,000	36,475	0.00400

24 | (3) The adjusted base salaries of elected district
25 | school superintendents shall be increased annually as provided
26 | for in s. 145.19. Any salary previously paid to elected
27 | superintendents, including the salary calculated for fiscal
28 | years 2002-2003 and 2003-2004, which was consistent with
29 | chapter 145 and s. 230.303, Florida Statutes (2001), is hereby
30 | ratified and validated.

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1 ~~(4) This section does not apply to a district school~~
2 ~~superintendent appointed pursuant to the terms of s. 1001.50.~~

3 (4)(5)(a) There shall be an additional \$2,000 per year
4 special qualification salary paid by district school boards
5 for each elected district school superintendent who has met
6 the certification requirements established by the Department
7 of Education. Any elected district school superintendent who
8 is certified during a calendar year shall receive in that year
9 a pro rata share of the special qualification salary based on
10 the remaining period of the year.

11 (b) In order to qualify for the special qualification
12 salary provided by paragraph (a), the elected district school
13 superintendent must complete the requirements established by
14 the Department of Education within 6 years after first taking
15 office.

16 (c) After an elected a district school superintendent
17 meets the requirements of paragraph (a), in order to remain
18 certified the district school superintendent shall thereafter
19 be required to complete each year a course of continuing
20 education as prescribed by the Department of Education.

21 (5)(6)(a) The Department of Education shall provide a
22 leadership development and performance compensation program
23 for elected district school superintendents, comparable to
24 chief executive officer development programs for corporate
25 executive officers, to include:

26 1. A content-knowledge-and-skills phase consisting of:
27 creative leadership models and theory, demonstration of
28 effective practice, simulation exercises and personal skills
29 practice, and assessment with feedback, taught in a
30 professional training setting under the direction of
31 experienced, successful trainers.

1 2. A competency-acquisition phase consisting of
2 on-the-job application of knowledge and skills for a period of
3 not less than 6 months following the successful completion of
4 the content-knowledge-and-skills phase. The
5 competency-acquisition phase shall be supported by adequate
6 professional technical assistance provided by experienced
7 trainers approved by the department. Competency acquisition
8 shall be demonstrated through assessment and feedback.

9 (b) Upon the successful completion of both phases and
10 demonstrated successful performance, as determined by the
11 department, an elected ~~a~~ district school superintendent shall
12 be issued a Chief Executive Officer Leadership Development
13 Certificate, and the department shall pay ~~and shall be given~~
14 an annual performance salary incentive of not less than \$3,000
15 nor more than \$7,500 based upon his or her performance
16 evaluation.

17 (c) An elected ~~A~~ district school superintendent's
18 eligibility to continue receiving the annual performance
19 salary incentive is contingent upon his or her continued
20 performance assessment and followup training prescribed by the
21 department.

22 Section 2. Subsection (4) is added to section 1001.50,
23 Florida Statutes, to read:

24 1001.50 Superintendents employed under Art. IX of the
25 State Constitution.--

26 (4) A district school superintendent employed under
27 the terms of this section may participate in the courses of
28 continuing professional education provided in the special
29 qualification certification program pursuant to s. 1001.47(4)
30 and the leadership development and performance compensation
31 program pursuant to s. 1001.47(5), as established by the

1 department. Upon successful completion of the certification
2 requirements for one or both of these programs, the district
3 school board may use such certification or certifications as a
4 factor in determining the amount of compensation to be paid.

5 Section 3. Paragraph (b) of subsection (1) of section
6 1003.02, Florida Statutes, is amended to read:

7 1003.02 District school board operation and control of
8 public K-12 education within the school district.--As provided
9 in part II of chapter 1001, district school boards are
10 constitutionally and statutorily charged with the operation
11 and control of public K-12 education within their school
12 district. The district school boards must establish, organize,
13 and operate their public K-12 schools and educational
14 programs, employees, and facilities. Their responsibilities
15 include staff development, public K-12 school student
16 education including education for exceptional students and
17 students in juvenile justice programs, special programs, adult
18 education programs, and career education programs.

19 Additionally, district school boards must:

20 (1) Provide for the proper accounting for all students
21 of school age, for the attendance and control of students at
22 school, and for proper attention to health, safety, and other
23 matters relating to the welfare of students in the following
24 fields:

25 (b) Enforcement of attendance laws.--Provide for the
26 enforcement of all laws and rules relating to the attendance
27 of students at school. District school boards are authorized
28 to establish policies that allow accumulated unexcused
29 tardies, regardless of when they occur during the school day,
30 and early departures from school to be recorded as unexcused
31 absences. District school boards are also authorized to

1 establish policies that require referral to a school's child
2 study team for students who have fewer absences than the
3 number required by s. 1003.26(1)(b).

