

CHAPTER 98-153

Committee Substitute for Senate Bill No. 1722

An act relating to rulemaking authority of school boards (RAB); amending s. 230.23, F.S.; creating s. 230.23005, F.S.; prescribing the rulemaking authority of school boards; providing an effective date.

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

Section 1. Subsection (17) is added to section 230.23, Florida Statutes, to read:

230.23 Powers and duties of school board.—The school board, acting as a board, shall exercise all powers and perform all duties listed below:

(17) ADOPT RULES.—Adopt rules pursuant to ss. 120.54 and 120.536(1) to implement the provisions of this section.

Section 2. Section 230.23005, Florida Statutes, is created to read:

230.23005 Supplemental powers and duties of school board.—The school board may exercise the following supplemental powers and duties. Any provision of chapters 228, 229, 230, 231, 232, 233, 234, and 235 prevails over any conflicting provision of this section. The rules adopted under this section must not be inconsistent with the provisions of chapters 228, 229, 230, 231, 232, 233, 234, and 235.

(1) STUDENT MANAGEMENT.—The 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:

(a) Prohibit the possession of weapons and drugs on campus, student hazing, and other activities that could threaten the operation of the school or the safety and welfare of the student body or school personnel.

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

(c) Provide procedures for student dismissal precautions and for granting permission for students to leave school grounds during school hours, including releasing a student from school upon request by a parent or guardian or for public appearances of school groups.

(d) Provide procedures for managing protests, demonstrations, sit-ins, walk-outs, or other acts of civil disobedience.

(e) Provide procedures for detaining students and for readmission of students after expulsion.

(f) Regulate student automobile use and parking.

(2) FISCAL MANAGEMENT.—The 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:

(a) Sales calls and demonstrations by agents, solicitors, salesmen, and vendors on campus; local preference criteria for vendors; specifications for quantity purchasing; prioritization of awards for bids; declining bid awards; and purchase requisitions, approvals, and routing.

(b) Sales by booster clubs; marathon fundraisers; and student sales of candy, paper products, or other goods authorized by the board.

(c) Inventory and disposal of district property; use of safe deposit boxes; and selection of real estate appraisers.

(d) Payment of contractors and other service providers.

(e) Accounting systems; petty cash accounts procedures and reporting; school activities funds procedures and reporting; management and reporting of grants from private sources; and management of funds, including auxiliary enterprise funds.

(f) District budgeting system, including setting budget deadlines and schedules, budget planning, and implementation and determination of budget priorities.

(3) INSTRUCTIONAL AIDS.—The school board may adopt policies providing for innovative teaching techniques, teaching programs and methods, instructional aids and objectives, extracurricular and interscholastic activities, and supplemental programs including, but not limited to, policies providing for:

(a) Use of technology, including appropriate use of the Internet as a tool for learning.

(b) Instructional priorities and objectives, pilot projects and evaluations, curriculum adoption and design, and lesson planning.

(c) Extracurricular and interscholastic activities, including field trips, publishing a student newspaper and other publications, and special programs relating to the arts, music, or other topics of current interest.

(d) Participation in physical education programs, including appropriate physical education attire and protective gear; exceptional student programs for handicapped, disabled and exceptional students; summer school; and the Title I program, including comparability procedures.

(4) FACILITIES MANAGEMENT.—The school board may adopt policies providing for management of the physical campus and its environs, including, but not limited to, energy conservation measures; building and ground maintenance; fencing, landscaping and other property improvements; site acquisition; new construction and renovation; dedication and rededication

or naming and renaming of district buildings and other district facilities; and development of facilities management planning and priorities.

(5) SCHOOL COMMUNITY RELATIONS.—The school board may adopt policies governing public gifts and donations to schools; input from the community concerning instruction resources; advertising in schools; participation in community affairs, including coordination with local governments and planning authorities; protocols for interagency agreements; business community partnerships; community use of school facilities; public solicitations in schools, including the distribution and posting of promotional materials and literature; visitors to the school campus; school advisory councils; and parent volunteers and chaperones.

(6) LEGAL ISSUES.—The school board may adopt policies and procedures necessary to implement federal mandates and programs, court orders, and other legal requirements of the state.

(7) FIRST AID AND EMERGENCIES.—The school board may adopt programs and policies to ensure appropriate response in emergency situations; the provision of first aid to individuals, the student body, and school personnel; and the effective management of student illness, which programs and policies may include, but are not limited to:

(a) The provision of first aid and emergency medical care and the provision of school health care facilities and services.

(b) The provision of school safety patrol.

(c) Procedures for reporting hazards, including threats of nature, bomb threats, threatening messages, and similar occurrences, and the provision of warning systems including alarm systems and other technical devices.

(d) Procedures for evacuating the classrooms, playground, or any other district facility.

(e) Procedures for reporting accidents, including traffic accidents and traffic violations involving district-owned vehicles.

(f) Student insurance programs.

(8) STUDENT ASSESSMENT AND AFFAIRS.—The school board may adopt policies and procedures governing attendance monitoring and checks; truancy; graduation requirements and graduation exercises; fees, fines, and charges imposed on students; evaluation of student records and transcripts; transfer of student records; grading and academic evaluation of students; tests and examinations, including early examinations; guidance and counseling; and student participation in competitions, student performances and exhibitions, contests for students, and social events.

(9) ADMINISTRATIVE SUPPORT SERVICES.—The school board may adopt policies and procedures governing purchase of property insurance, including comprehensive general liability insurance; transportation of students for extracurricular activities and special events, including transporta-

tion of students in privately owned vehicles; transportation of district personnel, including personal use of district owned vehicles; computer security and computer room access and computer data base resources; mail and delivery services, including use of couriers; copyright compliance; computerized data systems, including computer use, transmission of data, access to the Internet, and other technology-based services.

(10) SCHOOL BOARD GOVERNANCE AND OPERATIONS.—The school board may adopt policies and procedures necessary for the daily business operation of the school board, including, but not limited to, the provision of legal services for the school board; conducting a district legislative program; school board member participation at conferences, conventions, and workshops, including member compensation and reimbursement for expenses; school board policy development, adoption, and repeal; school board meeting procedures, including participation via telecommunications networks, use of technology at meetings, and presentations by nondistrict personnel; citizen communications with the school board and with individual school board members; collaboration with local government and other entities as required by law; and organization of the board, including special committees and advisory committees.

(11) PERSONNEL.—The school board may adopt policies and procedures necessary for the management of all personnel of the school system.

Section 3. This act shall take effect upon becoming a law.

Became a law without the Governor's approval May 22, 1998.

Filed in Office Secretary of State May 21, 1998.