An act relating to schools; amending s. 1001.47, F.S.; clarifying the applicability of the salary formula and certification programs to elected district school superintendents; amending s. 1001.50, F.S.; authorizing participation by appointed district school superintendents in certification programs established by the Department of Education; amending s. 1003.02, F.S.; authorizing district school board attendance policies to allow accumulated tardies and early departures to be recorded as unexcused absences; authorizing district school board policies for student referral to a child study team under certain circumstances; amending s. 1003.21, F.S.; providing that students who have attained 16 years of age and have not graduated are subject to compulsory school attendance under certain circumstances; requiring student exit interviews prior to terminating school enrollment; amending s. 1003.26, F.S.; providing district school superintendent's responsibility to support local law enforcement agencies in enforcing school attendance; providing required and authorized child study team interventions; authorizing visits by school representatives; transferring and amending s. 1013.721, F.S.; renaming the Florida Business and Education in School Together Program as "A Business-Community (ABC) Program".

CODING: Words stricken are deletions; words underlined are additions.
School Program"; defining the term "A
Business-Community School"; requiring each
school board to submit certain documentation to
the Department of Education; requiring each
school board to designate a school program
liaison; requiring each school district to
establish an evaluation committee; requiring
each school board to provide to the department
information about each member of the committee;
requiring the committee to submit an annual
report to the school board and the
superintendent; providing for the committee's
responsibilities; providing for admissions of
students to the school program; authorizing a
school district and a business to enter into a
contract for operation of the school program;
amending s. 1013.502, F.S.; providing for
facilities for the school program; requiring
certain public schools to have an operational
automated external defibrillator on the school
grounds; providing for training; requiring such
devices to be registered with a local medical
services director; creating s. 1003.493, F.S.;
defining "career and professional academy";
providing academy goals and duties; authorizing
an academy to be offered as a described small
learning community; creating s. 1003.494, F.S.;
requiring the Department of Education to
establish a Career High-Skill Occupational
Initiative for Career Education (CHOICE)
project as a competitive process for the
designation of school district participants and
CHOICE academies; defining "CHOICE academy" and
providing purposes thereof; providing
eligibility criteria for such designation and
duties of participating school districts and
the department; providing for the award to
school district participants in the CHOICE
project of startup funds for the development of
CHOICE academies; amending ss. 288.9015 and
445.004, F.S.; providing duties of Enterprise
Florida, Inc., and Workforce Florida, Inc., to
conform; amending s. 1001.43, F.S., relating to
district school board powers and duties;
allowing students to wear sun-protective items
while outdoors during school hours; authorizing
use of federal funds to purchase food when
federal program guidelines permit such use;
amending s. 1006.22, F.S.; revising provisions
for district school board transportation of
students in vehicles other than school buses;
providing requirements with respect to the
awarding of incentives; authorizing incentives
for student performance or attendance and
establishing limits; establishing
responsibilities of school districts and
supplemental educational services providers;
providing requirements for school district and
provider compliance; providing penalties for
noncompliance; authorizing application for
reallocating funds and providing for appeal;
authorizing adoption of rules and providing for
enforcement; requiring the Department of
Education to establish a committee of
practitioners; providing for appointment and
authority; amending s. 1001.451, F.S.;
requiring the determination of services and use
of funds to be established by the board of
directors of a regional consortium service
organization; authorizing establishment of
purchasing and bidding programs in lieu of
individual school district bid arrangements;
authorizing establishment of a direct-support
organization; creating s. 1003.453, F.S.;
requiring each school district to submit to the
Department of Education, by a specified
deadline, copies of the district's school
wellness policy and physical education policy;
requiring the school district to review those
policies annually; requiring the department and
school districts to post links to those
policies on their websites; requiring the
department to provide website links to certain
resources and prescribing the types of
information those resources must provide;
encouraging school districts to provide basic
training in first aid to students in certain
grade levels; amending s. 1003.455, F.S.;
requiring that school district physical
education programs and curricula be reviewed by
a certified physical education instructor;
encouraging school districts to provide
physical education for a specified amount of

CODING: Words stricken are deletions; words underlined are additions.
time; deleting obsolete language; amending s.  
381.0056, F.S., the "School Health Services 
Act"; requiring schools to annually provide 
certain information to students' parents and 
guardians; providing requirements relating to 
membership of school health advisory 
committees; encouraging the committees to 
address specified matters; providing an 
effective date.

