

By Senator Holzendorf

2-1246-98

1 A bill to be entitled
2 An act relating to school safety; amending s.
3 229.58, F.S.; providing duties of school
4 advisory councils with respect to School
5 Environmental Safety Incident Reports; amending
6 s. 230.2318, F.S.; providing duties of school
7 resource officers with respect to School
8 Environmental Safety Incident Reports; creating
9 s. 232.2565, F.S.; requiring development of
10 school programs; providing reporting
11 requirements; providing for a School
12 Environmental Safety Incident Report; providing
13 duties of the Department of Education;
14 providing duties of the Office of Program
15 Policy Analysis and Government Accountability
16 in evaluating school safety reporting
17 procedures; providing for school safety awards;
18 amending s. 232.26, F.S.; providing for
19 reporting school safety issues; providing an
20 effective date.

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

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24 Section 1. Subsection (2) of section 229.58, Florida
25 Statutes, is amended to read:

26 229.58 District and school advisory councils.--
27 (2) DUTIES.--Each advisory council shall perform such
28 functions as are prescribed by regulations of the school
29 board; however, no advisory council shall have any of the
30 powers and duties now reserved by law to the school board.
31 Each school advisory council shall assist in the preparation

1 and evaluation of the school improvement plan required
2 pursuant to s. 230.23(16), shall review and approve the
3 school's School Environmental Safety Incident Report before
4 its submission to the district school board, and shall provide
5 such assistance as the principal may request in preparing the
6 school's annual budget and plan as required by s. 229.555(1).

7 Section 2. Paragraph (c) is added to subsection (2) of
8 section 230.2318, Florida Statutes, to read:

9 230.2318 School resource officer program.--

10 (2) SCHOOL RESOURCE OFFICER CERTIFICATION; DUTIES AND
11 RESPONSIBILITIES.--

12 (c) School resource officers must review and approve
13 the school's School Environmental Safety Incident Report
14 required by s. 232.2565 before its submission to the district
15 school board.

16 Section 3. Section 232.2565, Florida Statutes, is
17 created to read:

18 232.2565 School Safety program requirements; reporting
19 requirements.--

20 (1) SHORT TITLE.--This section may be cited as the
21 "Safe Schools Act."

22 (2) LEGISLATIVE INTENT.--The Legislature recognizes
23 that the maintenance of a safe and orderly learning
24 environment is essential to the education process and the
25 general welfare of the school population. The Legislature also
26 shares the critical concern of parents and teachers over the
27 threat of serious disruption of the educational process and
28 the possibility of personal harm to students, school board
29 employees, and others. The intent of this section is to
30 specify minimum school safety program requirements, minimum
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1 reporting requirements, and a process of accountability to
2 promote the accurate reporting of serious safety incidents.

3 (3) SCHOOL SAFETY PROGRAMS.--Each school advisory
4 council is required to assist in the development and
5 evaluation of the school improvement plan required by s.
6 230.23(16), which is designed to achieve the state education
7 goals and student performance standards pursuant to ss.
8 229.591(3) and 229.592. This plan must include specific
9 strategies for cultivating a school environment that is safe
10 and drug-free and in which each student's health and civil
11 rights are protected. Such school safety program plans shall
12 be taken into consideration by the district school board when
13 distributing to each school any funds appropriated by the
14 Legislature for school safety.

15 (4) REPORTING REQUIREMENTS.--To assist schools,
16 districts, and staff at the state level in assessing major
17 need areas and the extent and nature of problems in school
18 safety, the following measures shall be taken to promote the
19 accurate and consistent reporting of serious safety incidents,
20 as defined by rules of the state board:

21 (a) The school principal, or his or her designee, must
22 annually compile and submit to the district school board a
23 School Environmental Safety Incident Report that includes all
24 serious safety incidents that occur on school grounds, on
25 school transportation, or off-campus at school-sponsored
26 events when a student is involved, and the corresponding
27 disciplinary referral, according to rules of the state board.

