

1
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 requirements with respect to the
22 awarding of incentives; authorizing incentives
23 for student performance or attendance and
24 establishing limits; establishing
25 responsibilities of school districts and
26 supplemental educational services providers;
27 providing requirements for school district and
28 provider compliance; providing penalties for
29 noncompliance; authorizing application for
30 reallocation of funds and providing for appeal;
31 authorizing adoption of rules and providing for

1 enforcement; requiring the Department of
2 Education to establish a committee of
3 practitioners; providing for appointment and
4 authority; amending s. 1001.451, F.S.;
5 requiring the determination of services and use
6 of funds to be established by the board of
7 directors of a regional consortium service
8 organization; authorizing establishment of
9 purchasing and bidding programs in lieu of
10 individual school district bid arrangements;
11 authorizing establishment of a direct-support
12 organization; creating s. 1003.453, F.S.;
13 requiring each school district to submit to the
14 Department of Education, by a specified
15 deadline, copies of the district's school
16 wellness policy and physical education policy;
17 requiring the school district to review those
18 policies annually; requiring the department and
19 school districts to post links to those
20 policies on their websites; requiring the
21 department to provide website links to certain
22 resources and prescribing the types of
23 information those resources must provide;
24 encouraging school districts to provide basic
25 training in first aid to students in certain
26 grade levels; amending s. 1003.455, F.S.;
27 requiring that school district physical
28 education programs and curricula be reviewed by
29 a certified physical education instructor;
30 encouraging school districts to provide
31 physical education for a specified amount of

1 time; deleting obsolete language; amending s.
2 381.0056, F.S., the "School Health Services
3 Act"; requiring schools to annually provide
4 certain information to students' parents and
5 guardians; providing requirements relating to
6 membership of school health advisory
7 committees; encouraging the committees to
8 address specified matters; providing an
9 effective date.

10
11 Be It Enacted by the Legislature of the State of Florida:

12
13 Section 1. Section 1001.47, Florida Statutes, is
14 amended to read:

15 1001.47 District school superintendent; salary.--

16 (1) Each elected district school superintendent shall
17 receive as salary the amount indicated pursuant to this
18 section. However, a district school board, by majority vote,
19 may approve a salary in excess of the amount specified in this
20 section.

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

1					
2	Pop. Group	County Pop.	Range	Base Salary	Group Rate
3		Minimum	Maximum		
4					
5	I	-0-	49,999	\$21,250	\$0.07875
6	II	50,000	99,999	24,400	0.06300
7	III	100,000	199,999	27,550	0.02625
8	IV	200,000	399,999	30,175	0.01575
9	V	400,000	999,999	33,325	0.00525
10	VI	1,000,000		36,475	0.00400
11	(3) The adjusted base salaries of elected district				
12	school superintendents shall be increased annually as provided				
13	for in s. 145.19. Any salary previously paid to elected				
14	superintendents, including the salary calculated for fiscal				
15	years 2002-2003 and 2003-2004, which was consistent with				
16	chapter 145 and s. 230.303, Florida Statutes (2001), is hereby				
17	ratified and validated.				
18	(4) This section does not apply to a district school				
19	superintendent appointed pursuant to the terms of s. 1001.50.				
20	<u>(4)(5)(a)</u> There shall be an additional \$2,000 per year				
21	special qualification salary <u>paid by district school boards</u>				
22	for each <u>elected</u> district school superintendent who has met				
23	the certification requirements established by the Department				
24	of Education. Any <u>elected</u> district school superintendent who				
25	is certified during a calendar year shall receive in that year				
26	a pro rata share of the special qualification salary based on				
27	the remaining period of the year.				
28	(b) In order to qualify for the special qualification				
29	salary provided by paragraph (a), the <u>elected</u> district school				
30	superintendent must complete the requirements established by				
31					

1 the Department of Education within 6 years after first taking
2 office.

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

8 ~~(5)(6)~~(a) The Department of Education shall provide a
9 leadership development and performance compensation program
10 for elected district school superintendents, comparable to
11 chief executive officer development programs for corporate
12 executive officers, to include:

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

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

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

1 an annual performance salary incentive of not less than \$3,000
2 nor more than \$7,500 based upon his or her performance
3 evaluation.