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

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

1001.47 District school superintendent; salary.--
(1) Each elected district school superintendent shall 
receive as salary the amount indicated pursuant to this 
section. However, a district school board, by majority vote, 
may approve a salary in excess of the amount specified in this 
section.

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

CODING: Words stricken are deletions; words underlined are additions.
<table>
<thead>
<tr>
<th>Pop. Group</th>
<th>County Pop. Range</th>
<th>Base Salary</th>
<th>Group Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>-0-</td>
<td>49,999</td>
<td>$21,250</td>
</tr>
<tr>
<td>II</td>
<td>50,000</td>
<td>99,999</td>
<td>24,400</td>
</tr>
<tr>
<td>III</td>
<td>100,000</td>
<td>199,999</td>
<td>27,550</td>
</tr>
<tr>
<td>IV</td>
<td>200,000</td>
<td>399,999</td>
<td>30,175</td>
</tr>
<tr>
<td>V</td>
<td>400,000</td>
<td>999,999</td>
<td>33,325</td>
</tr>
<tr>
<td>VI</td>
<td>1,000,000</td>
<td></td>
<td>36,475</td>
</tr>
</tbody>
</table>

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

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

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

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

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

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

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

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

(b) Upon the successful completion of both phases and demonstrated successful performance, as determined by the department, an elected district school superintendent shall be issued a Chief Executive Officer Leadership Development Certificate, and the department shall pay and shall be given

**CODING:** Words struck are deletions; words underlined are additions.
an annual performance salary incentive of not less than $3,000
nor more than $7,500 based upon his or her performance
evaluation.

(c) An elected district school superintendent's eligibility to continue receiving the annual performance
compensation is contingent upon his or her continued
performance assessment and followup training prescribed by the
department.

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

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

(4) A district school superintendent employed under
the terms of this section may participate in the courses of
continuing professional education provided in the special
qualification certification program pursuant to s. 1001.47(4)
and the leadership development and performance compensation
program pursuant to s. 1001.47(5), as established by the
department. Upon successful completion of the certification
requirements for one or both of these programs, the district
school board may use such certification or certifications as a
factor in determining the amount of compensation to be paid.

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

1003.02 District school board operation and control of
public K-12 education within the school district.--As provided
in part II of chapter 1001, district school boards are
constitutionally and statutorily charged with the operation
and control of public K-12 education within their school
district. The district school boards must establish, organize,
and operate their public K-12 schools and educational

CODING: Words stricken are deletions; words underlined are additions.
programs, employees, and facilities. Their responsibilities include staff development, public K-12 school student education including education for exceptional students and students in juvenile justice programs, special programs, adult education programs, and career education programs. Additionally, district school boards must:

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

(b) Enforcement of attendance laws.--Provide for the enforcement of all laws and rules relating to the attendance of students at school. District school boards are authorized to establish policies that allow accumulated unexcused tardies, regardless of when they occur during the school day, and early departures from school to be recorded as unexcused absences. District school boards are also authorized to establish policies that require referral to a school's child study team for students who have fewer absences than the number required by s. 1003.26(1)(b).

