

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

Date: April 20, 1998 Revised: \_\_\_\_\_

Subject: School Environmental Safety

Table with 4 columns: Analyst, Staff Director, Reference, Action. Row 1: Chasteen, O'Farrell, ED, Favorable/CS. Rows 2-5 are blank.

I. Summary:

This committee substitute creates the "Safe Schools Act" and revises the duties of school advisory councils (SACs), principals, school boards, and school resource officers (SROs) accordingly. It establishes implementation, reporting and evaluation requirements with regard to cultivation of safe and drug-free school environments. It establishes school safety awards as a means of recognizing schools that provide a safe learning environment.

This committee substitute amends sections 229.58, 230.2318, and 232.26, and creates section 232.2565 of the Florida Statutes.

II. Present Situation:

Section 229.58, F.S., requires that school boards establish a SAC for each school in the district, with the provision that school districts with fewer than 10,000 students may establish a district advisory council. Among other duties as prescribed by the school board, SACs are directed to assist in preparing and evaluating school improvement plans. They are also required to provide assistance as requested by the principal in preparing the school's annual budget. SACs are specifically prohibited from having powers and duties reserved by law for school boards.

Section 230.2318, F.S., authorizes school boards to establish SRO programs via cooperative agreements with law enforcement agencies, or in accordance with the provisions of s. 230.23175, F.S., regarding school safety officers. SROs must be certified law enforcement officers.

Section 232.26, F.S., establishes the authority of school principals, including the development of policies for delegating responsibility for the control and direction of students to teachers, other members of the instructional staff, and bus drivers. Recommendations of these individuals must be

considered when making a decision regarding student referral for discipline. A required annual report on school progress must include an analysis of suspensions and expulsions occurring at the school.

The School Environmental Safety Incident Reporting System (SESIR) was established statewide in the 1995-96 school year to assist schools, districts, and staff of the Department of Education (DOE) in assessing major needs and problems regarding school safety. The SESIR system requires schools to report serious safety incidents of 21 types that occur on school grounds, on school transportation, or off-campus at school-sponsored events when a student is involved. Definitions of incident types are based on those used for the Florida Department of Law Enforcement Uniform Crime Reporting system. With the assistance of eight pilot districts, the system was designed to meet statewide reporting needs and to give districts as much flexibility as possible to develop systems that meet local reporting needs. The SESIR system fulfills the reporting requirement of Goal 5 of Florida's System for School Improvement and Accountability: achieving a safe learning environment.

Data quality issues have been identified relating to variations in perceptions of incident types and reporting. DOE has received a two-year federal grant to provide districts with assistance in the form of training to improve reporting consistency and accuracy. In addition, s. 230.235, F.S., which was created by HB 1309 (chapter 97-234, L.O.F.), requires districts and local law enforcement agencies to develop cooperative agreements regarding the reporting of crimes committed by students. According to DOE, these two measures should alleviate many of the problems relating to inconsistency in reporting.

For the 1997-98 fiscal year, \$50,350,000 is included in the General Appropriations Act for Safe Schools. This money is allocated according to a formula based two-thirds on the Florida Crime Index and one-third on each district's share of the state's total weighted student enrollment. Proviso language defines Safe Schools activities as: (1) after school programs for middle school students, (2) other improvements to enhance the learning environments, including implementation of conflict resolution strategies, and (3) alternative school programs for adjudicated youth.

### **III. Effect of Proposed Changes:**

This committee substitute creates s. 232.2565, F.S., the "Safe Schools Act." It contains the following provisions:

- School advisory councils must assist in the development and evaluation of school improvement plans. Such plans must address specific strategies for cultivating a school environment that is safe and drug-free, and in which a student's health and civil rights are protected. School safety program plans must be considered by the district school board when distributing funds appropriated by the Legislature for school safety.
- Minimum reporting requirements are established for the purpose of accurately assessing major needs and problems. In order to promote accurate and consistent reporting of serious

safety incidents, the school principal (or his designee) must, in accordance with state board rules, annually compile and submit to the district school board a School Environmental Safety Incident Report. The report must include all serious safety incidents that occurred at the school, on school transportation, or off-campus at school-sponsored events, when a student is involved. Corresponding disciplinary action must be addressed. The report must be reviewed and approved by the SAC and the SRO prior to submission to the school board. The school board must submit all school reports to DOE for inclusion in a statewide School Environmental Safety Incident Report. DOE must provide technical assistance and training for district personnel charged with preparing the report.

- By January 1, 1999 the Office of Program Policy Analysis and Government Accountability (OPPAGA) must review and evaluate current safety incident reporting procedures, evaluate sample report data with respect to accuracy, and develop recommended changes to correct any deficiencies cited in procedures. OPPAGA must develop a system for reviewing the safety and incident reporting procedures of both schools and school districts. A follow-up review assessing implementation of recommendations and accuracy must be conducted by January 1, 2001. If discrepancies or deficiencies are found, the state board may recommend action to be taken, including mandatory training or other measures as recommended by the Commissioner of Education.
- Each school district will, based on district criteria, annually select one elementary, one middle, and one high school to be presented a School Safety Award, the form of which is to be determined by the Commissioner of Education.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

None.

##### **B. Public Records/Open Meetings Issues:**

None.

##### **C. Trust Funds Restrictions:**

None.

**V. Economic Impact and Fiscal Note:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

None.

## C. Government Sector Impact:

The fiscal impact of this committee substitute is believed to be negligible. DOE received a federal grant of \$600,000 for two years which can be used to provide district-level incident reporting training. According OPPAGA, provisions of the committee substitute for which it is responsible may impact the office's travel budget, but will not result in a need for additional staff.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.