4 (c) ~~An elected~~ A district school superintendent's
5 eligibility to continue receiving the annual performance
6 salary incentive is contingent upon his or her continued
7 performance assessment and followup training prescribed by the
8 department.

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

11 1001.50 Superintendents employed under Art. IX of the
12 State Constitution.--

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

23 Section 3. Paragraph (b) of subsection (1) of section
24 1003.02, Florida Statutes, is amended to read:

25 1003.02 District school board operation and control of
26 public K-12 education within the school district.--As provided
27 in part II of chapter 1001, district school boards are
28 constitutionally and statutorily charged with the operation
29 and control of public K-12 education within their school
30 district. The district school boards must establish, organize,
31 and operate their public K-12 schools and educational

1 programs, employees, and facilities. Their responsibilities
2 include staff development, public K-12 school student
3 education including education for exceptional students and
4 students in juvenile justice programs, special programs, adult
5 education programs, and career education programs.

6 Additionally, district school boards must:

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

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

22 Section 4. Paragraph (c) of subsection (1) of section
23 1003.21, Florida Statutes, is amended to read:

24 1003.21 School attendance.--

25 (1)

26 (c) A student who attains the age of 16 years during
27 the school year is not subject to compulsory school attendance
28 beyond the date upon which he or she attains that age if the
29 student files a formal declaration of intent to terminate
30 school enrollment with the district school board. Public
31 school students who have attained the age of 16 years and who

1 have not graduated are subject to compulsory school attendance
2 until the formal declaration of intent is filed with the
3 district school board. The declaration must acknowledge that
4 terminating school enrollment is likely to reduce the
5 student's earning potential and must be signed by the student
6 and the student's parent. The school district must notify the
7 student's parent of receipt of the student's declaration of
8 intent to terminate school enrollment. The student's guidance
9 counselor or other school personnel must conduct an exit
10 interview with the student to determine the reasons for the
11 student's decision to terminate school enrollment and actions
12 that could be taken to keep the student in school. The student
13 must be informed of opportunities to continue his or her
14 education in a different environment, including, but not
15 limited to, adult education and GED test preparation.
16 Additionally, the student must complete a survey in a format
17 prescribed by the Department of Education to provide data on
18 student reasons for terminating enrollment and actions taken
19 by schools to keep students enrolled.

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

22 1003.26 Enforcement of school attendance.--The
23 Legislature finds that poor academic performance is associated
24 with nonattendance and that school districts ~~schools~~ must take
25 an active role in promoting and enforcing attendance as a
26 means of improving student ~~the performance of many students~~.
27 It is the policy of the state that each district school
28 superintendent be responsible for enforcing school attendance
29 of all students subject to the compulsory school age in the
30 school district and supporting enforcement of school
31 attendance by local law enforcement agencies. The

1 responsibility includes recommending policies and procedures
2 to the district school board ~~policies and procedures to ensure~~
3 that require public schools to respond in a timely manner to
4 every unexcused absence, and every ~~or~~ absence for which the
5 reason is unknown, of students enrolled in the schools.
6 District school board policies shall ~~must~~ require the each
7 parent of a student to justify each absence of the student,
8 and that justification will be evaluated based on adopted
9 district school board policies that define excused and
10 unexcused absences. The policies must provide that public
11 schools track excused and unexcused absences and contact the
12 home in the case of an unexcused absence from school, or an
13 absence from school for which the reason is unknown, to
14 prevent the development of patterns of nonattendance. The
15 Legislature finds that early intervention in school attendance
16 ~~matters~~ is the most effective way of producing good attendance
17 habits that will lead to improved student learning and
18 achievement. Each public school shall implement the following
19 steps to promote and enforce regular school attendance:
20 (1) CONTACT, REFER, AND ENFORCE.--
21 (a) Upon each unexcused absence, or absence for which
22 the reason is unknown, the school principal or his or her
23 designee shall contact the student's parent to determine the
24 reason for the absence. If the absence is an excused absence,
25 as defined by district school board policy, the school shall
26 provide opportunities for the student to make up assigned work
27 and not receive an academic penalty unless the work is not
28 made up within a reasonable time.
29 (b) If a student has had at least five unexcused
30 absences, or absences for which the reasons are unknown,
31 within a calendar month or 10 unexcused absences, or absences