4 Section 4. Paragraph (c) of subsection (1) of section
5 1003.21, Florida Statutes, is amended to read:

6 1003.21 School attendance.--

7 (1)

8 (c) A student who attains the age of 16 years during
9 the school year is not subject to compulsory school attendance
10 beyond the date upon which he or she attains that age if the
11 student files a formal declaration of intent to terminate
12 school enrollment with the district school board. Public
13 school students who have attained the age of 16 years and who
14 have not graduated are subject to compulsory school attendance
15 until the formal declaration of intent is filed with the
16 district school board. The declaration must acknowledge that
17 terminating school enrollment is likely to reduce the
18 student's earning potential and must be signed by the student
19 and the student's parent. The school district must notify the
20 student's parent of receipt of the student's declaration of
21 intent to terminate school enrollment. The student's guidance
22 counselor or other school personnel must conduct an exit
23 interview with the student to determine the reasons for the
24 student's decision to terminate school enrollment and actions
25 that could be taken to keep the student in school. The student
26 must be informed of opportunities to continue his or her
27 education in a different environment, including, but not
28 limited to, adult education and GED test preparation.
29 Additionally, the student must complete a survey in a format
30 prescribed by the Department of Education to provide data on

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1 student reasons for terminating enrollment and actions taken
 2 by schools to keep students enrolled.

3 Section 5. Section 1003.26, Florida Statutes, is
 4 amended to read:

5 1003.26 Enforcement of school attendance.--The
 6 Legislature finds that poor academic performance is associated
 7 with nonattendance and that school districts ~~schools~~ must take
 8 an active role in promoting and enforcing attendance as a
 9 means of improving student ~~the~~ performance ~~of many students~~.

10 It is the policy of the state that each district school
 11 superintendent be responsible for enforcing school attendance
 12 of all students subject to the compulsory school age in the
 13 school district and supporting enforcement of school
 14 attendance by local law enforcement agencies. The
 15 responsibility includes recommending policies and procedures
 16 to the district school board ~~policies and procedures to ensure~~
 17 that require public schools to respond in a timely manner to
 18 every unexcused absence, and every ~~or~~ absence for which the
 19 reason is unknown, of students enrolled in the schools.

20 District school board policies shall ~~must~~ require the each
 21 parent of a student to justify each absence of the student,
 22 and that justification will be evaluated based on adopted
 23 district school board policies that define excused and
 24 unexcused absences. The policies must provide that public
 25 schools track excused and unexcused absences and contact the
 26 home in the case of an unexcused absence from school, or an
 27 absence from school for which the reason is unknown, to
 28 prevent the development of patterns of nonattendance. The
 29 Legislature finds that early intervention in school attendance
 30 ~~matters~~ is the most effective way of producing good attendance
 31 habits that will lead to improved student learning and

1 achievement. Each public school shall implement the following
2 steps to promote and enforce regular school attendance:

3 (1) CONTACT, REFER, AND ENFORCE.--

4 (a) Upon each unexcused absence, or absence for which
5 the reason is unknown, the school principal or his or her
6 designee shall contact the student's parent to determine the
7 reason for the absence. If the absence is an excused absence,
8 as defined by district school board policy, the school shall
9 provide opportunities for the student to make up assigned work
10 and not receive an academic penalty unless the work is not
11 made up within a reasonable time.

12 (b) If a student has had at least five unexcused
13 absences, or absences for which the reasons are unknown,
14 within a calendar month or 10 unexcused absences, or absences
15 for which the reasons are unknown, within a 90-calendar-day
16 period, the student's primary teacher shall report to the
17 school principal or his or her designee that the student may
18 be exhibiting a pattern of nonattendance. The principal shall,
19 unless there is clear evidence that the absences are not a
20 pattern of nonattendance, refer the case to the school's child
21 study team to determine if early patterns of truancy are
22 developing. If the child study team finds that a pattern of
23 nonattendance is developing, whether the absences are excused
24 or not, a meeting with the parent must be scheduled to
25 identify potential remedies, and the principal shall notify
26 the district school superintendent and the school district
27 contact for home education programs that the referred student
28 is exhibiting a pattern of nonattendance.

