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A bill to be entitled An act relating to school safety; creating s. 229.5925, F.S.; creating the Safe and Secure Schools Commission; providing membership requirements; establishing responsibilities of the commission; creating s. 230.23003, F.S.; providing requirements relating to safety incident data collection and reporting; defining terms; amending s. 230.2316, F.S.; revising criteria for the identification of potential dropouts; amending s. 230.23175, F.S.; providing for the coordination of the duties of school safety officers; amending s. 230.2318, F.S.; revising provisions relating to the duties and responsibilities of school resource officers; creating s. 230.23183, F.S.; requiring each school district to commission a district coordinator of school security; providing an exception; establishing duties and responsibilities; amending s. 230.23185, F.S., relating to the statewide crime watch program; revising provisions relating to the toll-free school safety hotline; revising provisions relating to the quarterly report of incidents reported to the hotline; amending s. 231.087, F.S.; revising the duties of the Florida Council on Educational Management to include the identification of required training relating to discipline and crisis situations; amending s. 231.17, F.S.; revising minimum competencies for professional certification to

include the ability to recognize and intervene 1 2 in potential disciplinary, disruptive, and 3 crisis situations; amending s. 231.24, F.S.; revising requirements for the renewal of 4 5 professional certificates to encourage inservice training in the area of crisis 6 7 management; providing an effective date. 8 9 Be It Enacted by the Legislature of the State of Florida: 10 11 Section 1. Section 229.5925, Florida Statutes, is 12 created to read: 13 229.5925 Safe and Secure Schools Commission.--There is created the Safe and Secure Schools Commission. The purpose of 14 15 the commission is to ensure that the state is progressing 16 towards providing the safest, most secure school environments 17 for its public school children, teachers, and staff. (1) MEMBERSHIP. -- The membership of the commission 18 19 shall be as follows: 20 (a) Three members who are educators and are not school board members; one from a district of more than 100,000 21 22 students appointed by the Governor; one from a district of 23 35,001 to 99,999 students appointed by the President of the 24 Senate; and one from a district of up to 35,000 students 25 appointed by the Speaker of the House of Representatives; 26 (b) Three members with a background in law 27 enforcement, security, or juvenile justice; one appointed each 28 by the President of the Senate, the Speaker of the House of 29 Representatives, and the Attorney General; 30

1	(c) The current president of the Parent-Teacher
2	Association of Florida or his or her designee, provided that
3	such designee is also a member of the Florida PTA;
4	(d) A representative of the Department of Education
5	designated by the Commissioner of Education, who is
6	responsible for safe school programs; and
7	(e) The Director of Security of the Florida Department
8	of Law Enforcement or the commissioner's designee.
9	(2) DUTIES
10	(a) The commission shall have the responsibility and
11	authority to oversee programs relating to school safety,
12	security, and discipline as used throughout the school
13	districts in the state to ensure that districts are
14	implementing programs and policies that lessen the incidences
15	of criminal activity and disruption on school campuses. The
16	commission is, therefor, authorized and instructed to:
17	1. Conduct site visit audits of individual school
18	districts and schools in order to determine the effectiveness
19	of school safety measures employed by such schools and
20	districts.
21	2. Conduct financial audits as necessary to determine
22	if moneys designated for school safety programs are being
23	spent effectively and as intended.
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25	Should the commission choose to do so, it is authorized to
26	contract with the Office of Program Policy Analysis and
27	Government Accountability or any public or private agency with
28	appropriate background and training in performing these types
29	of audits.

