

1 A bill to be entitled
 2 An act relating to the supervision of public school
 3 students; amending s. 1003.31, F.S.; revising provisions
 4 relating to the supervision of students who are en route
 5 to or from school; requiring a district school board
 6 policy for the protection of certain students; providing
 7 penalties for student violation of the policy; providing
 8 that certain actions do not constitute the assumption of
 9 a legal duty; providing an effective date.

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

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13 Section 1. Subsections (1) and (2) of section 1003.31,
 14 Florida Statutes, are amended to read:

15 1003.31 Students subject to control of school.--

16 (1) Subject to law and rules of the State Board of
 17 Education and of the district school board, each student
 18 enrolled in a school shall:

19 (a) During the time she or he is being transported to or
 20 from school at public expense;

21 (b) During the time she or he is attending school;

22 (c) During the time she or he is on the school premises
 23 participating with authorization in a school-sponsored activity;
 24 and

25 (d) During a reasonable time before and after the student
 26 is on the premises for attendance at school or for authorized
 27 participation in a school-sponsored activity, and only when on
 28 the premises,

29
30 be under the control and direction of the principal or teacher
31 in charge of the school, and under the immediate control and
32 direction of the teacher or other member of the instructional
33 staff or of the bus driver to whom such responsibility may be
34 assigned by the principal. ~~However,~~ The State Board of Education
35 or the district school board may, by rules, subject each student
36 to the control and direction of the principal or teacher in
37 charge of the school during the time the student ~~she or he~~ is
38 otherwise en route to or from school or is presumed by law to be
39 attending school. However, each district school board shall
40 establish, by rule, a policy for the protection of students
41 traveling on foot or by a nonmotorized vehicle, such as a
42 bicycle or scooter, to or from school or to a school bus stop. A
43 student who violates the policy shall be subject to disciplinary
44 action and may be subject to criminal penalties if the actions
45 associated with the violation constitute a crime. This
46 requirement does not constitute the assumption of a legal duty
47 on the part of the district school board, school officials, or
48 school personnel to supervise students outside the times set
49 forth in paragraphs (a) - (d). Each district school board, each
50 district school superintendent, and each school principal shall
51 fully support the authority of teachers, according to s.
52 1003.32, and school bus drivers to remove disobedient,
53 disrespectful, violent, abusive, uncontrollable, or disruptive
54 students from the classroom and the school bus and, when
55 appropriate and available, place such students in an alternative
56 educational setting.

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57 (2) There is a rebuttable presumption that, as used in
58 subsection (1), the term "reasonable time" means 30 minutes
59 before or after the activity is scheduled or actually begins or
60 ends, whichever period is longer. A school or district school
61 board may, by policy or other formal action, assume a longer
62 period of supervision. Casual or incidental contact between
63 school district personnel and students on school property does
64 ~~shall~~ not create ~~result in~~ a legal duty to supervise outside ~~of~~
65 the ~~reasonable~~ times set forth in subsection (1) ~~if this~~
66 ~~section, provided that~~ parents are ~~shall be~~ advised in writing
67 twice per year or by posted signs of the school's formal
68 supervisory responsibility and that parents should not rely on
69 additional supervision. The duty of supervision does ~~shall~~ not
70 extend to anyone other than students attending school and
71 students authorized to participate in school-sponsored
72 activities.

73 Section 2. This act shall take effect July 1, 2008.