29 (c) If an initial meeting does not resolve the
30 problem, the child study team shall implement the following

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1 ~~interventions that best address the problem. The interventions~~
 2 ~~may include, but need not be limited to:~~

- 3 1. Frequent attempts at communication between the
- 4 teacher and the family.†
- 5 ~~2. Changes in the learning environment;~~
- 6 ~~3. Mentoring;~~
- 7 ~~4. Student counseling;~~
- 8 ~~5. Tutoring, including peer tutoring;~~
- 9 ~~6. Placement into different classes;~~
- 10 ~~2.7. Evaluation for alternative education programs.†~~
- 11 ~~3.8. Attendance contracts.†~~
- 12 ~~9. Referral to other agencies for family services; or~~
- 13 ~~10. Other interventions, including, but not limited~~
- 14 ~~to, a truancy petition pursuant to s. 984.151.~~

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 16 The child study team may, but is not required to, implement
 17 other interventions, including referral to other agencies for
 18 family services or recommendation for filing a truancy
 19 petition pursuant to s. 984.151.

20 (d) The child study team shall be diligent in
 21 facilitating intervention services and shall report the case
 22 to the district school superintendent only when all reasonable
 23 efforts to resolve the nonattendance behavior are exhausted.

24 (e) If the parent refuses to participate in the
 25 remedial strategies because he or she believes that those
 26 strategies are unnecessary or inappropriate, the parent may
 27 appeal to the district school board. The district school board
 28 may provide a hearing officer, and the hearing officer shall
 29 make a recommendation for final action to the district school
 30 board. If the district school board's final determination is
 31 that the strategies of the child study team are appropriate,

1 and the parent still refuses to participate or cooperate, the
2 district school superintendent may seek criminal prosecution
3 for noncompliance with compulsory school attendance.

4 (f)1. If the parent of a child who has been identified
5 as exhibiting a pattern of nonattendance enrolls the child in
6 a home education program pursuant to chapter 1002, the
7 district school superintendent shall provide the parent a copy
8 of s. 1002.41 and the accountability requirements of this
9 paragraph. The district school superintendent shall also refer
10 the parent to a home education review committee composed of
11 the district contact for home education programs and at least
12 two home educators selected by the parent from a district list
13 of all home educators who have conducted a home education
14 program for at least 3 years and who have indicated a
15 willingness to serve on the committee. The home education
16 review committee shall review the portfolio of the student, as
17 defined by s. 1002.41, every 30 days during the district's
18 regular school terms until the committee is satisfied that the
19 home education program is in compliance with s. 1002.41(1)(b).
20 The first portfolio review must occur within the first 30
21 calendar days of the establishment of the program. The
22 provisions of subparagraph 2. do not apply once the committee
23 determines the home education program is in compliance with s.
24 1002.41(1)(b).

25 2. If the parent fails to provide a portfolio to the
26 committee, the committee shall notify the district school
27 superintendent. The district school superintendent shall then
28 terminate the home education program and require the parent to
29 enroll the child in an attendance option that meets the
30 definition of "regular school attendance" under s.
31 1003.01(13)(a), (b), (c), or (e), within 3 days. Upon

1 termination of a home education program pursuant to this
2 subparagraph, the parent shall not be eligible to reenroll the
3 child in a home education program for 180 calendar days.
4 Failure of a parent to enroll the child in an attendance
5 option as required by this subparagraph after termination of
6 the home education program pursuant to this subparagraph shall
7 constitute noncompliance with the compulsory attendance
8 requirements of s. 1003.21 and may result in criminal
9 prosecution under s. 1003.27(2). Nothing contained herein
10 shall restrict the ability of the district school
11 superintendent, or the ability of his or her designee, to
12 review the portfolio pursuant to s. 1002.41(1)(b).

13 (g) If a student subject to compulsory school
14 attendance will not comply with attempts to enforce school
15 attendance, the parent or the district school superintendent
16 or his or her designee shall refer the case to the case
17 staffing committee pursuant to s. 984.12, and the district
18 school superintendent or his or her designee may file a
19 truancy petition pursuant to the procedures in s. 984.151.

20 (2) GIVE WRITTEN NOTICE.--

21 (a) Under the direction of the district school
22 superintendent, a designated school representative shall give
23 written notice that requires enrollment or attendance within 3
24 days after the date of notice, in person or by return-receipt
25 mail, to the parent when no valid reason is found for a
26 student's nonenrollment in school. If the notice and
27 requirement are ignored, the designated school representative
28 shall report the case to the district school superintendent,
29 and may refer the case to the case staffing committee,
30 established pursuant to s. 984.12. The district school
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1 superintendent shall take such steps as are necessary to bring
2 criminal prosecution against the parent.

3 (b) Subsequent to the activities required under
4 subsection (1), the district school superintendent or his or
5 her designee shall give written notice in person or by
6 return-receipt mail to the parent that criminal prosecution is
7 being sought for nonattendance. The district school
8 superintendent may file a truancy petition, as defined in s.
9 984.03, following the procedures outlined in s. 984.151.

