

By Representative Fischer

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.

