

690-100AXA-38

Bill No. CS/HB 751 & others

Amendment No. 25 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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2		.	
3		.	
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ORIGINAL STAMP BELOW

Representative(s) Diaz de la Portilla and Farkas offered the following:

Amendment (with title amendment)

On page 120, line 4, through page 125, line 9, remove from the bill: all of said lines

and insert in lieu thereof:

Section 49. Section 230.2316, Florida Statutes, 1998 Supplement, is amended to read:

230.2316 Dropout prevention.--

(1) SHORT TITLE.--This act may be cited as the "Dropout Prevention and Academic Intervention Act."

(2) INTENT.--The Legislature recognizes that a growing proportion of young people are not making successful transitions to productive adult lives. ~~The Legislature further recognizes that traditional education programs which do not meet certain students' educational needs and interests may cause these students to become unmotivated, fail, be truant, be disruptive, or drop out of school.~~The Legislature finds

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1 that a child who does not complete his or her education is
2 greatly limited in obtaining gainful employment, achieving his
3 or her full potential, and becoming a productive member of
4 society. Therefore, it is the intent of the Legislature to
5 authorize and encourage district school boards throughout the
6 state to develop and establish dropout prevention and academic
7 intervention activities designed to meet the needs of students
8 who do not perform well in traditional educational programs
9 ~~establish comprehensive dropout prevention programs. These~~
10 ~~programs shall be designed to meet the needs of students who~~
11 ~~are not effectively served by conventional education programs~~
12 ~~in the public school system.~~ It is further the intent of the
13 Legislature that cooperative agreements be developed among
14 school districts, other governmental and private agencies, and
15 community resources in order to implement innovative exemplary
16 programs aimed at reducing the number of students who do not
17 complete their education and increasing the number of students
18 who have a positive experience in school and obtain a high
19 school diploma.

20 (3) STUDENT ELIGIBILITY AND PROGRAM CRITERIA.--

21 (a) Dropout prevention and academic intervention
22 programs may ~~shall~~ differ from traditional education programs
23 and schools in scheduling, administrative structure,
24 philosophy, curriculum, or setting and shall employ
25 alternative teaching methodologies, curricula, learning
26 activities, and ~~or~~ diagnostic and assessment procedures in
27 order to meet the needs, interests, abilities, and talents of
28 eligible students. The educational program shall provide
29 curricula, character development and law education as provided
30 in s. 233.0612, and related services which support the program
31 goals and lead to improved performance in the areas of

1 academic achievement, attendance, and discipline completion of
2 a high school diploma. Student participation in such programs
3 shall be voluntary. Districts may, however, assign students to
4 a program for disruptive students. ~~The minimum period of time~~
5 ~~during which the student participates in the program shall be~~
6 ~~equivalent to two instructional periods per day unless the~~
7 ~~program utilizes a student support and assistance component~~
8 ~~rather than regularly scheduled courses.~~

9 (b) Students in grades 1-12 ~~4-12~~ shall be eligible for
10 dropout prevention and academic intervention programs.
11 Eligible ~~dropout prevention~~ students shall be reported in the
12 appropriate basic cost factor for dropout prevention full-time
13 equivalent student membership in the Florida Education Finance
14 Program in ~~standard dropout prevention classes or student~~
15 ~~support and assistance components which provide academic~~
16 ~~assistance and coordination of support services to students~~
17 ~~enrolled full time in a regular classroom.~~ The strategies and
18 support provided to eligible students shall be funded through
19 the General Appropriations Act and may include, but are not
20 limited to those services identified on the student's academic
21 intervention plan. ~~The student support and assistance~~
22 ~~component shall include auxiliary services provided to~~
23 ~~students or teachers, or both. Students participating in this~~
24 ~~model shall generate funding only for the time that they~~
25 ~~receive extra services or auxiliary help.~~

26 (c) A student shall be identified as being eligible to
27 receive services funded through the dropout prevention and
28 academic intervention program ~~a potential dropout~~ based upon
29 one of the following criteria:

30 1. The student is academically unsuccessful as
31 evidenced by low test scores, retention, failing grades, low

1 grade point average, falling behind in earning credits, or not
2 meeting the state or district proficiency levels in reading,
3 mathematics, or writing.

4 2. The student has a pattern of excessive absenteeism
5 or has been identified as a habitual truant.