10 (3) RETURN STUDENT TO PARENT.--A designated school
11 representative may ~~shall~~ visit the home or place of residence
12 of a student and any other place in which he or she is likely
13 to find any student who is required to attend school when the
14 student is not enrolled or is absent from school during school
15 hours without an excuse, and, when the student is found, shall
16 return the student to his or her parent or to the principal or
17 teacher in charge of the school, or to the private tutor from
18 whom absent, or to the juvenile assessment center or other
19 location established by the district school board to receive
20 students who are absent from school. Upon receipt of the
21 student, the parent shall be immediately notified.

22 (4) REPORT TO APPROPRIATE AUTHORITY.--A designated
23 school representative shall report to the appropriate
24 authority designated by law to receive such notices, all
25 violations of the Child Labor Law that may come to his or her
26 knowledge.

27 (5) RIGHT TO INSPECT.--A designated school
28 representative shall have the right of access to, and
29 inspection of, establishments where minors may be employed or
30 detained only for the purpose of ascertaining whether students
31 of compulsory school age are actually employed there and are

1 actually working there regularly. The designated school
 2 representative shall, if he or she finds unsatisfactory
 3 working conditions or violations of the Child Labor Law,
 4 report his or her findings to the appropriate authority.

5 Section 6. Section 1013.501, Florida Statutes, is
 6 transferred, renumbered, as section 1013.721, Florida
 7 Statutes, and amended to read:

8 1013.721 ~~1013.501~~ A Business-Community (ABC) School
 9 ~~Florida Business and Education in School Together (Florida~~
 10 ~~BEST)~~ Program.--

11 (1) In order to increase business partnerships in
 12 education, to reduce school and classroom overcrowding
 13 throughout the state, and to offset the high costs of
 14 educational facilities construction, and to use due diligence
 15 and sound business practices in using available educational
 16 space, the Legislature intends to encourage the formation of
 17 partnerships between business and education by creating A
 18 Business-Community (ABC) School ~~the Florida Business and~~
 19 ~~Education in School Together (Florida BEST)~~ Program.

20 (2) "A Business-Community (ABC) School" means a public
 21 school that offers instruction to students from kindergarten
 22 through third grade. The school may offer instruction in any
 23 single grade level or for multiple grade levels. ABC schools
 24 shall comply with the constitutional class size requirements.

25 (3)~~(2)~~ Each school board shall, through advertisements
 26 in local media and other means, request proposals from area
 27 businesses to allow the operation of a business and education
 28 partnership school in facilities owned or operated by the
 29 business. The Department of Education shall require each
 30 school board to submit documentation to the department which
 31 demonstrates the board's compliance with this advertisement

1 requirement. Each school board shall designate a school
2 district employee as the district's ABC program liaison and
3 shall provide the name and contact information of the liaison
4 to the department by September 1 of each year.

5 ~~(4)(3)~~ Each school district shall establish an ABC a
6 ~~Florida BEST~~ school evaluation committee.

7 (a) The committee shall be appointed by the school
8 board and be composed of one school district administrator, at
9 least one member of the business community, and at least one
10 member of a local chamber of commerce. The school board shall
11 provide the department with the names and contact information
12 for each member of the committee and notify the department
13 upon any change in membership or contact information.

14 (b) The committee shall meet at least quarterly and
15 shall provide an annual report to the school board and the
16 superintendent regarding its activities during the preceding
17 school year.

18 (c) The committee's responsibilities shall include,
19 but need not be limited to:

20 1. Creating and implementing a strategic marketing
21 plan to inform businesses about the benefits of the ABC school
22 program.

23 2. Providing technical assistance to businesses
24 seeking to implement an ABC school.

25 3. Informing the public of the benefits of business
26 and education partnerships.

27 4. Obtaining feedback from potential business partners
28 on how the ABC program could be improved.

29 5. Identifying local barriers that preclude this
30 program from operating.

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1 6. Developing proposal evaluation criteria and
2 processes.

3 7. Sharing information on effective ABC school
4 programs with the department and local communities.

5 ~~(d)(b)~~ The committee shall evaluate the feasibility of
6 each proposal, including the operating cost, number of
7 students to be served, proposed student-to-teacher ratio,
8 proposed number of years the satellite school would operate,
9 and any other operational or facilities considerations the
10 school board or committee deems appropriate.

11 ~~(e)(c)~~ The committee shall recommend to the school
12 board those proposals for satellite schools which the
13 committee deems viable and worthy of being established. The
14 school board must take official action on the recommendation
15 of the committee within 60 days after receipt of the
16 recommendation.