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

1003.21 School attendance.--

(1)

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

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

1003.26 Enforcement of school attendance.--The Legislature finds that poor academic performance is associated with nonattendance and that school districts must take an active role in promoting and enforcing attendance as a means of improving student the performance of many students. It is the policy of the state that each district school superintendent be responsible for enforcing school attendance of all students subject to the compulsory school age in the school district and supporting enforcement of school attendance by local law enforcement agencies. The

CODING: Words stricken are deletions; words underlined are additions.
responsibility includes recommending policies and procedures to the district school board. District school board policies shall require each parent of a student to justify each absence of the student, and that justification will be evaluated based on adopted district school board policies that define excused and unexcused absences. The policies must provide that public schools track excused and unexcused absences and contact the home in the case of an unexcused absence from school, or an absence from school for which the reason is unknown, to prevent the development of patterns of nonattendance. The Legislature finds that early intervention in school attendance matters is the most effective way of producing good attendance habits that will lead to improved student learning and achievement. Each public school shall implement the following steps to promote and enforce regular school attendance:

(i) CONTACT, REFER, AND ENFORCE.--

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

(b) If a student has had at least five unexcused absences, or absences for which the reasons are unknown, within a calendar month or 10 unexcused absences, or absences

CODING: Words stricken are deletions; words underlined are additions.
for which the reasons are unknown, within a 90-calendar-day period, the student's primary teacher shall report to the school principal or his or her designee that the student may be exhibiting a pattern of nonattendance. The principal shall, unless there is clear evidence that the absences are not a pattern of nonattendance, refer the case to the school's child study team to determine if early patterns of truancy are developing. If the child study team finds that a pattern of nonattendance is developing, whether the absences are excused or not, a meeting with the parent must be scheduled to identify potential remedies, and the principal shall notify the district school superintendent and the school district contact for home education programs that the referred student is exhibiting a pattern of nonattendance.

(c) If an initial meeting does not resolve the problem, the child study team shall implement the following interventions that best address the problem. The interventions may include, but need not be limited to:

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

CODING: Words stricken are deletions; words underlined are additions.
The child study team may, but is not required to, implement other interventions, including referral to other agencies for family services or recommendation for filing a truancy petition pursuant to s. 984.151. (d) The child study team shall be diligent in facilitating intervention services and shall report the case to the district school superintendent only when all reasonable efforts to resolve the nonattendance behavior are exhausted. (e) If the parent refuses to participate in the remedial strategies because he or she believes that those strategies are unnecessary or inappropriate, the parent may appeal to the district school board. The district school board may provide a hearing officer, and the hearing officer shall make a recommendation for final action to the district school board. If the district school board's final determination is that the strategies of the child study team are appropriate, and the parent still refuses to participate or cooperate, the district school superintendent may seek criminal prosecution for noncompliance with compulsory school attendance. (f)1. If the parent of a child who has been identified as exhibiting a pattern of nonattendance enrolls the child in a home education program pursuant to chapter 1002, the district school superintendent shall provide the parent a copy of s. 1002.41 and the accountability requirements of this paragraph. The district school superintendent shall also refer the parent to a home education review committee composed of the district contact for home education programs and at least two home educators selected by the parent from a district list of all home educators who have conducted a home education program for at least 3 years and who have indicated a willingness to serve on the committee. The home education

CODING: Words stricken are deletions; words underlined are additions.
review committee shall review the portfolio of the student, as defined by s. 1002.41, every 30 days during the district's regular school terms until the committee is satisfied that the home education program is in compliance with s. 1002.41(1)(b).

The first portfolio review must occur within the first 30 calendar days of the establishment of the program. The provisions of subparagraph 2. do not apply once the committee determines the home education program is in compliance with s. 1002.41(1)(b).

2. If the parent fails to provide a portfolio to the committee, the committee shall notify the district school superintendent. The district school superintendent shall then terminate the home education program and require the parent to enroll the child in an attendance option that meets the definition of "regular school attendance" under s. 1003.01(13)(a), (b), (c), or (e), within 3 days. Upon termination of a home education program pursuant to this subparagraph, the parent shall not be eligible to reenroll the child in a home education program for 180 calendar days. Failure of a parent to enroll the child in an attendance option as required by this subparagraph after termination of the home education program pursuant to this subparagraph shall constitute noncompliance with the compulsory attendance requirements of s. 1003.21 and may result in criminal prosecution under s. 1003.27(2). Nothing contained herein shall restrict the ability of the district school superintendent, or the ability of his or her designee, to review the portfolio pursuant to s. 1002.41(1)(b).