(b) The commission shall research and prepare a

31 comprehensive report on successful school crime prevention,

intervention, and management practices. To the extent
possible, this report shall detail:

- 1. Successful programs employed by schools within the nation and the state;
- 2. The reasons for the success or failure of certain programs;
- 3. The general profiles of schools employing successful programs; and
- $\underline{4.}$ Cost factors associated with the implementation of individual programs.
- (c) The commission shall research and prepare a report on training needs for school principals and instructional staff related to incident reporting, crisis prevention and management, intervention, and other areas as the commission deems necessary. The commission shall use information gathered for the report as the basis for recommendations necessary for school districts and schools to improve their school safety and security. Schools and school districts are encouraged to request site visits and program recommendations from the commission or its representatives at any mutually agreed upon time.
- (d) The commission shall, by January 1, 2001, make recommendations to the President of the Senate and the Speaker of the House of Representatives as to implementation of a system of performance-based funding measures and incentives to be used in determining funding for school safety, discipline, and security programs in public schools.
- (e) In consultation with the Department of Education and the Department of Juvenile Justice, the commission shall create a uniform incident reporting system for the state. It is the intention of the Legislature that this system of

reporting be such that information is attainable as 1 2 immediately as is possible by all school districts and the Department of Education. Further, it is the intention of the 3 Legislature that this system of reporting take into account 4 all acts of criminality, disorder, or disciplinary actions on 5 6 school campuses, including those that involve nonstudents. 7 Section 2. Section 230.23003, Florida Statutes, is 8 created to read: 9 230.23003 Safety incident reporting.--(1) Each school district shall require all 10 11 kindergarten through grade 12 principals within its 12 jurisdiction to document all public school grounds, public 13 school student, and public school staff related incidents of 14 crime, delinquency, disorder, and disruption. Documentable incidents shall include: 15 16 (a) Incidents requiring student referrals for 17 disciplinary action; (b) Noncriminal incidents instigated by nonstudent, 18 nonstaff persons on school property; and 19 20 (c) Reportable incidents as defined pursuant to s. 21 230.235. 22 (2) Subject to mutual agreement between school districts and their local sheriff's offices and local police, 23 arrests made of public school students or staff which occur 24 25 off of school property shall be reported to the principal of 26 the school in which the student is enrolled or the staff 27 person employed, by the law enforcement agency making the 28 arrest. These incidents shall also be documented by the 29 principal of that school. (3) Each school in every district shall be required to 30

report all documented incidents to the appropriate school

district personnel responsible for collecting and disseminating school safety data.

- (4) For the purposes of this section, the following public school grounds, public school student, and public school staff related incidents of crime, delinquency, disorder, and disruption shall be documented and are defined as follows:
- (a) "Alcohol violation" means the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of intoxicating alcoholic beverages. This includes use or possession of alcoholic beverages or substances represented as alcohol at school, school-sponsored events, or on school transportation. An incident should be reported only if a student is caught in the act of using an intoxicating alcoholic beverage, is tested by an officer during or after arrest and is found to have used such an alcoholic beverage, or is discovered in the course of investigating the incident to have used such an alcoholic beverage. Suspicion of the use of alcohol will not be reported. Nothing in this act shall be interpreted as authorizing schools to test for alcohol use.
- (b) "Arson" means to willfully and unlawfully, by fire or explosion, damage or cause to be damaged: any dwelling, or its contents, whether occupied or not; any structure, or contents thereof, where persons are normally present; or any other structure that the person knew, or had reasonable grounds to believe, was occupied by a human being.
- (c) "Battery" means an actual and intentional touching or striking of another person against his or her will or intentionally causing bodily harm to an individual, including when one individual physically attacks another individual with

 a weapon that causes serious bodily harm to the victim. This category also includes the actual placement of a bomb or one sent through the mail, regardless of whether or not the bomb blows up.

- (d) "Breaking and entering" or "burglary" means the unlawful entry into a building or other structure with the intent to commit a crime. This applies to school buildings or activities related to a school function.
- (e) "Disorderly conduct" means any act or behavior which substantially disrupts the orderly conduct of a school function, disrupts the orderly learning environment, or poses a threat to the health, safety, or welfare of students, staff, or others. If the action results in a more serious incident, the incident shall be reported in the more serious incident category.
- (f) "Drug violation" means the unlawful use, cultivation, manufacture, distribution, sale, purchase, possession, transportation, or importation of any controlled drug or narcotic substance, or equipment and devices used for preparing or taking drugs or narcotics, at school-sponsored events or on school transportation. The use or possession of substances represented as drugs or over-the-counter medications, if abused by the student, shall be included in this category; however, this category does include the use or possession of tobacco or alcohol. An incident should be reported only if a student is caught in the act of using, is tested by an officer during or after arrest and is found to have used such drugs, or is discovered in the course of investigating the incident to have used. Suspicion of use of drugs will not be reported.

