

## CHAMBER ACTION

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1 The PreK-12 Committee recommends the following:

2  
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to district school boards; amending s.  
7 1001.43, F.S., relating to district school board powers  
8 and duties; allowing students to wear sun-protective items  
9 while outdoors during school hours; amending s. 1003.02,  
10 F.S.; authorizing district school boards to select vendors  
11 to market student class rings; providing criteria for  
12 selection of such vendors; requiring district school  
13 boards to notify students and parents that the purchase of  
14 a class ring may be through any vendor marketing class  
15 rings and that a student may participate in related  
16 ceremonies or activities regardless of the vendor through  
17 which the purchase was made; authorizing district school  
18 boards to contract with photographers for the purpose of  
19 taking student yearbook photographs and providing  
20 requirements; permitting the inclusion of certain  
21 photographs in student yearbooks; amending s. 1006.22,  
22 F.S.; revising provisions for district school board  
23 transportation of students in vehicles other than school

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24 buses; authorizing use of such vehicles for mid-day trips  
25 and other trips to and from certain sites and activities;  
26 revising criteria for such vehicles and their use;  
27 requiring district school boards and charter schools to  
28 adopt a policy that addresses procedures and liability for  
29 trips using vehicles other than school buses; providing an  
30 effective date.

31  
32 Be It Enacted by the Legislature of the State of Florida:

33  
34 Section 1. Paragraph (b) of subsection (1) of section  
35 1001.43, Florida Statutes, is amended to read:

36 1001.43 Supplemental powers and duties of district school  
37 board.--The district school board may exercise the following  
38 supplemental powers and duties as authorized by this code or  
39 State Board of Education rule.

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

44 (b) Require uniforms to be worn by the student body, or  
45 impose other dress-related requirements, if the district school  
46 board finds that those requirements are necessary for the safety  
47 or welfare of the student body or school personnel. However,  
48 students may wear sunglasses, hats, or other sun-protective wear  
49 while outdoors during school hours, such as when students are at  
50 recess.

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51 Section 2. Subsections (5) and (6) are added to section  
52 1003.02, Florida Statutes, to read:

53 1003.02 District school board operation and control of  
54 public K-12 education within the school district.--As provided  
55 in part II of chapter 1001, district school boards are  
56 constitutionally and statutorily charged with the operation and  
57 control of public K-12 education within their school district.  
58 The district school boards must establish, organize, and operate  
59 their public K-12 schools and educational programs, employees,  
60 and facilities. Their responsibilities include staff  
61 development, public K-12 school student education including  
62 education for exceptional students and students in juvenile  
63 justice programs, special programs, adult education programs,  
64 and career education programs. Additionally, district school  
65 boards must:

66 (5) (a) If selecting a vendor to market class rings to  
67 students, select at least two vendors. Vendors selected by the  
68 district school board must not intimidate students with respect  
69 to the purchase of class rings or discriminate against a student  
70 who purchases a class ring from another vendor by excluding the  
71 student from participating in any ceremony or activity relating  
72 to the receipt of a class ring.

73 (b) Notify in writing each student and his or her parent  
74 that the student may purchase his or her class ring through any  
75 vendor regardless of the fact that the district school board may  
76 contract with vendors for marketing class rings. The  
77 notification must include an explanation of the right of each

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78 | student purchasing a class ring to participate in any ceremony  
79 | or activity relating to the receipt of a class ring.

80 | (6) If entering into a contract with a photographer for  
81 | the purpose of taking student yearbook photographs, select at  
82 | least two photographers. A student's senior photograph must be  
83 | allowed to appear in the yearbook when taken by a photographer  
84 | not under contract with the district school board if the  
85 | photograph meets the reasonable specifications of the principal  
86 | and yearbook staff for senior photographs.

87 | Section 3. Subsection (1) of section 1006.22, Florida  
88 | Statutes, is amended to read:

89 | 1006.22 Safety and health of students being  
90 | transported.--Maximum regard for safety and adequate protection  
91 | of health are primary requirements that must be observed by  
92 | district school boards in routing buses, appointing drivers, and  
93 | providing and operating equipment, in accordance with all  
94 | requirements of law and rules of the State Board of Education in  
95 | providing transportation pursuant to s. 1006.21:

96 | (1) (a) District school boards shall use school buses, as  
97 | defined in s. 1006.25, for all regular transportation. Regular  
98 | transportation or regular use means transportation of students  
99 | to and from school or school-related activities that are part of  
100 | a scheduled series or sequence of events to the same location.  
101 | "Students" means, for the purposes of this section, students  
102 | enrolled in the public schools in prekindergarten disability  
103 | programs and in kindergarten through grade 12. District school  
104 | boards may regularly use motor vehicles other than school buses  
105 | only under the following conditions:

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

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106        1.(a) When the transportation is for physically  
107 handicapped or isolated students and the district school board  
108 has elected to provide for the transportation of the student  
109 through written or oral contracts or agreements.

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

114        3.(e) When the transportation is provided through a public  
115 transit system.

116        4.(d) When the transportation is for mid-day trips to and  
117 from school sites or agricultural education sites or for trips  
118 to and from agricultural education-related events or  
119 competitions. When the transportation of students is necessary  
120 or practical in a motor vehicle owned or operated by a district  
121 school board other than a school bus, such transportation must  
122 be provided in designated seating positions in a passenger car  
123 not to exceed 8 students or in a multipurpose passenger vehicle  
124 designed to transport 10 or fewer persons which meets all  
125 applicable federal motor vehicle safety standards. Multipurpose  
126 passenger vehicles classified as utility vehicles with a  
127 wheelbase of 110 inches or less which are required by federal  
128 motor vehicle standards to display a rollover warning label may  
129 not be used.

130  
131 ~~When students are transported in motor vehicles, the occupant~~  
132 ~~crash protection system provided by the vehicle manufacturer~~

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133 ~~must be used unless the student's physical condition prohibits~~  
134 ~~such use.~~

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

140 1. The vehicle must be a passenger car or multipurpose  
141 passenger vehicle or truck, as defined in Title 49 C.F.R. part  
142 571, designed to transport fewer than 10 students. Students must  
143 be transported in designated seating positions and must use the  
144 occupant crash protection system provided by the manufacturer  
145 unless the student's physical condition prohibits such use.

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

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

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

160 Section 4. This act shall take effect July 1, 2006.

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