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

(2) GIVE WRITTEN NOTICE.--
    (a) Under the direction of the district school superintendent, a designated school representative shall give written notice that requires enrollment or attendance within 3 days after the date of notice, in person or by return-receipt mail, to the parent when no valid reason is found for a student's nonenrollment in school. If the notice and requirement are ignored, the designated school representative shall report the case to the district school superintendent, and may refer the case to the case staffing committee, established pursuant to s. 984.12. The district school superintendent shall take such steps as are necessary to bring criminal prosecution against the parent.
    (b) Subsequent to the activities required under subsection (1), the district school superintendent or his or her designee shall give written notice in person or by return-receipt mail to the parent that criminal prosecution is being sought for nonattendance. The district school superintendent may file a truancy petition, as defined in s. 984.03, following the procedures outlined in s. 984.151.

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

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

(5) RIGHT TO INSPECT.--A designated school
representative shall have the right of access to, and
inspection of, establishments where minors may be employed or
detained only for the purpose of ascertaining whether students
of compulsory school age are actually employed there and are
actually working there regularly. The designated school
representative shall, if he or she finds unsatisfactory
working conditions or violations of the Child Labor Law,
report his or her findings to the appropriate authority.

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

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

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

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

(3) Each school board shall, through advertisements in local media and other means, request proposals from area businesses to allow the operation of a business and education partnership school in facilities owned or operated by the business. The Department of Education shall require each school board to submit documentation to the department which demonstrates the board's compliance with this advertisement requirement. Each school board shall designate a school district employee as the district's ABC program liaison and shall provide the name and contact information of the liaison to the department by September 1 of each year.

(4) Each school district shall establish an ABC school evaluation committee.

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

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

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

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

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

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

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

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

6. Developing proposal evaluation criteria and
processes.

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

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

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

CODING: Words stricken are deletions; words underlined are additions.
A "Florida Business and Education in School Together (Florida BEST) school" is defined as a public school offering instruction to students from kindergarten through third grade. The school may offer instruction in any single grade level or for multiple grade levels. Florida BEST schools shall comply with the constitutional class size requirements.

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

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

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

(a) The school board shall be responsible for providing the appropriate instructional, support, and administrative staff and textbooks, materials, and supplies. The school district may also agree to operate or contract for

CODING: Words stricken are deletions; words underlined are additions.
the operation of a before-school and after-school program
using the donated facilities.

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

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

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

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

CODING: Words stricken are deletions; words underlined are additions.
the defibrillator and training in the use of the defibrillator.

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

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

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

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

1003.493 Career and professional academies.--

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

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

CODING: Words stricken are deletions; words underlined are additions.
(a) Increase student academic achievement and graduation rates through integrated academic and career curricula.

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

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

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

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

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

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

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

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

(4) Each career and professional academy must:

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

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

1. Instruction from highly skilled professionals.
2. Internships, externships, and on-the-job training.
3. A postsecondary degree, diploma, or certificate.
4. The highest available level of industry
certification. Where no national or state certification
exists, school districts may establish a local certification
in conjunction with the local workforce development board, the
chamber of commerce, or the Agency for Workforce Innovation.
5. Maximum articulation of credits pursuant to s.
1007.23 upon program completion.

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

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

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

(f) Deliver academic content through instruction
relevant to the career, including intensive reading and

CODING: Words struck are deletions; words underlined are additions.
mathematics intervention, with an emphasis on strengthening reading for information skills.

