

By Representatives Morse, Villalobos, Garcia, Wise, Meek
and Bush

1 A bill to be entitled
2 An act relating to education; amending s.
3 230.2316, F.S., relating to dropout prevention;
4 providing that second chance schools may
5 include residential academies; providing
6 criteria for establishment, operation, and
7 funding of residential academies; providing
8 criteria for participation; providing an
9 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. Paragraph (e) of subsection (3) and
14 paragraph (e) of subsection (4) of section 230.2316, Florida
15 Statutes, 1996 Supplement, are amended to read:

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230.2316 Dropout prevention.--

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(3) DEFINITIONS.--As used in this section, the term:

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(e) "Second chance schools" means school district

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programs provided through cooperative agreements between the
20 Department of Juvenile Justice, private providers, state or
21 local law enforcement agencies, or other state agencies for
22 students deemed habitual truants as defined in s. 228.041(28),
23 or for students who have been disruptive or violent or who
24 have committed serious offenses. As partnership programs,
25 second chance schools are eligible for waivers from the
26 Commissioner of Education to chapters 230-235 and 239 and
27 State Board of Education rules that prevent the provision of
28 appropriate educational services to violent, severely
29 disruptive, and delinquent students in small nontraditional
30 settings and in court-adjudicated settings. Second chance

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1 schools may include residential academies that are established
2 according to the following criteria:

3 1. Residential academies may be established and
4 operated by school districts or through a joint agreement with
5 a private entity, or a state or local public agency, for the
6 purpose of providing a supportive, secure, and safe learning
7 and living environment for high-risk students. Residential
8 academies may provide educational services or use the services
9 of other public schools in the school district. Residential
10 academies are to be established for the purpose of assisting
11 youth in being successful in school and preparing for
12 postsecondary education or training.

13 2. Educational services provided by residential
14 academies may be funded through the at-risk category of the
15 Florida Education Finance Program as provided in s. 236.081.
16 All residential care services must be provided through annual
17 appropriations of the Legislature to the Department of
18 Juvenile Justice.

19 3. For each student participating in a residential
20 academy, a contract detailing the authority, care, treatment,
21 and education goals must be executed between the parent and
22 the sponsoring agency. If the academy is operated by an
23 agency other than the school district, the school district
24 must approve the contract form.

25 4. Funding for the leasing, lease purchase,
26 renovation, or construction of facilities must be provided
27 through legislative appropriation.

28 (4) STUDENT ELIGIBILITY AND PROGRAM CRITERIA.--All
29 programs funded pursuant to the provisions of this section
30 shall be positive and shall reflect strong parental and
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1 community involvement. In addition, specific programs shall
2 meet the following criteria:

3 (e) Second chance schools.--

4 1. A student enrolled in a sixth, seventh, eighth,
5 ninth, or tenth grade class may be assigned to a second chance
6 school if the student meets the following criteria:

7 a. The student is a habitual truant as defined in s.
8 228.041(28).

9 b. The student's excessive absences have detrimentally
10 affected the student's academic progress and the student may
11 have unique needs that a traditional school setting may not
12 meet.

13 c. The student's high incidences of truancy have been
14 directly linked to a lack of motivation.

15 d. The student has been identified as at risk of
16 dropping out of school.

17 2. A student who is habitually truant may be assigned
18 to a second chance school only if the case staffing committee,
19 established pursuant to s. 39.426, determines that such
20 placement could be beneficial to the student and the criteria
21 included in subparagraph 1. are met.

22 3. A student shall be assigned to a second chance
23 school if the school district in which the student resides has
24 a second chance school and if the student meets one of the
25 following criteria:

26 a. The student habitually exhibits disruptive behavior
27 in violation of the code of student conduct adopted by the
28 school board.

29 b. The student interferes with the student's own
30 learning or the educational process of others and requires
31 attention and assistance beyond that which the traditional

1 program can provide, or, while the student is under the
2 jurisdiction of the school either in or out of the classroom,
3 frequent conflicts of a disruptive nature occur.

4 c. The student has committed a serious offense which
5 warrants suspension or expulsion from school according to the
6 district code of student conduct. For the purposes of this
7 program, "serious offense" is behavior which:

8 (I) Threatens the general welfare of students or
9 others with whom the student comes into contact;

10 (II) Includes violence;

11 (III) Includes possession of weapons or drugs; or

12 (IV) Is harassment or verbal abuse of school personnel
13 or other students.

14 4. A student who is at risk of dropping out of school
15 or who has been referred to the Department of Juvenile Justice
16 may participate in a residential academy. Participation in a
17 residential academy is voluntary and upon request of the
18 student's parent or guardian. Such placement may be for the
19 purpose of preventing the student from failing, dropping out
20 of school, or becoming further involved in juvenile
21 delinquency and crime.

22 ~~5.4.~~ Prior to assignment of students to second chance
23 schools, school boards are encouraged to use alternative
24 programs, such as in-school suspension, which provide
25 instruction and counseling leading to improved student
26 behavior, a reduction in the incidence of truancy, and the
27 development of more effective interpersonal skills.

28 ~~6.5.~~ Students assigned to second chance schools must
29 be evaluated by the school's local child study team before
30 placement in a second chance school. The study team shall

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1 ensure that students are not eligible for placement in a
2 program for emotionally disturbed children.

3 7.6. Students who exhibit academic and social progress
4 and who wish to return to a traditional school shall be
5 evaluated by school district personnel prior to reentering a
6 traditional school.

7 8.7. Second chance schools shall be funded at the
8 dropout prevention program weight pursuant to s. 236.081 and
9 may receive school safety funds or other funds as appropriate.

10 Section 2. This act shall take effect July 1, 1997.

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HOUSE SUMMARY

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With respect to dropout prevention programs in the public
schools, provides that second chance schools may include
residential academies. Provides criteria for
establishment, operation, and funding of residential
academies and for participation in residential academies.

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