(g) "Fighting" means mutual participation in a fight involving physical violence, when there is not one main offender and there is no major injury. Fighting does not include verbal confrontation, tussles, or other minor confrontations.

- (h) "Homicide" means murder, the unlawful killing of a human being; manslaughter, the killing of a human being by the act of procurement; or culpable negligence of another, without lawful justification.
- (i) "Kidnapping" means forcibly, secretly, or by threat confining, abducting, or imprisoning another person against his or her will and without lawful authority, with intent to: hold for ransom or reward or as a shield or hostage; commit or facilitate commission of any felony; inflict bodily harm upon or to terrorize the victim or another person; or interfere with the performance of any governmental or political function.
- (k) "Robbery" means the taking or attempting to take anything of value that is owned by another person or organization under confrontational circumstances, by force or threat of force or violence, or by putting the victim in fear; the key difference between robbery and larceny being that a threat or battery is involved in a robbery.
- (1) "Larceny" or "theft" means the unlawful taking, carrying, leading, or riding away of property of another person without threat, violence, or bodily harm. Included are pocket picking, purse or backpack snatching if left unattended or no force used to take it from the owner, theft of accessories, theft of bicycles, theft from a machine or device

which is operated or activated by the use of a coin or token, and all other types of larcenies.

- (m) "Sexual battery" means oral, anal, or vaginal
 penetration by, or union with, the sexual organ of another, or
 anal or vaginal penetration of another by any other object.
 - (n) "Sexual harassment" means:
- 1. To discriminate against a student in any course or program of study in any educational institution in the evaluation of academic achievement, or in providing benefits, privileges, and placement services, on the basis of that student's submission to, or rejection of, sexual advances or requests for sexual favors by administrators, staff, teachers, students, or other school board employees; or
- 2. To create or allow to exist an atmosphere of sexual harassment, which is defined as deliberate, repeated, and unsolicited physical actions, gestures, or verbal or written comments of a sexual nature, when such conduct has the purpose or effect of interfering with a student's academic performance or creating an intimidating, hostile, or offensive learning environment.
- (o) "Sex offense" means sexual intercourse, sexual conduct, or other unlawful behavior or conduct intended to result in sexual gratification without force or threat of force and where the victim is capable of giving consent, including indecent exposure and obscenity.
- (p) "Threat" or "intimidation" means to unlawfully
 place another person in fear of bodily harm through verbal
 threats, without displaying a weapon or subjecting the person
 to actual physical attack.
- (q) "Tobacco violation" means the possession, use,
 distribution, or sale of tobacco products on school grounds,

<u>at school-sponsored events</u>, or on transportation to or from school or school-sponsored events.

- (r) "Trespassing" means to enter or remain on a public school campus or school board facility without authorization or invitation and with no lawful purpose for entry. Students under suspension or expulsion and other unauthorized persons who enter or remain on a campus or school board facility after being directed to leave by the chief administrator of the facility or his or her designee, campus or function, are trespassing.
- (s) "Vandalism" means the willful and/or malicious destruction, damage, or defacement of public or private property, real or personal, without the consent of the owner or the person having custody or control of such property. This category includes graffiti.
- (t) "Weapons possession" means possession of the
 following:
- 1. Firearms defined in section 921 of Title 18 of the United States Code to be any weapon which will, is designed to, or may readily be converted to, expel a projectile by the action of an explosive.
- 2. Any combination of parts either designed for, or intended for use in, converting any device into a destructive device that expels a projectile, or any explosive, incendiary, or poison gas and from which a destructive device may be readily assembled; including the frame or receiver of any weapon designed to be converted to expel a projectile and any firearm muffler or silencer.
- 3. Any chemical compound or mixture that has the property of yielding readily to combustion or oxidation upon application of heat, flame, or shock including, but not

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limited to, dynamite, nitroglycerin, trinitrotoluene, or ammonium nitrate when combined with other ingredients to form an explosive mixture, blasting caps, and detonators.

