

CHAMBER ACTION

1 The Committee on Education K-20 recommends the following:

2  
3 **Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to powers and duties of district school  
7 boards; amending s. 1001.43, F.S.; authorizing district  
8 school board programs and policies to require drug testing  
9 of middle and high school students in certain  
10 circumstances; prohibiting district school boards from  
11 using instructional funds to pay for testing; prohibiting  
12 district school boards from excluding students from  
13 extracurricular activities based on inability to pay for  
14 testing; authorizing the State Board of Education to adopt  
15 rules; providing an effective date.

16  
17 WHEREAS, the State of Florida considers providing a quality  
18 education to its children the highest of priorities, and

19 WHEREAS, participation in extracurricular activities is a  
20 key component of school life, is essential for students applying  
21 to college, and is a significant contributor to the breadth and  
22 quality of the educational experience for all participants, and

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23 WHEREAS, extracurricular activities are an integral part of  
 24 the educational process, providing personal challenges and  
 25 responsibility, skill in competition, teamwork cultivation, and  
 26 school pride, and

27 WHEREAS, the State of Florida has a compelling interest in  
 28 ensuring that children are educated and compete in a safe and  
 29 healthy environment, and

30 WHEREAS, the use of illicit drugs, performance enhancing  
 31 drugs, and certain prescription drugs is considered a health and  
 32 safety threat within Florida's schools, playgrounds, and  
 33 athletic fields and forums, and

34 WHEREAS, studies and pilot projects have found a  
 35 significant curtailment of drug use among students who are  
 36 subject to drug testing, NOW, THEREFORE,

37

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

39

40 Section 1. Subsection (1) of section 1001.43, Florida  
 41 Statutes, is amended to read:

42 1001.43 Supplemental powers and duties of district school  
 43 board.--The district school board may exercise the following  
 44 supplemental powers and duties as authorized by this code or  
 45 State Board of Education rule.

46 (1) STUDENT MANAGEMENT.--The district school board may  
 47 adopt programs and policies to ensure the safety and welfare of  
 48 individuals, the student body, and school personnel, which  
 49 programs and policies may:

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

54 (b) Require middle and high school students, as a  
55 condition of participation in any extracurricular activity, to  
56 consent to urinalysis testing for the presence of any controlled  
57 substance listed in s. 893.03. Funds provided by the state for  
58 student instruction shall not be used to pay for the testing  
59 authorized by this paragraph. No student shall be prevented from  
60 participating in any extracurricular activity because of  
61 inability to pay for such testing. The procedures for  
62 implementing this paragraph shall be prescribed by rules of the  
63 State Board of Education pursuant to ss. 120.536(1) and 120.54.

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

68 (d)~~(e)~~ Provide procedures for student dismissal  
69 precautions and for granting permission for students to leave  
70 school grounds during school hours, including releasing a  
71 student from school upon request by a parent or for public  
72 appearances of school groups.

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

76 (f)~~(e)~~ Provide procedures for detaining students and for  
77 readmission of students after expulsion.

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78 |        (g)~~(f)~~ Regulate student automobile use and parking.  
79 |        Section 2. This act shall take effect July 1, 2004.