

1 A bill to be entitled

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

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13 WHEREAS, the State of Florida considers providing a quality
14 education to its children the highest of priorities, and

15 WHEREAS, participation in extracurricular activities is a
16 key component of school life, is essential for students applying
17 to college, and is a significant contributor to the breadth and
18 quality of the educational experience for all participants, and

19 WHEREAS, extracurricular activities are an integral part of
20 the educational process, providing personal challenges and
21 responsibility, skill in competition, teamwork cultivation, and
22 school pride, and

23 WHEREAS, the State of Florida has a compelling interest in
24 ensuring that children are educated and compete in a safe and
25 healthy environment, and

26 WHEREAS, the use of illicit drugs, performance enhancing
27 drugs, and certain prescription drugs is considered a health and

28 safety threat within Florida's schools, playgrounds, and
 29 athletic fields and forums, and

30 WHEREAS, studies and pilot projects have found a
 31 significant curtailment of drug use among students who are
 32 subject to drug testing, NOW, THEREFORE,

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

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

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

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

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

50 (b) Require middle and high school students, as a
 51 condition of participation in any extracurricular activity, to
 52 consent to urinalysis testing for the presence of any controlled
 53 substance listed in s. 893.03 or any quantity of ephedra or
 54 ephedrine, a salt of ephedrine, an optical isomer of ephedrine,
 55 or a salt of any optical isomer of ephedrine. Funds provided by

56 the state for student instruction shall not be used to pay for
57 the testing authorized by this paragraph. No student shall be
58 prevented from participating in any extracurricular activity
59 because of inability to pay for such testing. The procedures for
60 implementing this paragraph shall be prescribed by rules of the
61 State Board of Education pursuant to ss. 120.536(1) and 120.54.

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

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

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

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

76 (g)~~(f)~~ Regulate student automobile use and parking.

77 Section 2. This act shall take effect July 1, 2004.