4. Possession, use of, or intent to use any instrument or object to inflict harm on another person, or to intimidate any person.

Section 3. Paragraph (c) of subsection (3) of section 230.2316, Florida Statutes, 1998 Supplement, is amended to read:

230.2316 Dropout prevention.--

- (3) STUDENT ELIGIBILITY AND PROGRAM CRITERIA. --
- (c) A student shall be identified as being a potential dropout based upon one of the following criteria:
- The student has shown a lack of motivation in school through grades which are not commensurate with documented ability levels or high absenteeism or habitual truancy as defined in s. 228.041(28).
- 2. The student has not been successful in school as determined by retentions, failing grades, or low achievement test scores and has needs and interests that cannot be met through traditional programs.
- The student has been identified as a potential school dropout by student services personnel using district criteria. District criteria that are used as a basis for student referral to an educational alternatives program shall identify specific student performance indicators that the educational alternative program seeks to address.
- The student has documented drug-related or alcohol-related problems, or has immediate family members with documented drug-related or alcohol-related problems that 31 | adversely affect the student's performance in school.

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- The student has a history of disruptive behavior in school or has committed an offense that warrants out-of-school suspension or expulsion from school according to the district code of student conduct. For the purposes of this program, "disruptive behavior" is behavior that:
- Interferes with the student's own learning or the educational process of others and requires attention and assistance beyond that which the traditional program can provide or results in frequent conflicts of a disruptive nature while the student is under the jurisdiction of the school either in or out of the classroom; or
- b. Severely threatens the general welfare of students or others with whom the student comes into contact.
- The student is assigned to a program provided pursuant to chapter 39, chapter 984, or chapter 985 which is sponsored by a state-based or community-based agency or is operated or contracted for by the Department of Children and Family Services or the Department of Juvenile Justice.
- 7. The student's custodial or noncustodial parent or legal guardian is currently incarcerated or has been determined to be a habitual offender or career criminal as defined in s. 775.084.
- Section 4. Subsection (3) of section 230.23175, Florida Statutes, is amended to read:
 - 230.23175 School safety officers.--
- (3) A school safety officer has and shall exercise the power to make arrests for violations of law on district school board property and to arrest persons, whether on or off such property, who violate any law on such property under the same conditions that deputy sheriffs are authorized to make 31 arrests. A school safety officer has the authority to carry

weapons when performing his or her official duties. <u>School</u> safety officer duties shall be coordinated between the school principal and the district coordinator of school security pursuant to s. 230.23183.

Section 5. Paragraph (b) of subsection (2) of section 230.2318, Florida Statutes, is amended to read:

230.2318 School resource officer program.--

- (2) SCHOOL RESOURCE OFFICER CERTIFICATION; DUTIES AND RESPONSIBILITIES.--
- (b) School resource officers shall abide by school board policies and shall consult with and coordinate activities through the school principal and the district coordinator of school security pursuant to s. 230.23183, but shall be responsible to the law enforcement agency in all matters relating to employment, subject to agreements between a school board and a law enforcement agency. Activities conducted by the school resource officer which are part of the regular instructional program of the school shall be under the direction of the principal.

Section 6. Section 230.23183, Florida Statutes, is created to read:

230.23183 District coordinators of school security.--

- (1) Each district school board shall commission a district coordinator of school security. To the extent possible, such coordinators shall possess prior experience as a law enforcement officer as defined in s. 943.10(1).
- (2) District coordinators of school security shall have the following duties and responsibilities:
- (a) Overseeing and maintaining all district programs
 related to student and staff safety at all times that students
 or staff are on school district property for school purposes

or activities. To that end, coordinators may make recommendation to district superintendents on school safety programs to be approved by its district school boards.