1 for which the reasons are unknown, within a 90-calendar-day
2 period, the student's primary teacher shall report to the
3 school principal or his or her designee that the student may
4 be exhibiting a pattern of nonattendance. The principal shall,
5 unless there is clear evidence that the absences are not a
6 pattern of nonattendance, refer the case to the school's child
7 study team to determine if early patterns of truancy are
8 developing. If the child study team finds that a pattern of
9 nonattendance is developing, whether the absences are excused
10 or not, a meeting with the parent must be scheduled to
11 identify potential remedies, and the principal shall notify
12 the district school superintendent and the school district
13 contact for home education programs that the referred student
14 is exhibiting a pattern of nonattendance.

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

- 19 1. Frequent attempts at communication between the
20 teacher and the family.†
- 21 2. ~~Changes in the learning environment;~~
- 22 3. ~~Mentoring;~~
- 23 4. ~~Student counseling;~~
- 24 5. ~~Tutoring, including peer tutoring;~~
- 25 6. ~~Placement into different classes;~~
- 26 2.7. Evaluation for alternative education programs.†
- 27 3.8. Attendance contracts.†
- 28 9. ~~Referral to other agencies for family services; or~~
- 29 10. ~~Other interventions, including, but not limited~~
30 ~~to, a truancy petition pursuant to s. 984.151.~~

31

1 The child study team may, but is not required to, implement
2 other interventions, including referral to other agencies for
3 family services or recommendation for filing a truancy
4 petition pursuant to s. 984.151.

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

9 (e) If the parent refuses to participate in the
10 remedial strategies because he or she believes that those
11 strategies are unnecessary or inappropriate, the parent may
12 appeal to the district school board. The district school board
13 may provide a hearing officer, and the hearing officer shall
14 make a recommendation for final action to the district school
15 board. If the district school board's final determination is
16 that the strategies of the child study team are appropriate,
17 and the parent still refuses to participate or cooperate, the
18 district school superintendent may seek criminal prosecution
19 for noncompliance with compulsory school attendance.

20 (f)1. If the parent of a child who has been identified
21 as exhibiting a pattern of nonattendance enrolls the child in
22 a home education program pursuant to chapter 1002, the
23 district school superintendent shall provide the parent a copy
24 of s. 1002.41 and the accountability requirements of this
25 paragraph. The district school superintendent shall also refer
26 the parent to a home education review committee composed of
27 the district contact for home education programs and at least
28 two home educators selected by the parent from a district list
29 of all home educators who have conducted a home education
30 program for at least 3 years and who have indicated a
31 willingness to serve on the committee. The home education

1 review committee shall review the portfolio of the student, as
2 defined by s. 1002.41, every 30 days during the district's
3 regular school terms until the committee is satisfied that the
4 home education program is in compliance with s. 1002.41(1)(b).
5 The first portfolio review must occur within the first 30
6 calendar days of the establishment of the program. The
7 provisions of subparagraph 2. do not apply once the committee
8 determines the home education program is in compliance with s.
9 1002.41(1)(b).

10 2. If the parent fails to provide a portfolio to the
11 committee, the committee shall notify the district school
12 superintendent. The district school superintendent shall then
13 terminate the home education program and require the parent to
14 enroll the child in an attendance option that meets the
15 definition of "regular school attendance" under s.
16 1003.01(13)(a), (b), (c), or (e), within 3 days. Upon
17 termination of a home education program pursuant to this
18 subparagraph, the parent shall not be eligible to reenroll the
19 child in a home education program for 180 calendar days.
20 Failure of a parent to enroll the child in an attendance
21 option as required by this subparagraph after termination of
22 the home education program pursuant to this subparagraph shall
23 constitute noncompliance with the compulsory attendance
24 requirements of s. 1003.21 and may result in criminal
25 prosecution under s. 1003.27(2). Nothing contained herein
26 shall restrict the ability of the district school
27 superintendent, or the ability of his or her designee, to
28 review the portfolio pursuant to s. 1002.41(1)(b).