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

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

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

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

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

CODING: Words stricken are deletions; words underlined are additions.
1003.494 Career High-Skill Occupational Initiative for Career Education (CHOICE) academies.--

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

(2) A "CHOICE academy" is a career and professional academy that meets the goals and requirements specified in s. 1003.493 and offers a rigorous and relevant academic curriculum leading to industry-recognized certification, college credit, and credit toward a high school diploma. Existing career education courses may serve as a foundation for the creation of a CHOICE academy.

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

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

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

(c) Prepare graduating high school students to make appropriate choices relative to employment and future educational experiences.
(4) The Department of Education may establish application guidelines for an annual competitive process and eligibility criteria for school district participation. A school district may apply to the department for designation as a CHOICE project participating district, and the department, in consultation with Workforce Florida, Inc., and Enterprise Florida, Inc., may designate as many school districts as it deems advisable each year. Eligibility criteria for designation of a school district as a CHOICE project participant shall include, but not be limited to:

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

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

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

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

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

(c) A plan for sustaining the CHOICE academy.

The Okaloosa County School District and other school districts
that have received funding from Workforce Florida, Inc., for
the establishment of CHOICE academies prior to July 1, 2006,
shall receive an expedited review for CHOICE academy
designation by the department.

(6) A participating school district shall:

(a) Identify an appropriate location for classes.

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

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

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

(7) The Department of Education shall:

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

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

(c) Report to the State Board of Education, the
Governor, the President of the Senate, and the Speaker of the
House of Representatives by July 1 of each year on school
district participation in the CHOICE project, designated
CHOICE academies with enrollment and completion data for such
academies, and appropriate outcomes for students who have
completed a CHOICE academy program. Such outcomes may include
continuing educational experiences of CHOICE academy
graduates, business or industry satisfaction with the CHOICE
academies, placement of CHOICE academy graduates in
employment, and earnings of such graduates.

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

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

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

288.9015 Enterprise Florida, Inc.; purpose; duties.--
(7) Enterprise Florida, Inc., shall work with the
Department of Education and Workforce Florida, Inc., in the
designation of school districts as participants in the CHOICE
project pursuant to s. 1003.494.

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

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

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

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

Section 13. 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. However, students may wear sunglasses, hats, or other sun-protective wear while outdoors during school hours, such as when students are at recess.

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

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

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

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

(1)(a) District school boards shall use school buses, as defined in s. 1006.25, for all regular transportation. Regular transportation or regular use means transportation of students to and from school or school-related activities that are part of a scheduled series or sequence of events to the same location. "Students" means, for the purposes of this section, students enrolled in the public schools in prekindergarten disability programs and in kindergarten

CODING: Words struck are deletions; words underlined are additions.
through grade 12. District school boards may regularly use
motor vehicles other than school buses only under the
following conditions:

1. When the transportation is for physically
   handicapped or isolated students and the district school board
   has elected to provide for the transportation of the student
   through written or oral contracts or agreements.

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

3. When the transportation is provided through a
   public transit system.

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

When students are transported in motor vehicles, the occupant

CRASH PROTECTION SYSTEM provided by the vehicle manufacturer

CODING: Words STRIKED are deletions; words UNDERLINED are additions.
must be used unless the student's physical condition prohibits such use.

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

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

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

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

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

Section 15. Supplemental educational services in Title I schools; school district and provider responsibilities.--

CODING: Words stricken are deletions; words underlined are additions.
(1) INCENTIVES.--A provider or school district may not provide incentives to entice a student or a student's parent to choose a provider. After a provider has been chosen, the student may be awarded incentives for performance or attendance, the total value of which may not exceed $50 per student per year.