6 ~~1. The student has shown a lack of motivation in~~
7 ~~school through grades which are not commensurate with~~
8 ~~documented ability levels or high absenteeism or habitual~~
9 ~~truancy as defined in s. 228.041(28).~~

10 ~~2. The student has not been successful in school as~~
11 ~~determined by retentions, failing grades, or low achievement~~
12 ~~test scores and has needs and interests that cannot be met~~
13 ~~through traditional programs.~~

14 ~~3. The student has been identified as a potential~~
15 ~~school dropout by student services personnel using district~~
16 ~~criteria. District criteria that are used as a basis for~~
17 ~~student referral to an educational alternatives program shall~~
18 ~~identify specific student performance indicators that the~~
19 ~~educational alternative program seeks to address.~~

20 ~~4. The student has documented drug-related or~~
21 ~~alcohol-related problems, or has immediate family members with~~
22 ~~documented drug-related or alcohol-related problems that~~
23 ~~adversely affect the student's performance in school.~~

24 3.5. The student has a history of disruptive behavior
25 in school or has committed an offense that warrants
26 out-of-school suspension or expulsion from school according to
27 the district code of student conduct. For the purposes of this
28 program, "disruptive behavior" is behavior that:

29 a. Interferes with the student's own learning or the
30 educational process of others and requires attention and
31 assistance beyond that which the traditional program can

1 provide or results in frequent conflicts of a disruptive
2 nature while the student is under the jurisdiction of the
3 school either in or out of the classroom; or

4 b. Severely threatens the general welfare of students
5 or others with whom the student comes into contact.

6 ~~6. The student is assigned to a program provided~~
7 ~~pursuant to chapter 39, chapter 984, or chapter 985 which is~~
8 ~~sponsored by a state-based or community-based agency or is~~
9 ~~operated or contracted for by the Department of Children and~~
10 ~~Family Services or the Department of Juvenile Justice.~~

11 (d)1. "Second chance schools" means school district
12 programs provided through cooperative agreements between the
13 Department of Juvenile Justice, private providers, state or
14 local law enforcement agencies, or other state agencies for
15 students who have been disruptive or violent or who have
16 committed serious offenses. As partnership programs, second
17 chance schools are eligible for waivers by the Commissioner of
18 Education from chapters 230-235 and 239 and State Board of
19 Education rules that prevent the provision of appropriate
20 educational services to violent, severely disruptive, or
21 delinquent students in small nontraditional settings or in
22 court-adjudicated settings.

23 2. School districts seeking to enter into a
24 partnership with a private entity or public entity to operate
25 a second chance school for disruptive students may apply to
26 the Department of Education for start-up grants from the
27 Department of Education. These grants must be available for 1
28 year and must be used to offset the start-up costs for
29 implementing such programs off public school campuses. General
30 operating funds must be generated through the appropriate
31 programs of the Florida Education Finance Program. Grants

1 approved under this program shall be for the full operation of
2 the school by a private nonprofit or for-profit provider or
3 the public entity. This program must operate under rules
4 adopted by the Department of Education and must be implemented
5 to the extent funded by the Legislature.

6 ~~3.2.~~ A student enrolled in a sixth, seventh, eighth,
7 ninth, or tenth grade class may be assigned to a second chance
8 school if the student meets the following criteria:

9 a. The student is a habitual truant as defined in s.
10 228.041(28).

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

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

17 d. The student has been identified as at risk of
18 dropping out of school.

19 ~~4.3.~~ A student who is habitually truant may be
20 assigned to a second chance school only if the case staffing
21 committee, established pursuant to s. 984.12, determines that
22 such placement could be beneficial to the student and the
23 criteria included in subparagraph ~~3.2.~~ are met.

24 ~~5.4.~~ A student may be assigned to a second chance
25 school if the school district in which the student resides has
26 a second chance school and if the student meets one of the
27 following criteria:

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

31 b. The student interferes with the student's own

1 learning or the educational process of others and requires
2 attention and assistance beyond that which the traditional
3 program can provide, or, while the student is under the
4 jurisdiction of the school either in or out of the classroom,
5 frequent conflicts of a disruptive nature occur.

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

- 10 (I) Threatens the general welfare of students or
11 others with whom the student comes into contact;
12 (II) Includes violence;
13 (III) Includes possession of weapons or drugs; or
14 (IV) Is harassment or verbal abuse of school personnel
15 or other students.

16 ~~6.5.~~ Prior to assignment of students to second chance
17 schools, school boards are encouraged to use alternative
18 programs, such as in-school suspension, which provide
19 instruction and counseling leading to improved student
20 behavior, a reduction in the incidence of truancy, and the
21 development of more effective interpersonal skills.

22 ~~7.6.~~ Students assigned to second chance schools must
23 be evaluated by the school's local child study team before
24 placement in a second chance school. The study team shall
25 ensure that students are not eligible for placement in a
26 program for emotionally disturbed children.

