

By the Committees on Higher Education; Military Affairs and Domestic Security; and Senators Baker, Gaetz and Bennett

589-04920-08

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1 A bill to be entitled

2 An act relating to Reserve Officers' Training Corps
3 programs; creating s. 1003.451, F.S.; prohibiting a school
4 district from banning a Junior Reserve Officers' Training
5 Corps unit in certain schools; requiring a school district
6 to allow a student, under certain circumstances, to enroll
7 in the Junior Reserve Officers' Training Corps at another
8 school; specifying that a school district is not required
9 to provide transportation for a student enrolling in the
10 Junior Reserve Officers' Training Corps at another school;
11 requiring a school district to grant military recruiters
12 certain access to students, school facilities and grounds,
13 and certain student information; providing for
14 enforcement; providing for the adoption of rules by the
15 State Board of Education; creating s. 1004.009, F.S.;
16 prohibiting a community college or state university from
17 banning a Senior Reserve Officers' Training Corps unit;
18 requiring that a community college or state university
19 grant military recruiters certain access to students and
20 campus facilities and grounds and, to the extent required
21 by federal law, access to certain student information;
22 providing an effective date.

23
24 Be It Enacted by the Legislature of the State of Florida:

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26 Section 1. Section 1003.451, Florida Statutes, is created
27 to read:

28 1003.451 Junior Reserve Officers' Training Corps; military
29 recruiters; access to public school campuses.--

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30 (1) A school district may not ban any branch of the United
31 States Armed Forces or the United States Department of Homeland
32 Security from establishing, maintaining, or operating a unit of
33 the Junior Reserve Officers' Training Corps at a public high
34 school in the district.

35 (2) (a) A school district shall allow a student attending a
36 public high school in the district to enroll in the Junior
37 Reserve Officers' Training Corps at another public high school in
38 the district unless:

39 1. The student's school offers the Junior Reserve Officers'
40 Training Corps for any branch of the United States Armed Forces
41 or United States Department of Homeland Security;

42 2. The student does not meet the Junior Reserve Officers'
43 Training Corps' minimum enrollment qualifications; or

44 3. Scheduling of the student's courses of study do not
45 allow the student to attend the Junior Reserve Officers' Training
46 Corps at another public high school in the district.

47 (b) This subsection does not require a school district to
48 provide transportation for a student to attend the Junior Reserve
49 Officers' Training Corps at another public high school in the
50 district.

51 (3) (a) A school district shall grant military recruiters of
52 the United States Armed Forces and United States Department of
53 Homeland Security the same access to secondary school students,
54 and to school facilities and grounds, which the district grants
55 to postsecondary educational institutions or prospective
56 employers of students.

57 (b) A school district shall, as required in 20 U.S.C. s.
58 7908(a) (1), grant military recruiters access to the names,

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59 addresses, and telephone listings of secondary school students,
60 except, the district shall comply with a student's or parent's
61 request under 20 U.S.C. s. 7908(a)(2) or s. 1002.22(3)(d) not to
62 release the student's information without prior written parental
63 consent.

64 (4) The State Board of Education shall enforce this section
65 under s. 1008.32.

66 (5) The State Board of Education may adopt rules under ss.
67 120.536(1) and 120.54 to administer this section.

68 Section 2. Section 1004.09, Florida Statutes, is created to
69 read:

70 1004.09 Senior Reserve Officers' Training Corps; military
71 recruiters; access to community college and state university
72 campuses.--

73 (1) A community college or state university may not ban any
74 branch of the United States Armed Forces from establishing,
75 maintaining, or operating a unit of the Senior Reserve Officers'
76 Training Corps at the college or university.

77 (2)(a) A community college or state university shall grant
78 military recruiters of the United States Armed Forces and United
79 States Department of Homeland Security the same access to the
80 college's or university's students, and to campus facilities and
81 grounds, which the college or university grants to other
82 employers.

83 (b) A community college or state university shall, to the
84 extent required in 10 U.S.C. s. 983(b)(2), grant military
85 recruiters access to the names, addresses, telephone listings,
86 dates and places of birth, levels of education, academic majors,
87 degrees received, and most recent educational institutions

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88 enrolled in by the college's or university's students.

89 Section 3. This act shall take effect July 1, 2008.