- (b) Coordinating programs with United States

 Department of Education officials, Florida Department of

 Education officials, local law enforcement agencies, and other

 entities as he or she deems necessary for the safety and

 security of district students and personnel, and as approved
 by the district school board.
- (c) Maintaining district records relating to incidences of crime, violence, and other reportable actions on district property or campuses as deemed necessary, and off-campus offenses involving students enrolled in the district's public schools.
- (d) Conducting site visits to schools within the district to ensure that district safety and security measures approved by the school board are being implemented.
- (e) Coordinating the efforts of school safety officers and school resource officers according to the will of the district school board, and in consultation with school principals in order to aid in providing a uniform system of district security.
- (f) Making recommendations to the superintendent regarding the training of school principals in incident reporting, and other training as deemed necessary for the successful implementation of school safety programs.
- (3) School districts with fewer than 35,000 students may employ regional coordinators of school security upon the establishment of an agreement of mutual aid between the district school board and the school boards of contiguous counties, provided that the regional coordinator has

responsibility for no more than 150,000 students from all districts involved.

(4) This section shall be implemented to the extent specifically funded by the Legislature in the General Appropriations Act.

Section 7. Subsection (2), and paragraphs (b) and (e) of subsection (4) of section 230.23185, Florida Statutes, are amended to read:

230.23185 Statewide crime watch program.--

and maintained to provide an avenue for students to report criminal activity, such as violations of the code of student conduct, and to enhance the safety and welfare of students, faculty, and staff. Persons receiving calls made to the school safety hotline shall be anonymous and no mention of the organization or agency for which the call receiver is employed or volunteering shall be made. If the entity receiving calls to the toll-free school safety hotline is a non-law enforcement entity, it may state only that it is not a law enforcement agency.

(4)

 (b) The toll-free school safety hotline is to be a conduit for any person to anonymously report activity that affects the safety and well-being of the school's population. Persons receiving calls made to the school safety hotline shall be anonymous and no mention of the organization or agency for which the call receiver is employed or volunteering shall be made. If the entity receiving calls to the toll-free school safety hotline is a non-law enforcement entity, it may state only that it is not a law enforcement agency.

(e) If a toll-free school safety hotline is established by contract with the Florida Sheriffs Association, the Florida Sheriffs Association shall produce a quarterly report that evaluates the incidents that have been reported to the hotline. This report shall be forwarded to the district's director of school security and This information may be used to evaluate future school safety educational needs and the need for prevention programs as the school board considers necessary.

Section 8. Paragraphs (e) through (1) of subsection (3) of section 231.087, Florida Statutes, are redesignated as paragraphs (f) through (m), respectively, and a new paragraph (e) is added to said section to read:

231.087 Management Training Act; Florida Council on Educational Management; Florida Academy for School Leaders; Center for Interdisciplinary Advanced Graduate Study.--

- (3) DUTIES OF COUNCIL.--The council shall have the following duties:
- (e) To identify, in consultation with the Commission on School Safety and Security, the training processes required for school managers to effectively anticipate and manage disciplinary and crisis situations, and any other situation that may effect the safety and security of students, staff, or campuses.

Section 9. Paragraph (a) of subsection (5) of section 231.17, Florida Statutes, 1998 Supplement, is amended to read:

231.17 Official statements of eligibility and certificates granted on application to those meeting prescribed requirements.--

30 (5) MINIMUM COMPETENCIES FOR PROFESSIONAL
31 CERTIFICATE.--

- (a) The state board must specify, by rule, the minimum essential competencies that educators must possess and demonstrate in order to qualify to teach students the standards of student performance adopted by the state board. The minimum competencies must include but are not limited to the ability to:
- 1. Write in a logical and understandable style with appropriate grammar and sentence structure.
- 2. Read, comprehend, and interpret professional and other written material.
- 3. Comprehend and work with fundamental mathematical concepts.
- 4. Recognize signs of severe emotional distress in students and apply techniques of crisis intervention with an emphasis on suicide prevention and positive emotional development.
- 5. Recognize signs of alcohol and drug abuse in students and apply counseling techniques with emphasis on intervention and prevention of future abuse.
- 6. Recognize the physical and behavioral indicators of child abuse and neglect, know rights and responsibilities regarding reporting, know how to care for a child's needs after a report is made, and know recognition, intervention, and prevention strategies pertaining to child abuse and neglect which can be related to children in a classroom setting in a nonthreatening, positive manner.
- 7. Comprehend patterns of physical, social, and academic development in students, including exceptional students in the regular classroom, and counsel these students concerning their needs in these areas.