(2) RESPONSIBILITIES OF SCHOOL DISTRICT AND PROVIDER.--
   (a) School districts must create a streamlined parent enrollment and provider selection process for supplemental educational services and ensure that the process enables eligible students to begin receiving supplemental educational services no later than October 15 of each school year.
   (b) Supplemental educational services enrollment forms must be made freely available to the parents of eligible students and providers both prior to and after the start of the school year.
   (c) School districts must provide notification to parents of students eligible to receive supplemental educational services prior to and after the start of the school year. Notification shall include contact information for state-approved providers as well as the enrollment form, clear instructions, and timeline for the selection of providers and commencement of services.
   (d) State-approved supplemental educational services providers must be able to provide services to eligible students no later than October 15 of each school year contingent upon their receipt of their district-approved student enrollment lists at least 20 days prior to the start date.

CODING: Words stricken are deletions; words underlined are additions.
(e) In the event that the contract with a state-approved provider is signed less than 20 days prior to October 15, the provider shall be afforded no less than 20 days from the date the contract was executed to begin delivering services.

(f) A school district must hold open student enrollment for supplemental educational services unless or until it has obtained a written election to receive or reject services from parents in accordance with paragraph (3)(a).

(g) School districts, using the same policies applied to other organizations that have access to school sites, shall provide access to school facilities to providers that wish to use these sites for supplemental educational services.

(3) COMPLIANCE; PENALTIES FOR NONCOMPLIANCE.--

(a) Compliance is met when the school district has obtained evidence of reception or rejection of services from the parents of at least a majority of the students receiving free or reduced-price lunch in Title I schools that are eligible for parental choice of transportation or supplemental educational services unless a waiver is granted by the State Board of Education. A waiver shall only be granted if there is clear and convincing evidence of the district's efforts to secure evidence of the parent's decision. Requirements for parental election to receive supplemental educational services shall not exceed the election requirements for the free and reduced-price lunch program.

(b) A provider must be able to deliver supplemental educational services to school districts in which the provider is approved by the state. If a state-approved provider withdraws from offering services to students in a school district in which it is approved and in which it has signed

CODING: Words stricken are deletions; words underlined are additions.
either a contract to provide services or a letter of intent
and the minimums per site set by the provider have been met,
the school district must report the provider to the
department. The provider shall be immediately removed from the
state-approved list for the current school year for that
school district. Upon the second such withdrawal in any school
district, the provider shall be ineligible to provide services
in the state the following year.

(4) REALLOCATION OF FUNDS.--If a school district has
not spent the required supplemental educational services
set-aside funding, the district may apply to the Department of
Education after January 1 for authorization to reallocate the
funds. If the Commissioner of Education does not approve the
reallocation of funds, the district may appeal to the State
Board of Education. The State Board of Education must consider
the appeal within 60 days of its receipt and the decision of
the state board shall be final.

(5) RULES.--The State Board of Education may adopt
rules pursuant to ss. 120.536(1) and 120.54, Florida Statutes,
to implement the provisions of this section and may enforce
the provisions of this section pursuant to s. 1008.32, Florida
Statutes.

Section 16. The Department of Education shall
establish a committee of practitioners pursuant to federal
requirements of the No Child Left Behind Act of 2001. The
committee members shall be appointed by the Commissioner of
Education and shall annually report to the Governor, the
President of Senate, and the Speaker of the House of
Representatives by January 1. The committee shall meet
regularly and is authorized to review potential rules and
policies that will be considered by the State Board of Education.

Section 17. Section 1001.451, Florida Statutes, is amended to read:

1001.451 Regional consortium service organizations.--In order to provide a full range of programs to larger numbers of students, minimize duplication of services, and encourage the development of new programs and services:

(1) School districts with 20,000 or fewer unweighted full-time equivalent students, developmental research (laboratory) schools established pursuant to s. 1002.32, and the Florida School for the Deaf and the Blind may enter into cooperative agreements to form a regional consortium service organization. Each regional consortium service organization shall provide, at a minimum, three of the following services: exceptional student education; teacher education centers; environmental education; federal grant procurement and coordination; data processing; health insurance; risk management insurance; staff development; purchasing; or planning and accountability.