17 ~~(4) A "Florida Business and Education in School~~
18 ~~Together (Florida BEST) school" is defined as a public school~~
19 ~~offering instruction to students from kindergarten through~~
20 ~~third grade. The school may offer instruction in any single~~
21 ~~grade level or for multiple grade levels. Florida BEST schools~~
22 ~~shall comply with the constitutional class size requirements.~~

23 (5)(a) First priority for admission of students to an
24 ABC ~~the Florida BEST~~ school shall be given to the children of
25 owners and employees of the host business. If additional
26 student capacity remains after those children are admitted,
27 the host business may designate ~~choose which~~ other neighboring
28 businesses whose owners or employees may also participate to
29 generate a viable number of students for the school. The
30 school board shall make the necessary arrangements to
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1 accommodate students from other school districts whose parents
2 are associated with the host business or business partners.

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

5 ~~(6)(5)~~ A school district and a host business may enter
6 into a multiyear contract for operation of an ABC ~~the Florida~~
7 ~~BEST~~ school ~~may be entered into between the school district~~
8 ~~and the host business~~. The contract must at least include
9 provisions relating to any cost of facilities modifications,
10 provide for the assignment or waiver of appropriate insurance
11 costs, specify the number of students expected to be served,
12 provide grounds for canceling the lease, and specify the
13 advance notice required before the school may be closed.

14 (a) The school board shall be responsible for
15 providing the appropriate instructional, support, and
16 administrative staff and textbooks, materials, and supplies.
17 The school district may also agree to operate or contract for
18 the operation of a before-school and after-school program
19 using the donated facilities.

20 (b) The host business shall provide the appropriate
21 types of space for operating the school. If special
22 facilities, such as restrooms or dining, recreational, or
23 other areas are required, the district may contribute a part
24 of the cost of the construction, remodeling, or renovation for
25 such facilities from capital outlay funds of the district. A
26 multiyear lease for operation of the facility must be agreed
27 to if the school district contributes to the cost of such
28 construction.

29 Section 7. Section 1013.502, Florida Statutes, is
30 amended to read:

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1 1013.502 A Business-Community (ABC) Florida ~~BEST~~
2 school facilities; standards.--Notwithstanding any local
3 government ordinance or regulation, any business or
4 corporation may expand the square footage or floor area of its
5 current or proposed facility to accommodate an ABC ~~a Florida~~
6 ~~Business and Education in School Together (Florida BEST)~~
7 School, as described under s. 1013.721. Facilities constructed
8 to house an ABC ~~a Florida BEST~~ school must comply with the
9 State Uniform Building Code for Public Educational Facilities
10 Construction adopted pursuant to s. 1013.37 and must meet
11 state and local health, environmental, and safety laws and
12 codes.

13 Section 8. (1) Each public school that is a member of
14 the Florida High School Athletic Association must have an
15 operational automated external defibrillator on the school
16 grounds. Public and private partnerships are encouraged to
17 cover the cost associated with the purchase and placement of
18 the defibrillator and training in the use of the
19 defibrillator.

20 (2) Each school must ensure that all employees or
21 volunteers who are reasonably expected to use the device
22 obtain appropriate training, including completion of a course
23 in cardiopulmonary resuscitation or a basic first aid course
24 that includes cardiopulmonary resuscitation training, and
25 demonstrated proficiency in the use of an automated external
26 defibrillator.

27 (3) The location of each automated external
28 defibrillator must be registered with a local emergency
29 medical services medical director.

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1 (4) The use of automated external defibrillators by
2 employees and volunteers is covered under ss. 768.13 and
3 768.1325, Florida Statutes.

4 Section 9. Section 1003.493, Florida Statutes, is
5 created to read:

6 1003.493 Career and professional academies.--

7 (1) A "career and professional academy" is a
8 research-based program that integrates a rigorous academic
9 curriculum with an industry-driven career curriculum. Career
10 and professional academies may be offered by public schools,
11 school districts, or the Florida Virtual School. Students
12 completing career and professional academy programs receive a
13 standard high school diploma, the highest available industry
14 certification, and postsecondary credit if the academy
15 partners with a postsecondary institution.

16 (2) The goals of a career and professional academy are
17 to:

18 (a) Increase student academic achievement and
19 graduation rates through integrated academic and career
20 curricula.

21 (b) Focus on career preparation through rigorous
22 academics and industry certification.

23 (c) Raise student aspiration and commitment to
24 academic achievement and work ethics.

25 (d) Support graduation requirements by providing
26 creative, applied majors as provided by law.

27 (e) Promote acceleration mechanisms, such as dual
28 enrollment, articulated credit, or occupational completion
29 points, so that students may earn postsecondary credit while
30 in high school.

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1 (f) Support the state's economy by meeting industry
2 needs for skilled employees in high-demand occupations.

3 (3) A career and professional academy may be offered
4 as one of the following small learning communities:

5 (a) A school-within-a-school career academy, as part
6 of an existing high school, that provides courses in one
7 occupational cluster. Students in the high school are not
8 required to be students in the academy.