28 (b) The district school board shall submit the School
29 Environmental Safety Incident Report of each school in the
30 district to the Department of Education for inclusion in a
31 statewide School Environmental Safety Incident Report.

1 (c) The Department of Education must provide technical
2 assistance and training for district personnel responsible for
3 compiling the School Environmental Safety Incident Report.

4 (d) Before its submission to the district school
5 board, the School Environmental Safety Incident Report of the
6 school shall be reviewed and approved by the school advisory
7 council. The School Environmental Safety Incident Report must,
8 in addition, be reviewed and approved by the school resource
9 officer if employed by the district at that school.

10 (5) EVALUATION; SANCTIONS.--The Office of Program
11 Policy Analysis and Government Accountability (OPPAGA) is
12 directed to develop a system for periodically reviewing the
13 safety incident reporting procedures of schools and school
14 districts. By January 1, 1999, OPPAGA will review and evaluate
15 current safety incident reporting procedures, evaluate sample
16 School Environmental Safety Incident Report data to determine
17 accuracy, and develop recommended changes to correct any cited
18 deficiencies regarding safety incident reporting procedures.
19 By January 1, 2001, OPPAGA will conduct a followup review to
20 determine whether such recommendations have been implemented
21 and whether the accuracy of School Environmental Safety
22 Incident Report data has improved. The director of OPPAGA may,
23 at his or her discretion, contract with private consultants to
24 perform part or all of the review of any district. Upon the
25 finding of discrepancies or deficiencies regarding the safety
26 incident reporting procedures of a school or school district,
27 the state board is authorized to recommend action to be taken,
28 including mandatory training or other measures, to correct the
29 cited deficiencies, as recommended by the Commissioner of
30 Education.

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1 (6) SCHOOL SAFETY AWARDS.--In order to recognize those
2 schools providing a safe and orderly learning environment,
3 school districts shall annually select one elementary school,
4 one middle school, and one high school to be presented a
5 School Safety Award by the Commissioner of Education. Each
6 district school board shall develop criteria for the selection
7 of schools to receive the School Safety Award. An award
8 granted under this subsection may include, but need not be
9 limited to, a certificate, plaque, medal, ribbon, or
10 photograph, as determined by the Commissioner of Education.

11 Section 4. Paragraphs (a) and (d) of subsection (1) of
12 section 232.26, Florida Statutes, are amended to read:

13 232.26 Authority of principal.--

14 (1)(a) Subject to law and to the rules of the state
15 board and the district school board, the principal in charge
16 of the school or the principal's designee shall develop
17 policies for delegating to any teacher or other member of the
18 instructional staff or to any bus driver transporting students
19 of the school responsibility for the control and direction of
20 students, including the reporting of incidents for inclusion
21 in the School Environmental Safety Incident Report required by
22 s. 232.2565. The principal or the principal's designee shall
23 consider the recommendation for discipline made by a teacher,
24 other member of the instructional staff, or a bus driver when
25 making a decision regarding student referral for discipline.

26 (d) The principal or the principal's designee shall
27 include an analysis of serious safety incidents occurring on
28 school grounds, on school transportation, or at
29 school-sponsored events, when a student is involved, and the
30 corresponding disciplinary referral action and suspensions and
31 expulsions in the annual report of school progress.

1 Section 5. This act shall take effect upon becoming a
2 law.

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5 SENATE SUMMARY

6 Creates the Safe Schools Act. Provides for inclusion of
7 safety issues relating to safe, drug-free school
8 environments in which students' health and civil rights
9 are protected in school improvement plans. Requires
10 schools to submit annual School Environmental Safety
11 Incident Reports, which must be reviewed by school
12 advisory councils and school resource officers. Provides
13 for review of reporting procedures by the Office of
14 Program Policy Analysis and Governmental Accountability.
15 Provides for the Commissioner of Education to award
16 school safety awards to one elementary school, one middle
17 school, and one high school in each county.
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