(2)(a) Each regional consortium service organization that consists of four or more school districts is eligible to receive, through the Department of Education, an incentive grant of $50,000 per school district and eligible member to be used for the delivery of services within the participating school districts. The determination of services and use of such funds shall be established by the board of directors of the regional consortium service organization.

(b) Application for incentive grants shall be made to the Commissioner of Education by July 30 of each year for

CODING: Words stricken are deletions; words underlined are additions.
distribution to qualifying regional consortium service organizations by January 1 of the fiscal year.

(3) In order to economically provide programs and services to participating school districts and members, a regional consortium service organization may establish purchasing and bidding programs, including construction and construction management arrangements, in lieu of individual school district bid arrangements pursuant to policies exercised by its member districts. Participation in regional consortium service organization bids shall be accomplished by action of an individual district school board through a letter of intent to participate and shall be reflected in official district school board minutes.

(4) A regional consortium service organization board of directors may elect to establish a direct-support organization pursuant to s. 1001.453 which is independent of its fiscal agent district.

Section 18. Section 1003.453, Florida Statutes, is created to read:

1003.453 School wellness and physical education policies; nutrition guidelines.--

(1) By September 1, 2006, each school district shall submit to the Department of Education a copy of its school wellness policy as required by the Child Nutrition and WIC Reauthorization Act of 2004 and a copy of its physical education policy required under s. 1003.455. Each school district shall annually review its school wellness policy and physical education policy and provide a procedure for public input and revisions. In addition, each school district shall send an updated copy of its wellness policy and physical

CODING: Words stricken are deletions; words underlined are additions.
education policy to the department when a change or revision
is made.

(2) By December 1, 2006, the department shall post
links to each school district's school wellness policy and
physical education policy on its website so that the policies
can be accessed and reviewed by the public. Each school
district shall provide the most current versions of its school
wellness policy and physical education policy on the
district's website.

(3) By December 1, 2006, the department must provide
on its website links to resources that include information
regarding:

(a) Classroom instruction on the benefits of exercise
and healthful eating.

(b) Classroom instruction on the health hazards of
using tobacco and being exposed to tobacco smoke.

(c) The eight components of a coordinated school
health program, including health education, physical
education, health services, and nutrition services.

(d) The core measures for school health and wellness,
such as the School Health Index.

(e) Access for each student to the nutritional content
of foods and beverages and to healthful food choices in
accordance with the dietary guidelines of the United States
Department of Agriculture.

(f) Multiple examples of school wellness policies for
school districts.

(g) Examples of wellness classes that provide
nutrition education for teachers and school support staff,
including encouragement to provide classes that are taught by
a licensed nutrition professional from the school nutrition department.

(4) School districts are encouraged to provide basic training in first aid, including cardiopulmonary resuscitation, for all students, beginning in grade 6 and every 2 years thereafter. Private and public partnerships for providing training or necessary funding are encouraged.

Section 19. Section 1003.455, Florida Statutes, is amended to read:

1003.455 Physical education; assessment.--

(1) It is the responsibility of each district school board to develop a physical education program that stresses physical fitness and encourages healthy, active lifestyles and to encourage all students in prekindergarten through grade 12 to participate in physical education. Physical education shall consist of physical activities of at least a moderate intensity level and for a duration sufficient to provide a significant health benefit to students, subject to the differing capabilities of students. All physical education programs and curricula must be reviewed by a certified physical education instructor.

(2) Each district school board shall, no later than December 1, 2004, adopt a written physical education policy that details the school district's physical education program and expected program outcomes. Each district school board shall provide a copy of its written policy to the Department of Education by December 15, 2004.

(3) Each district school board is encouraged to provide 150 minutes of physical education each week for students in kindergarten through grade 5 and 225 minutes each week for students in grades 6 through 8. Any district that

CODING: Words stricken are deletions; words underlined are additions.
does not adopt a physical education policy by December 1, 2004, shall, at a minimum, implement a mandatory physical education program for kindergarten through grade 5 which provides students with 30 minutes of physical education each day, 3 days a week.

