

By the Committee on Education Innovation and
Representative Crow

1 A bill to be entitled
2 An act relating to parental consent; amending
3 s. 232.465, F.S.; providing that a student is
4 exempt from certain services under the school
5 health services plan if his or her parent or
6 guardian requests such an exemption in writing;
7 amending s. 234.02, F.S.; limiting
8 transportation of a student to a medical
9 treatment facility without parental consent;
10 providing an effective date.

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

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14 Section 1. Subsection (5) of section 232.465, Florida
15 Statutes, is renumbered as subsection (6), and a new
16 subsection (5) is added to said section to read:

17 232.465 Provision of medical services; restrictions.--

18 (5) Pursuant to s. 381.0056(7)(d), a student will be
19 exempt from any of the services provided under the school
20 health services plan if his or her parent or guardian requests
21 such exemption in writing.

22 Section 2. Paragraph (a) of subsection (2) and
23 subsection (8) of section 234.02, Florida Statutes, are
24 amended to read:

25 234.02 Safety and health of pupils.--Maximum regard
26 for safety and adequate protection of health are primary
27 requirements that must be observed by school boards in routing
28 buses, appointing drivers, and providing and operating
29 equipment, in accordance with all requirements of law and
30 regulations of the commissioner in providing transportation
31 pursuant to s. 234.01:

1 (2) Except as provided in subsection (1), school
2 boards may authorize the transportation of students in
3 privately owned motor vehicles on a case-by-case basis only in
4 the following circumstances:

5 (a) When a student is ill or injured and must be taken
6 home or to a medical treatment facility under nonemergency
7 circumstances; and

8 1. The school has been unable to contact the student's
9 parent or guardian or such parent, guardian, or responsible
10 adult designated by the parent or guardian is not available to
11 provide the transportation;

12 2. Proper adult supervision of the student is
13 available at the location to which the student is being
14 transported;

15 3. The transportation is approved by the school
16 principal, or a school administrator designated by the
17 principal to grant or deny such approval, or in the absence of
18 the principal and designee, by the highest ranking school
19 administrator or teacher available under the circumstances;
20 and

21 4. If the school has been unable to contact the parent
22 or guardian prior to the transportation, the school continues
23 to attempt ~~shall continue to seek~~ to contact the parent or
24 guardian until the school is able to notify the parent or
25 guardian of the transportation and the pertinent
26 circumstances.

27 (8) Notwithstanding any other provision of this
28 section, in an emergency situation that constitutes an
29 imminent threat to student health or safety, school personnel
30 may take whatever action is necessary under the circumstances
31 to protect student health and safety; however, transportation

1 of a student in a school district vehicle or a privately owned
2 vehicle to a medical treatment facility without parental
3 consent is limited to those circumstances when immediate
4 medical treatment is necessary for the health and safety of
5 the student.

6 Section 3. This act shall take effect July 1, 2001.
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