29 (g) If a student subject to compulsory school
30 attendance will not comply with attempts to enforce school
31 attendance, the parent or the district school superintendent

1 or his or her designee shall refer the case to the case
2 staffing committee pursuant to s. 984.12, and the district
3 school superintendent or his or her designee may file a
4 truancy petition pursuant to the procedures in s. 984.151.

5 (2) GIVE WRITTEN NOTICE.--

6 (a) Under the direction of the district school
7 superintendent, a designated school representative shall give
8 written notice that requires enrollment or attendance within 3
9 days after the date of notice, in person or by return-receipt
10 mail, to the parent when no valid reason is found for a
11 student's nonenrollment in school. If the notice and
12 requirement are ignored, the designated school representative
13 shall report the case to the district school superintendent,
14 and may refer the case to the case staffing committee,
15 established pursuant to s. 984.12. The district school
16 superintendent shall take such steps as are necessary to bring
17 criminal prosecution against the parent.

18 (b) Subsequent to the activities required under
19 subsection (1), the district school superintendent or his or
20 her designee shall give written notice in person or by
21 return-receipt mail to the parent that criminal prosecution is
22 being sought for nonattendance. The district school
23 superintendent may file a truancy petition, as defined in s.
24 984.03, following the procedures outlined in s. 984.151.

25 (3) RETURN STUDENT TO PARENT.--A designated school
26 representative may ~~shall~~ visit the home or place of residence
27 of a student and any other place in which he or she is likely
28 to find any student who is required to attend school when the
29 student is not enrolled or is absent from school during school
30 hours without an excuse, and, when the student is found, shall
31 return the student to his or her parent or to the principal or

1 teacher in charge of the school, or to the private tutor from
2 whom absent, or to the juvenile assessment center or other
3 location established by the district school board to receive
4 students who are absent from school. Upon receipt of the
5 student, the parent shall be immediately notified.

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

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

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

23 1013.721 ~~1013.501~~ A Business-Community (ABC) School
24 ~~Florida Business and Education in School Together (Florida~~
25 ~~BEST)~~ Program.--

26 (1) In order to increase business partnerships in
27 education, to reduce school and classroom overcrowding
28 throughout the state, and to offset the high costs of
29 educational facilities construction, and to use due diligence
30 and sound business practices in using available educational
31 space, the Legislature intends to encourage the formation of

1 partnerships between business and education by creating A
2 Business-Community (ABC) School ~~the Florida Business and~~
3 ~~Education in School Together (Florida BEST)~~ Program.

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

9 (3)(2) Each school board shall, through advertisements
10 in local media and other means, request proposals from area
11 businesses to allow the operation of a business and education
12 partnership school in facilities owned or operated by the
13 business. The Department of Education shall require each
14 school board to submit documentation to the department which
15 demonstrates the board's compliance with this advertisement
16 requirement. Each school board shall designate a school
17 district employee as the district's ABC program liaison and
18 shall provide the name and contact information of the liaison
19 to the department by September 1 of each year.

20 (4)(3) Each school district shall establish an ABC a
21 Florida BEST school evaluation committee.

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

29 (b) The committee shall meet at least quarterly and
30 shall provide an annual report to the school board and the
31

1 superintendent regarding its activities during the preceding
2 school year.

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

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

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

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

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

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

16 6. Developing proposal evaluation criteria and
17 processes.

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

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

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

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

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

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

19 ~~(6)(5)~~ A school district and a host business may enter
20 into a multiyear contract for operation of an ABC ~~the Florida~~
21 ~~BEST~~ school ~~may be entered into between the school district~~
22 ~~and the host business~~. The contract must at least include
23 provisions relating to any cost of facilities modifications,
24 provide for the assignment or waiver of appropriate insurance
25 costs, specify the number of students expected to be served,
26 provide grounds for canceling the lease, and specify the
27 advance notice required before the school may be closed.

