

By Senator Crist

12-1401-04

See HB 113

1 A bill to be entitled
2 An act relating to powers and duties of
3 district school boards; amending s. 1001.43,
4 F.S.; authorizing district school board
5 programs and policies to require drug testing
6 of middle and high school students in certain
7 circumstances; authorizing the State Board of
8 Education to adopt rules; providing an
9 effective date.

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

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

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

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

26 WHEREAS, the use of illicit drugs, performance
27 enhancing drugs, and certain prescription drugs is considered
28 a health and safety threat within Florida's schools,
29 playgrounds, and athletic fields and forums, and

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1 WHEREAS, studies and pilot projects have found a
2 significant curtailment of drug use among students who are
3 subject to drug testing, NOW, THEREFORE,

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

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

9 1001.43 Supplemental powers and duties of district
10 school board.--The district school board may exercise the
11 following supplemental powers and duties as authorized by this
12 code or State Board of Education rule.

13 (1) STUDENT MANAGEMENT.--The district school board may
14 adopt programs and policies to ensure the safety and welfare
15 of individuals, the student body, and school personnel, which
16 programs and policies may:

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

21 (b) Require middle and high school students, as a
22 condition of participation in any extracurricular activity, to
23 consent to urinalysis testing for the presence of any drug
24 that may pose a threat to the health or safety of the student.
25 The procedures for implementing this paragraph shall be
26 prescribed by rules of the State Board of Education pursuant
27 to ss. 120.536(1) and 120.54.

28 (c)~~(b)~~ Require uniforms to be worn by the student
29 body, or impose other dress-related requirements, if the
30 district school board finds that those requirements are

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1 necessary for the safety or welfare of the student body or
2 school personnel.

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

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

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

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

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

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