- 8. Recognize and be aware of the instructional needs of exceptional students.
- 9. Comprehend patterns of normal development in students and employ appropriate intervention strategies for disorders of development.
- 10. Identify and comprehend the codes and standards of professional ethics, performance, and practices adopted pursuant to s. 231.546(2)(b), the grounds for disciplinary action provided by s. 231.28, and the procedures for resolving complaints filed pursuant to this chapter, including appeal processes.
- 11. Recognize and demonstrate awareness of the educational needs of students who have limited proficiency in English and employ appropriate teaching strategies.
- 12. Use appropriate technology in teaching and learning processes.
- 13. Use assessment strategies to assist the continuous development of the learner.
- 14. Use teaching and learning strategies that include considering each student's culture, learning styles, special needs, and socioeconomic background.
- 15. Demonstrate knowledge and understanding of the subject matter that is aligned with the subject knowledge and skills specified in the student performance standards approved by the state board.
- 16. Effective for applicants seeking certification after September 1, 1999, recognize and intervene in potential disciplinary, disruptive, and crisis situations.

Section 10. Paragraph (a) of subsection (3) of section 231.24, Florida Statutes, 1998 Supplement, is amended to read:

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- 231.24 Process for renewal of professional certificates.--
- (3) For the renewal of a professional certificate, the following requirements must be met:
- (a) The applicant must earn a minimum of 6 college credits or 120 inservice points or a combination thereof. For each area of specialization to be retained on a certificate, the applicant must earn at least 3 of the required credit hours or equivalent inservice points in the specialization area. Education in "clinical educator" training pursuant to s. 240.529(5)(b) and credits or points that provide training in the area of exceptional student education, normal child development, and the disorders of development may be applied toward any specialization area. Credits or points that provide training in the areas of drug abuse, child abuse and neglect, crisis situation management, strategies in teaching students having limited proficiency in English, or dropout prevention, or training in areas identified in the educational goals and performance standards adopted pursuant to ss. 229.591(3) and 229.592 may be applied toward any specialization area. Crisis situation management training is highly encouraged for individuals who hold a professional certificate and one credit hour, or the equivalent points, of such training is required for all school principals and supervisors. Credits or points earned through approved summer institutes may be applied toward the fulfillment of these requirements. Inservice points may also be earned by participation in professional growth components approved by the State Board of Education and specified pursuant to s. 236.0811 in the district's approved master plan for inservice educational training, including, but 31 | not limited to, serving as a trainer in an approved teacher

training activity, serving on an instructional materials committee or a state board or commission that deals with educational issues, or serving on an advisory council created pursuant to s. 229.58.

Section 11. This act shall take effect July 1, 1999.

HOUSE SUMMARY

Creates the Safe and Secure Schools Commission. Provides membership requirements and responsibilities of the commission. Provides requirements relating to safety incident data collection and reporting. Defines terms. Revises criteria for the identification of potential dropouts. Provides for the coordination of the duties of school safety officers. Revises provisions relating to the duties and responsibilities of school resource officers. Requires each school district to commission a district coordinator of school security. Provides an exception. Establishes duties and responsibilities. Revises provisions relating to the toll-free school safety hotline and the quarterly report of incidents reported to the hotline. Revises the duties of the Florida Council on Educational Management to include the identification of required training relating to discipline and crisis situations. Revises minimum competencies for professional certification to include the ability to recognize and intervene in potential disciplinary, disruptive, and crisis situations. Revises requirements for the renewal of professional certificates to encourage inservice training in the area of crisis management.