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

1 the operation of a before-school and after-school program
2 using the donated facilities.

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

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

14 1013.502 A Business-Community (ABC) Florida BEST
15 school facilities; standards.--Notwithstanding any local
16 government ordinance or regulation, any business or
17 corporation may expand the square footage or floor area of its
18 current or proposed facility to accommodate an ABC a Florida
19 ~~Business and Education in School Together (Florida BEST)~~
20 School, as described under s. 1013.721. Facilities constructed
21 to house an ABC a Florida BEST school must comply with the
22 State Uniform Building Code for Public Educational Facilities
23 Construction adopted pursuant to s. 1013.37 and must meet
24 state and local health, environmental, and safety laws and
25 codes.

26 Section 8. (1) Each public school that is a member of
27 the Florida High School Athletic Association must have an
28 operational automated external defibrillator on the school
29 grounds. Public and private partnerships are encouraged to
30 cover the cost associated with the purchase and placement of
31

1 the defibrillator and training in the use of the
2 defibrillator.

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

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

13 (4) The use of automated external defibrillators by
14 employees and volunteers is covered under ss. 768.13 and
15 768.1325, Florida Statutes.

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

18 1003.493 Career and professional academies.--

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

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

- 1 (a) Increase student academic achievement and
2 graduation rates through integrated academic and career
3 curricula.
- 4 (b) Focus on career preparation through rigorous
5 academics and industry certification.
- 6 (c) Raise student aspiration and commitment to
7 academic achievement and work ethics.
- 8 (d) Support graduation requirements by providing
9 creative, applied majors as provided by law.
- 10 (e) Promote acceleration mechanisms, such as dual
11 enrollment, articulated credit, or occupational completion
12 points, so that students may earn postsecondary credit while
13 in high school.
- 14 (f) Support the state's economy by meeting industry
15 needs for skilled employees in high-demand occupations.
- 16 (3) A career and professional academy may be offered
17 as one of the following small learning communities:
- 18 (a) A school-within-a-school career academy, as part
19 of an existing high school, that provides courses in one
20 occupational cluster. Students in the high school are not
21 required to be students in the academy.
- 22 (b) A total school configuration providing multiple
23 academies, each structured around an occupational cluster.
24 Every student in the school is in an academy.
- 25 (4) Each career and professional academy must:
- 26 (a) Provide a rigorous standards-based academic
27 curriculum integrated with a career curriculum. The curriculum
28 must take into consideration multiple styles of student
29 learning; promote learning by doing through application and
30 adaptation; maximize relevance of the subject matter; enhance
31

1 each student's capacity to excel; and include an emphasis on
2 work habits and work ethics.

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

8 1. Instruction from highly skilled professionals.

9 2. Internships, externships, and on-the-job training.

10 3. A postsecondary degree, diploma, or certificate.

11 4. The highest available level of industry
12 certification. Where no national or state certification
13 exists, school districts may establish a local certification
14 in conjunction with the local workforce development board, the
15 chamber of commerce, or the Agency for Workforce Innovation.

16 5. Maximum articulation of credits pursuant to s.
17 1007.23 upon program completion.

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

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

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

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

1 mathematics intervention, with an emphasis on strengthening
2 reading for information skills.

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

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

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

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

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

31

1 1003.494 Career High-Skill Occupational Initiative for
2 Career Education (CHOICE) academies.--

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

9 (2) A "CHOICE academy" is a career and professional
10 academy that meets the goals and requirements specified in s.
11 1003.493 and offers a rigorous and relevant academic
12 curriculum leading to industry-recognized certification,
13 college credit, and credit toward a high school diploma.
14 Existing career education courses may serve as a foundation
15 for the creation of a CHOICE academy.

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

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

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

29 (c) Prepare graduating high school students to make
30 appropriate choices relative to employment and future
31 educational experiences.