27 ~~8.7.~~ Students who exhibit academic and social progress
28 and who wish to return to a traditional school shall complete
29 a character development and law education program, as provided
30 in s. 233.0612, and demonstrate preparedness to reenter the
31 regular school setting ~~be evaluated by school district~~

1 ~~personnel~~ prior to reentering a traditional school.

2 ~~9.8.~~ Second chance schools shall be funded at the
3 dropout prevention program weight pursuant to s. 236.081 and
4 may receive school safety funds or other funds as appropriate.

5 (4) PROGRAM IMPLEMENTATION.--

6 (a) Each district may establish ~~one or more~~
7 ~~alternative programs for~~ dropout prevention and academic
8 intervention programs at the elementary, middle, junior high
9 school, or high school level. Programs designed to eliminate
10 patterns of excessive absenteeism or habitual truancy shall
11 emphasize academic performance and may provide specific
12 instruction in the areas of vocational education,
13 preemployment training, and behavioral management. Such
14 programs shall utilize instructional teaching methods
15 appropriate to the specific needs of the student.

16 (b) Each school that establishes ~~or continues~~ a
17 dropout prevention and academic intervention program at that
18 school site shall reflect that program in the school
19 improvement plan as required under s. 230.23(16).

20 ~~(c) Districts may modify courses listed in the State~~
21 ~~Course Code Directory for the purpose of providing dropout~~
22 ~~prevention programs pursuant to the provisions of this~~
23 ~~section.~~

24 (5) EVALUATION.--Each school district receiving state
25 funding for dropout prevention and academic intervention
26 programs through the General Appropriations Act Florida
27 ~~Education Finance Program~~ shall submit a plan to the
28 department which identifies the students to be served and the
29 scope of intervention services to be provided. Districts shall
30 also submit information through an annual report to the
31 Department of Education's database documenting the extent to

1 which each of the district's dropout prevention and academic
2 intervention programs has been successful in the areas of
3 graduation rate, dropout rate, attendance rate, and
4 retention/promotion rate. The department shall compile this
5 information into an annual report which shall be submitted to
6 the presiding officers of the Legislature by February 15.

7 (6) STAFF DEVELOPMENT.--Each school district shall
8 establish procedures for ensuring that teachers assigned to
9 dropout prevention and academic intervention programs possess
10 the affective, pedagogical, and content-related skills
11 necessary to meet the needs of these at-risk students. ~~Each~~
12 ~~school board shall also ensure that adequate staff development~~
13 ~~activities are available for dropout prevention staff and that~~
14 ~~dropout prevention staff participate in these activities.~~

15 (7) RECORDS.--Each district providing a ~~program for~~
16 dropout prevention and academic intervention program pursuant
17 to the provisions of this section shall maintain for each
18 participating student ~~for whom funding is generated through~~
19 ~~the Florida Education Finance Program~~ records documenting the
20 student's eligibility, the length of participation, the type
21 of program to which the student was assigned or the type of
22 academic intervention services provided, and an evaluation of
23 the student's academic and behavioral performance while in the
24 program. The parents or guardians of a student assigned to
25 such a dropout prevention and academic intervention program
26 shall be notified in writing and entitled to an administrative
27 review of any action by school personnel relating to such
28 placement pursuant to the provisions of chapter 120.

29 (8) COORDINATION WITH OTHER AGENCIES.--School district
30 dropout prevention and academic intervention programs shall be
31 coordinated with social service, law enforcement,

1 prosecutorial, and juvenile justice agencies and juvenile
 2 assessment centers in the school district. Notwithstanding the
 3 provisions of s. 228.093, these agencies are authorized to
 4 exchange information contained in student records and juvenile
 5 justice records. Such information is confidential and exempt
 6 from the provisions of s. 119.07(1). School districts and
 7 other agencies receiving such information shall use the
 8 information only for official purposes connected with the
 9 certification of students for admission to and for the
 10 administration of the dropout prevention and academic
 11 intervention program, and shall maintain the confidentiality
 12 of such information unless otherwise provided by law or rule.

13 (9) RULES.--The Department of Education shall have the
 14 authority pursuant to ss. 120.536(1) and 120.54 to adopt any
 15 rules necessary to implement the provisions of this section;
 16 such rules shall require the minimum amount of necessary
 17 paperwork and reporting ~~necessary~~ to comply with this act.

18
 19
 20 ===== T I T L E A M E N D M E N T =====

21 And the title is amended as follows:

22 On page 8, lines 23-26,
 23 remove from the title of the bill: all of said lines

24
 25 and insert in lieu thereof:

26 dropout prevention and academic intervention
 27 programs; revising the intent of the program;
 28 revising student eligibility and program
 29 criteria; revising reporting requirements for
 30 district evaluation;

31