9 (b) A total school configuration providing multiple
10 academies, each structured around an occupational cluster.
11 Every student in the school is in an academy.

12 (4) Each career and professional academy must:

13 (a) Provide a rigorous standards-based academic
14 curriculum integrated with a career curriculum. The curriculum
15 must take into consideration multiple styles of student
16 learning; promote learning by doing through application and
17 adaptation; maximize relevance of the subject matter; enhance
18 each student's capacity to excel; and include an emphasis on
19 work habits and work ethics.

20 (b) Include one or more partnerships with
21 postsecondary institutions, businesses, industry, employers,
22 economic development organizations, or other appropriate
23 partners from the local community. Such partnerships must
24 provide opportunities for:

- 25 1. Instruction from highly skilled professionals.
26 2. Internships, externships, and on-the-job training.
27 3. A postsecondary degree, diploma, or certificate.
28 4. The highest available level of industry
29 certification. Where no national or state certification
30 exists, school districts may establish a local certification
31

1 in conjunction with the local workforce development board, the
2 chamber of commerce, or the Agency for Workforce Innovation.

3 5. Maximum articulation of credits pursuant to s.
4 1007.23 upon program completion.

5 (c) Provide creative and tailored student advisement,
6 including parent participation and coordination with middle
7 schools to provide career exploration and education planning.
8 Coordination with middle schools must provide information to
9 middle school students about secondary and postsecondary
10 career education programs and academies.

11 (d) Provide a career education certification on the
12 high school diploma pursuant to s. 1003.431.

13 (e) Provide instruction in careers designated as high
14 growth, high demand, and high pay by the local workforce
15 development board, the chamber of commerce, or the Agency for
16 Workforce Innovation.

17 (f) Deliver academic content through instruction
18 relevant to the career, including intensive reading and
19 mathematics intervention, with an emphasis on strengthening
20 reading for information skills.

21 (g) Offer applied courses that combine academic
22 content with technical skills. Such courses must be submitted
23 to the Department of Education no later than 5 months before
24 the beginning of the school term in which such courses are
25 planned to be offered. The State Board of Education must
26 approve or disapprove courses no later than 3 months before
27 the beginning of the school term in which such courses are
28 planned to be offered. The department shall present new
29 courses to the state board for approval a minimum of three
30 times annually.

31

1 (h) Provide instruction resulting in competency,
2 certification, or credentials in workplace skills, including,
3 but not limited to, communication skills, interpersonal
4 skills, decisionmaking skills, the importance of attendance
5 and timeliness in the work environment, and work ethics.

6 (i) Provide opportunities for students to obtain the
7 Florida Ready to Work Certification as provided by law.

8 (j) Include an evaluation plan developed jointly with
9 the Department of Education. The evaluation plan must include
10 a self-assessment tool based on standards, such as the Career
11 Academy National Standards of Practice, and outcome measures
12 including, but not limited to, graduation rates, enrollment in
13 postsecondary education, business and industry satisfaction,
14 employment and earnings, achievement of industry
15 certification, awards of postsecondary credit, and FCAT
16 achievement levels and learning gains.

17 Section 10. Section 1003.494, Florida Statutes, is
18 created to read:

19 1003.494 Career High-Skill Occupational Initiative for
20 Career Education (CHOICE) academies.--

21 (1) The Department of Education shall establish a
22 Career High-Skill Occupational Initiative for Career Education
23 (CHOICE) project. The project shall consist of a competitive
24 process for selecting and designating school districts as
25 participants in the project and designating CHOICE academies
26 within participating school districts.

27 (2) A "CHOICE academy" is a career and professional
28 academy that meets the goals and requirements specified in s.
29 1003.493 and offers a rigorous and relevant academic
30 curriculum leading to industry-recognized certification,
31 college credit, and credit toward a high school diploma.

1 Existing career education courses may serve as a foundation
2 for the creation of a CHOICE academy.

3 (3) The purposes of a CHOICE academy are to:

4 (a) Draw upon ongoing partnerships between education
5 and workforce development or economic development
6 organizations to enhance the quality and opportunities for
7 career education for high school students by exposure to
8 in-demand career education as identified by such organizations
9 in the local community.

10 (b) Build upon the state system of school improvement
11 and education accountability by providing students with a
12 solid academic foundation, opportunities to obtain
13 industry-recognized certification or credentials, and
14 preparation for postsecondary educational experiences in
15 related fields.

16 (c) Prepare graduating high school students to make
17 appropriate choices relative to employment and future
18 educational experiences.