1 (4) The Department of Education may establish
2 application guidelines for an annual competitive process and
3 eligibility criteria for school district participation. A
4 school district may apply to the department for designation as
5 a CHOICE project participating district, and the department,
6 in consultation with Workforce Florida, Inc., and Enterprise
7 Florida, Inc., may designate as many school districts as it
8 deems advisable each year. Eligibility criteria for
9 designation of a school district as a CHOICE project
10 participant shall include, but not be limited to:

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

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

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

23 (a) Partnerships with an associated business or
24 industry and a regional workforce board or the primary local
25 economic development organization in the county as recognized
26 by Enterprise Florida, Inc. The partnership of the business or
27 industry with the CHOICE academy must be based on the
28 connection of the business or industry with the academy's
29 career theme and must involve future plans for improving the
30 local economy. The business or industry partner must be
31 consulted during the planning stages of a CHOICE academy and

1 provide business or industry support and resources devoted to
2 the CHOICE academy. The Consortium of Florida Education
3 Foundations or a designee must also be consulted during the
4 planning stages of a CHOICE academy and may provide support
5 and resources devoted to the CHOICE academy.

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

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

10
11 The Okaloosa County School District and other school districts
12 that have received funding from Workforce Florida, Inc., for
13 the establishment of CHOICE academies prior to July 1, 2006,
14 shall receive an expedited review for CHOICE academy
15 designation by the department.

16 (6) A participating school district shall:

17 (a) Identify an appropriate location for classes.

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

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

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

25 (7) The Department of Education shall:

26 (a) With assistance from Workforce Florida, Inc.,
27 provide technical assistance to participating school districts
28 in submitting applications for designation of specific CHOICE
29 academies located in specific schools in the school district,
30 reorganizing career education opportunities, developing CHOICE
31 academies with career themes in areas deemed appropriate by

1 Workforce Florida, Inc., or local economic development
2 organizations, and developing funding plans.

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

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

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

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

28 Section 11. Subsection (7) is added to section
29 288.9015, Florida Statutes, to read:

30 288.9015 Enterprise Florida, Inc.; purpose; duties.--
31

1 (7) Enterprise Florida, Inc., shall work with the
2 Department of Education and Workforce Florida, Inc., in the
3 designation of school districts as participants in the CHOICE
4 project pursuant to s. 1003.494.

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

7 445.004 Workforce Florida, Inc.; creation; purpose;
8 membership; duties and powers.--

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

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

18 Section 13. Paragraph (b) of subsection (1) of section
19 1001.43, Florida Statutes, is amended, and paragraph (g) is
20 added to subsection (2) of that section, to read:

21 1001.43 Supplemental powers and duties of district
22 school board.--The district school board may exercise the
23 following supplemental powers and duties as authorized by this
24 code or State Board of Education rule.

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

29 (b) Require uniforms to be worn by the student body,
30 or impose other dress-related requirements, if the district
31 school board finds that those requirements are necessary for

1 the safety or welfare of the student body or school personnel.
2 However, students may wear sunglasses, hats, or other
3 sun-protective wear while outdoors during school hours, such
4 as when students are at recess.

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

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

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

16 1006.22 Safety and health of students being
17 transported.--Maximum regard for safety and adequate
18 protection of health are primary requirements that must be
19 observed by district school boards in routing buses,
20 appointing drivers, and providing and operating equipment, in
21 accordance with all requirements of law and rules of the State
22 Board of Education in providing transportation pursuant to s.
23 1006.21:

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

1 through grade 12. District school boards may regularly use
2 motor vehicles other than school buses only under the
3 following conditions:

4 1.(a) When the transportation is for physically
5 handicapped or isolated students and the district school board
6 has elected to provide for the transportation of the student
7 through written or oral contracts or agreements.

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

12 3.(c) When the transportation is provided through a
13 public transit system.

14 4.(d) When the transportation is for trips to and from
15 school sites or agricultural education sites or for trips to
16 and from agricultural education-related events or
17 competitions, but is not for customary transportation between
18 a student's residence and such sites. When the transportation
19 of students is necessary or practical in a motor vehicle owned
20 or operated by a district school board other than a school
21 bus, such transportation must be provided in designated
22 seating positions in a passenger car not to exceed 8 students
23 or in a multipurpose passenger vehicle designed to transport
24 10 or fewer persons which meets all applicable federal motor
25 vehicle safety standards. Multipurpose passenger vehicles
26 classified as utility vehicles with a wheelbase of 110 inches
27 or less which are required by federal motor vehicle standards
28 to display a rollover warning label may not be used.

