

Council Substitute for House Bill No. 251

An act relating to Reserve Officers' Training Corps programs; creating s. 1003.451, F.S.; prohibiting a school district from banning a Junior Reserve Officers' Training Corps unit in certain schools; requiring a school district to allow a student, under certain circumstances, to enroll in the Junior Reserve Officers' Training Corps at another school; specifying that a school district is not required to provide transportation for a student enrolling in the Junior Reserve Officers' Training Corps at another school; requiring a school district to grant military recruiters certain access to students, school facilities and grounds, and certain student information; providing for enforcement; providing for the adoption of rules by the State Board of Education; creating s. 1004.009, F.S.; prohibiting a community college or state university from banning a Senior Reserve Officers' Training Corps unit; requiring that a community college or state university grant military recruiters certain access to students and campus facilities and grounds and, to the extent required by federal law, access to certain student information; providing an effective date.

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

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

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

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

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

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

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

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

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

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

(b) A school district shall, as required in 20 U.S.C. s. 7908(a)(1), grant military recruiters access to the names, addresses, and telephone listings of secondary school students, except, the district shall comply with a student's or parent's request under 20 U.S.C. s. 7908(a)(2) or s. 1002.22(3)(d) not to release the student's information without prior written parental consent.

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

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

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

1004.09 Senior Reserve Officers' Training Corps; military recruiters; access to community college and state university campuses.—

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

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

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

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

Approved by the Governor May 28, 2008.

Filed in Office Secretary of State May 28, 2008.