Section 20. Subsections (5), (6), and (7) of section 381.0056, Florida Statutes, are amended to read:

381.0056 School health services program.--

(5)(a) Each county health department shall develop, jointly with the district school board and the local school health advisory committee, a school health services plan; and the plan must include, at a minimum, provisions for:

1. Health appraisal;
2. Records review;
3. Nurse assessment;
4. Nutrition assessment;
5. A preventive dental program;
6. Vision screening;
7. Hearing screening;
8. Scoliosis screening;
9. Growth and development screening;
10. Health counseling;
11. Referral and followup of suspected or confirmed health problems by the local county health department;
12. Meeting emergency health needs in each school;
13. County health department personnel to assist school personnel in health education curriculum development;
14. Referral of students to appropriate health treatment, in cooperation with the private health community whenever possible;

CODING: Words stricken are deletions; words underlined are additions.
Consultation with a student's parent or guardian regarding the need for health attention by the family physician, dentist, or other specialist when definitive diagnosis or treatment is indicated;

Maintenance of records on incidents of health problems, corrective measures taken, and such other information as may be needed to plan and evaluate health programs; except, however, that provisions in the plan for maintenance of health records of individual students must be in accordance with s. 1002.22;

Health information which will be provided by the school health nurses, when necessary, regarding the placement of students in exceptional student programs and the reevaluation at periodic intervals of students placed in such programs; and

Notification to the local nonpublic schools of the school health services program and the opportunity for representatives of the local nonpublic schools to participate in the development of the cooperative health services plan.

(b) Each school health advisory committee must, at a minimum, include members who represent the eight component areas of the Coordinated School Health model as defined by the Centers for Disease Control and Prevention. School health advisory committees are encouraged to address the eight components of the Coordinated School Health model in the school district's school wellness policy pursuant to s. 1003.453.

(6) A nonpublic school may request to participate in the school health services program. A nonpublic school voluntarily participating in the school health services program shall:

CODING: Words stricken are deletions; words underlined are additions.
(a) Cooperate with the county health department and
district school board in the development of the cooperative
health services plan;
(b) Make available adequate physical facilities for
health services;
(c) Provide inservice health training to school
personnel;
(d) Cooperate with public health personnel in the
implementation of the school health services plan;
(e) Be subject to health service program reviews by
the Department of Health and the Department of Education; and
(f) At the beginning of each school year, provide
parents and guardians with information concerning ways that
they can help their children to be physically active and to
eat healthful foods; and
(g) At the beginning of each school year, inform
parents or guardians in writing that their children who are
students in the school will receive specified health services
as provided for in the district health services plan. A
student will be exempt from any of these services if his or
her parent or guardian requests such exemption in writing.
This paragraph shall not be construed to authorize invasive
screening; if there is a need for such procedure, the consent
of the student's parent or guardian shall be obtained in
writing prior to performing the screening. However, the laws
and rules relating to contagious or communicable diseases and
sanitary matters shall not be violated.
(7) The district school board shall:
(a) Include health services and health education as
part of the comprehensive plan for the school district;

CODING: Words stricken are deletions; words underlined are additions.
1 (b) Provide inservice health training for school personnel;

2 (c) Make available adequate physical facilities for health services; and

3 (d) At the beginning of each school year, provide parents and guardians with information concerning ways that they can help their children to be physically active and to eat healthful foods; and

4 (e) At the beginning of each school year, inform parents or guardians in writing that their children who are students in the district schools will receive specified health services as provided for in the district health services plan. A student will be exempt from any of these services if his or her parent or guardian requests such exemption in writing. This paragraph shall not be construed to authorize invasive screening; if there is a need for such procedure, the consent of the student's parent or guardian shall be obtained in writing prior to performing the screening. However, the laws and rules relating to contagious or communicable diseases and sanitary matters shall not be violated.

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

CODING: Words stricken are deletions; words underlined are additions.