29
30 ~~When students are transported in motor vehicles, the occupant~~
31 ~~crash protection system provided by the vehicle manufacturer~~

1 ~~must be used unless the student's physical condition prohibits~~
2 ~~such use.~~

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

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

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

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

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

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

1 (1) INCENTIVES.--A provider or school district may not
2 provide incentives to entice a student or a student's parent
3 to choose a provider. After a provider has been chosen, the
4 student may be awarded incentives for performance or
5 attendance, the total value of which may not exceed \$50 per
6 student per year.

7 (2) RESPONSIBILITIES OF SCHOOL DISTRICT AND
8 PROVIDER.--

9 (a) School districts must create a streamlined parent
10 enrollment and provider selection process for supplemental
11 educational services and ensure that the process enables
12 eligible students to begin receiving supplemental educational
13 services no later than October 15 of each school year.

14 (b) Supplemental educational services enrollment forms
15 must be made freely available to the parents of eligible
16 students and providers both prior to and after the start of
17 the school year.

18 (c) School districts must provide notification to
19 parents of students eligible to receive supplemental
20 educational services prior to and after the start of the
21 school year. Notification shall include contact information
22 for state-approved providers as well as the enrollment form,
23 clear instructions, and timeline for the selection of
24 providers and commencement of services.

25 (d) State-approved supplemental educational services
26 providers must be able to provide services to eligible
27 students no later than October 15 of each school year
28 contingent upon their receipt of their district-approved
29 student enrollment lists at least 20 days prior to the start
30 date.

31

1 (e) In the event that the contract with a
2 state-approved provider is signed less than 20 days prior to
3 October 15, the provider shall be afforded no less than 20
4 days from the date the contract was executed to begin
5 delivering services.

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

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

14 (3) COMPLIANCE; PENALTIES FOR NONCOMPLIANCE.--

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

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

1 either a contract to provide services or a letter of intent
2 and the minimums per site set by the provider have been met,
3 the school district must report the provider to the
4 department. The provider shall be immediately removed from the
5 state-approved list for the current school year for that
6 school district. Upon the second such withdrawal in any school
7 district, the provider shall be ineligible to provide services
8 in the state the following year.

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

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

23 Section 16. The Department of Education shall
24 establish a committee of practitioners pursuant to federal
25 requirements of the No Child Left Behind Act of 2001. The
26 committee members shall be appointed by the Commissioner of
27 Education and shall annually report to the Governor, the
28 President of Senate, and the Speaker of the House of
29 Representatives by January 1. The committee shall meet
30 regularly and is authorized to review potential rules and
31

1 policies that will be considered by the State Board of
2 Education.

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

5 1001.451 Regional consortium service
6 organizations.--In order to provide a full range of programs
7 to larger numbers of students, minimize duplication of
8 services, and encourage the development of new programs and
9 services:

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

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

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

1 distribution to qualifying regional consortium service
2 organizations by January 1 of the fiscal year.

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

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

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

20 1003.453 School wellness and physical education
21 policies; nutrition guidelines.--

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

31

1 education policy to the department when a change or revision
2 is made.

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

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

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

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

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

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

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

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

28 (g) Examples of wellness classes that provide
29 nutrition education for teachers and school support staff,
30 including encouragement to provide classes that are taught by
31

1 a licensed nutrition professional from the school nutrition
2 department.