19 (4) The Department of Education may establish
20 application guidelines for an annual competitive process and
21 eligibility criteria for school district participation. A
22 school district may apply to the department for designation as
23 a CHOICE project participating district, and the department,
24 in consultation with Workforce Florida, Inc., and Enterprise
25 Florida, Inc., may designate as many school districts as it
26 deems advisable each year. Eligibility criteria for
27 designation of a school district as a CHOICE project
28 participant shall include, but not be limited to:

29 (a) The willingness and ability of associated
30 businesses or industries to form partnerships with and support
31 CHOICE academies.

1 (b) The dedication of school district resources to
2 CHOICE academies.

3 (5) The Department of Education, in consultation with
4 Workforce Florida, Inc., shall establish standards for
5 designating specific CHOICE academies in each participating
6 school district. A participating school district may apply to
7 the department for designation of a CHOICE academy within the
8 district. Eligibility criteria for such designation shall
9 include, but not be limited to:

10 (a) Partnerships with an associated business or
11 industry and a regional workforce board or the primary local
12 economic development organization in the county as recognized
13 by Enterprise Florida, Inc. The partnership of the business or
14 industry with the CHOICE academy must be based on the
15 connection of the business or industry with the academy's
16 career theme and must involve future plans for improving the
17 local economy. The business or industry partner must be
18 consulted during the planning stages of a CHOICE academy and
19 provide business or industry support and resources devoted to
20 the CHOICE academy. The Consortium of Florida Education
21 Foundations or a designee must also be consulted during the
22 planning stages of a CHOICE academy and may provide support
23 and resources devoted to the CHOICE academy.

24 (b) At least one established partnership and an
25 articulation agreement for credit with a postsecondary
26 institution.

27 (c) A plan for sustaining the CHOICE academy.

28
29 The Okaloosa County School District and other school districts
30 that have received funding from Workforce Florida, Inc., for
31 the establishment of CHOICE academies prior to July 1, 2006,

1 shall receive an expedited review for CHOICE academy
2 designation by the department.

3 (6) A participating school district shall:

4 (a) Identify an appropriate location for classes.

5 (b) Ensure that a CHOICE academy is flexible enough to
6 respond both to the needs and abilities of students and to the
7 needs of associated businesses or industries.

8 (c) Redirect appropriated funding from ongoing
9 activities to a CHOICE academy.

10 (d) Plan for sustaining a CHOICE academy as an ongoing
11 program without additional funding.

12 (7) The Department of Education shall:

13 (a) With assistance from Workforce Florida, Inc.,
14 provide technical assistance to participating school districts
15 in submitting applications for designation of specific CHOICE
16 academies located in specific schools in the school district,
17 reorganizing career education opportunities, developing CHOICE
18 academies with career themes in areas deemed appropriate by
19 Workforce Florida, Inc., or local economic development
20 organizations, and developing funding plans.

21 (b) Jointly with Workforce Florida, Inc., and in
22 consultation with school districts, develop evaluation
23 criteria for CHOICE academies. Such criteria shall include
24 increased academic performance of students and schools using
25 school-level accountability data.

26 (c) Report to the State Board of Education, the
27 Governor, the President of the Senate, and the Speaker of the
28 House of Representatives by July 1 of each year on school
29 district participation in the CHOICE project, designated
30 CHOICE academies with enrollment and completion data for such
31 academies, and appropriate outcomes for students who have

1 completed a CHOICE academy program. Such outcomes may include
2 continuing educational experiences of CHOICE academy
3 graduates, business or industry satisfaction with the CHOICE
4 academies, placement of CHOICE academy graduates in
5 employment, and earnings of such graduates.

6 (d) Promote CHOICE academies and provide planning and
7 startup resources as available.

8 (8) As provided in the General Appropriations Act, the
9 Department of Education shall award one-time startup funds to
10 school districts designated as participants in the CHOICE
11 project for the development of CHOICE academies. All school
12 districts designated by the department are authorized to
13 establish one or more CHOICE academies without incentive
14 funds.

15 Section 11. Subsection (7) is added to section
16 288.9015, Florida Statutes, to read:

17 288.9015 Enterprise Florida, Inc.; purpose; duties.--

18 (7) Enterprise Florida, Inc., shall work with the
19 Department of Education and Workforce Florida, Inc., in the
20 designation of school districts as participants in the CHOICE
21 project pursuant to s. 1003.494.

22 Section 12. Paragraph (i) is added to subsection (5)
23 of section 445.004, Florida Statutes, to read:

24 445.004 Workforce Florida, Inc.; creation; purpose;
25 membership; duties and powers.--

26 (5) Workforce Florida, Inc., shall have all the powers
27 and authority, not explicitly prohibited by statute, necessary
28 or convenient to carry out and effectuate the purposes as
29 determined by statute, Pub. L. No. 105-220, and the Governor,
30 as well as its functions, duties, and responsibilities,
31 including, but not limited to, the following:

1 (i) Working with the Department of Education and
2 Enterprise Florida, Inc., in the implementation of the CHOICE
3 project pursuant to s. 1003.494.