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

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

10 1003.455 Physical education; assessment.--

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

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

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

1 ~~does not adopt a physical education policy by December 1,~~
2 ~~2004, shall, at a minimum, implement a mandatory physical~~
3 ~~education program for kindergarten through grade 5 which~~
4 ~~provides students with 30 minutes of physical education each~~
5 ~~day, 3 days a week.~~

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

8 381.0056 School health services program.--

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

13 1.(a) Health appraisal;

14 2.(b) Records review;

15 3.(c) Nurse assessment;

16 4.(d) Nutrition assessment;

17 5.(e) A preventive dental program;

18 6.(f) Vision screening;

19 7.(g) Hearing screening;

20 8.(h) Scoliosis screening;

21 9.(i) Growth and development screening;

22 10.(j) Health counseling;

23 11.(k) Referral and followup of suspected or confirmed
24 health problems by the local county health department;

25 12.(l) Meeting emergency health needs in each school;

26 13.(m) County health department personnel to assist
27 school personnel in health education curriculum development;

28 14.(n) Referral of students to appropriate health
29 treatment, in cooperation with the private health community
30 whenever possible;

31

1 ~~15.(e)~~ Consultation with a student's parent or
2 guardian regarding the need for health attention by the family
3 physician, dentist, or other specialist when definitive
4 diagnosis or treatment is indicated;

5 ~~16.(p)~~ Maintenance of records on incidents of health
6 problems, corrective measures taken, and such other
7 information as may be needed to plan and evaluate health
8 programs; except, however, that provisions in the plan for
9 maintenance of health records of individual students must be
10 in accordance with s. 1002.22;

11 ~~17.(q)~~ Health information which will be provided by
12 the school health nurses, when necessary, regarding the
13 placement of students in exceptional student programs and the
14 reevaluation at periodic intervals of students placed in such
15 programs; and

16 ~~18.(r)~~ Notification to the local nonpublic schools of
17 the school health services program and the opportunity for
18 representatives of the local nonpublic schools to participate
19 in the development of the cooperative health services plan.

20 (b) Each school health advisory committee must, at a
21 minimum, include members who represent the eight component
22 areas of the Coordinated School Health model as defined by the
23 Centers for Disease Control and Prevention. School health
24 advisory committees are encouraged to address the eight
25 components of the Coordinated School Health model in the
26 school district's school wellness policy pursuant to s.
27 1003.453.

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

- 1 (a) Cooperate with the county health department and
2 district school board in the development of the cooperative
3 health services plan;
- 4 (b) Make available adequate physical facilities for
5 health services;
- 6 (c) Provide inservice health training to school
7 personnel;
- 8 (d) Cooperate with public health personnel in the
9 implementation of the school health services plan;
- 10 (e) Be subject to health service program reviews by
11 the Department of Health and the Department of Education; ~~and~~
- 12 (f) At the beginning of each school year, provide
13 parents and guardians with information concerning ways that
14 they can help their children to be physically active and to
15 eat healthful foods; and
- 16 ~~(g)(f)~~ At the beginning of each school year, inform
17 parents or guardians in writing that their children who are
18 students in the school will receive specified health services
19 as provided for in the district health services plan. A
20 student will be exempt from any of these services if his or
21 her parent or guardian requests such exemption in writing.
22 This paragraph shall not be construed to authorize invasive
23 screening; if there is a need for such procedure, the consent
24 of the student's parent or guardian shall be obtained in
25 writing prior to performing the screening. However, the laws
26 and rules relating to contagious or communicable diseases and
27 sanitary matters shall not be violated.
- 28 (7) The district school board shall:
- 29 (a) Include health services and health education as
30 part of the comprehensive plan for the school district;
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1 (b) Provide inservice health training for school
2 personnel;
3 (c) Make available adequate physical facilities for
4 health services; ~~and~~
5 (d) At the beginning of each school year, provide
6 parents and guardians with information concerning ways that
7 they can help their children to be physically active and to
8 eat healthful foods; and
9 ~~(e)(d)~~ At the beginning of each school year, inform
10 parents or guardians in writing that their children who are
11 students in the district schools will receive specified health
12 services as provided for in the district health services plan.
13 A student will be exempt from any of these services if his or
14 her parent or guardian requests such exemption in writing.
15 This paragraph shall not be construed to authorize invasive
16 screening; if there is a need for such procedure, the consent
17 of the student's parent or guardian shall be obtained in
18 writing prior to performing the screening. However, the laws
19 and rules relating to contagious or communicable diseases and
20 sanitary matters shall not be violated.

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

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