4 Section 13. Paragraph (b) of subsection (1) of section
5 1001.43, Florida Statutes, is amended, and paragraph (g) is
6 added to subsection (2) of that section, to read:

7 1001.43 Supplemental powers and duties of district
8 school board.--The district school board may exercise the
9 following supplemental powers and duties as authorized by this
10 code or State Board of Education rule.

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

15 (b) Require uniforms to be worn by the student body,
16 or impose other dress-related requirements, if the district
17 school board finds that those requirements are necessary for
18 the safety or welfare of the student body or school personnel.
19 However, students may wear sunglasses, hats, or other
20 sun-protective wear while outdoors during school hours, such
21 as when students are at recess.

22 (2) FISCAL MANAGEMENT.--The district school board may
23 adopt policies providing for fiscal management of the school
24 district with respect to school purchasing, facilities,
25 nonstate revenue sources, budgeting, fundraising, and other
26 activities relating to the fiscal management of district
27 resources, including, but not limited to, the policies
28 governing:

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

31

1 Section 14. Subsection (1) of section 1006.22, Florida
2 Statutes, is amended to read:

3 1006.22 Safety and health of students being
4 transported.--Maximum regard for safety and adequate
5 protection of health are primary requirements that must be
6 observed by district school boards in routing buses,
7 appointing drivers, and providing and operating equipment, in
8 accordance with all requirements of law and rules of the State
9 Board of Education in providing transportation pursuant to s.
10 1006.21:

11 (1)(a) District school boards shall use school buses,
12 as defined in s. 1006.25, for all regular transportation.

13 Regular transportation or regular use means transportation of
14 students to and from school or school-related activities that
15 are part of a scheduled series or sequence of events to the
16 same location. "Students" means, for the purposes of this
17 section, students enrolled in the public schools in
18 prekindergarten disability programs and in kindergarten
19 through grade 12. District school boards may regularly use
20 motor vehicles other than school buses only under the
21 following conditions:

22 1.(a) When the transportation is for physically
23 handicapped or isolated students and the district school board
24 has elected to provide for the transportation of the student
25 through written or oral contracts or agreements.

26 2.(b) When the transportation is a part of a
27 comprehensive contract for a specialized educational program
28 between a district school board and a service provider who
29 provides instruction, transportation, and other services.

30 3.(c) When the transportation is provided through a
31 public transit system.

1 ~~4.(d)~~ When the transportation is for trips to and from
2 school sites or agricultural education sites or for trips to
3 and from agricultural education-related events or
4 competitions, but is not for customary transportation between
5 a student's residence and such sites. When the transportation
6 of students is necessary or practical in a motor vehicle owned
7 or operated by a district school board other than a school
8 bus, such transportation must be provided in designated
9 seating positions in a passenger car not to exceed 8 students
10 or in a multipurpose passenger vehicle designed to transport
11 10 or fewer persons which meets all applicable federal motor
12 vehicle safety standards. Multipurpose passenger vehicles
13 classified as utility vehicles with a wheelbase of 110 inches
14 or less which are required by federal motor vehicle standards
15 to display a rollover warning label may not be used.

16
17 ~~When students are transported in motor vehicles, the occupant~~
18 ~~crash protection system provided by the vehicle manufacturer~~
19 ~~must be used unless the student's physical condition prohibits~~
20 ~~such use.~~

21 (b) When the transportation of students is provided,
22 as authorized in this subsection, in a vehicle other than a
23 school bus that is owned, operated, rented, contracted, or
24 leased by a school district or charter school, the following
25 provisions shall apply:

26 1. The vehicle must be a passenger car or multipurpose
27 passenger vehicle or truck, as defined in Title 49 C.F.R. part
28 571, designed to transport fewer than 10 students. Students
29 must be transported in designated seating positions and must
30 use the occupant crash protection system provided by the

31

1 manufacturer unless the student's physical condition prohibits
2 such use.

3 2. An authorized vehicle may not be driven by a
4 student on a public right-of-way. An authorized vehicle may be
5 driven by a student on school or private property as part of
6 the student's educational curriculum if no other student is in
7 the vehicle.

8 3. The driver of an authorized vehicle transporting
9 students must maintain a valid driver's license and must
10 comply with the requirements of the school district's locally
11 adopted safe driver plan, which includes review of driving
12 records for disqualifying violations.

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

18 Section 15. This act shall take effect July 1, 2006.
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