

By Senator Dyer

14-1-00

1 A bill to be entitled
2 An act relating to school safety; providing
3 legislative intent; creating the Safe and
4 Secure Schools Commission for the purpose of
5 ensuring a safe environment in the public
6 schools; providing duties of the commission;
7 requiring that the commission prepare reports
8 and make recommendations to the Legislature;
9 providing for the membership of the commission;
10 providing for terms of office; providing for
11 per diem and travel expenses; requiring each
12 district school board to appoint a district
13 coordinator of school safety and security;
14 providing duties of the district coordinator;
15 requiring that the district coordinator
16 maintain records and conduct onsite school
17 visits; providing for certain school districts
18 to employ a regional coordinator of school
19 safety and security; requiring that the
20 Department of Education create a uniform
21 incident-reporting system for the state;
22 providing legislative intent; specifying the
23 offenses and incidents occurring on school
24 property which must be reported to the
25 Department of Education and the Safe and Secure
26 Schools Commission; requiring the reporting of
27 additional disciplinary incidents; requiring
28 that an arrest of a student or staff member be
29 reported to the principal; providing for the
30 collection and dissemination of school safety
31 data; amending s. 230.2316, F.S.; providing

1 additional eligibility criteria under which a
2 student may receive services funded through the
3 dropout prevention and academic intervention
4 program; amending ss. 230.23175, 230.2318,
5 F.S.; providing for the district coordinator of
6 school safety and security to coordinate the
7 duties of school safety officers and school
8 resource officers; amending s. 230.23185, F.S.;
9 providing for telephone calls to be received
10 anonymously by a school safety hotline;
11 amending s. 231.17, F.S.; providing an
12 additional minimum competency for teacher
13 certification; amending s. 231.24, F.S.;
14 providing for training in crisis management for
15 renewal of teacher certification; amending s.
16 232.26, F.S.; requiring that student
17 suspensions be reported to the district
18 coordinator of school safety and security;
19 requiring that a principal notify the parent or
20 guardian of a suspended student of laws
21 governing the storage of firearms following a
22 student's suspension; requiring the supervision
23 or alternative placement of a student under
24 certain circumstances; amending s. 232.39,
25 F.S.; prohibiting criminal street gangs whose
26 membership includes public school students;
27 requiring that a school principal notify law
28 enforcement officials and the district
29 coordinator of school safety and security
30 whenever certain prohibited acts occur;
31 amending ss. 235.0155, 235.19, F.S.; providing

1 for the Safe and Secure Schools Commission and
2 the district coordinator of school safety and
3 security to assist in developing plans for
4 educational sites and facilities; amending s.
5 235.211, F.S.; providing requirements for
6 design plans for school facilities developed
7 after a specified date; amending s. 790.169,
8 F.S.; requiring that a law enforcement agency
9 release the name of certain juvenile offenders
10 to district school personnel; amending s.
11 790.17, F.S.; prohibiting a minor's parent or
12 guardian from permitting the sale or transfer
13 of a firearm to the minor if the minor has been
14 convicted of, or has had adjudication withheld
15 for, certain offenses; amending s. 790.174,
16 F.S.; increasing the penalty imposed for the
17 unsafe storage of a firearm that is accessible
18 to a minor; amending s. 874.05, F.S.; providing
19 that it is a second-degree felony to recruit a
20 public school student to join a criminal street
21 gang or commit certain other acts while on
22 school property; providing an effective date.

23

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

25

26 Section 1. Legislative intent.--It is the intent of
27 the Legislature that the state's public school students and
28 staff members be secure whenever they are on school premises
29 for school-sanctioned programs, events, or activities. To this
30 end, the state shall implement preventative and interventional
31 measures to ensure the safety and well-being of persons on

1 public school campuses by creating a uniform system of safety
2 and security. This uniform system is intended to promote
3 shared knowledge concerning the prevention of crime,
4 delinquency, disruptive behavior, and other emergencies in
5 schools; require accountability and responsibility in
6 implementing school safety measures; and provide a physical
7 atmosphere that is conducive to successful learning in the
8 state's public schools.

9 Section 2. The Safe and Secure Schools
10 Commission.--The Safe and Secure Schools Commission is created
11 for the purpose of ensuring that the state is progressing
12 towards providing the safest, most secure environment for
13 children, teachers, and staff in the public schools.

14 (1)(a) The commission shall review programs in school
15 districts throughout the state which relate to school safety,
16 security, and discipline, and shall make recommendations to
17 school districts, the Department of Education, and the
18 Legislature for ensuring that districts are implementing
19 programs and policies that lessen the incidents of criminality
20 and disruption on school campuses. The commission shall:

21 1. Conduct onsite visits of individual school
22 districts and schools in order to evaluate the effectiveness
23 of the safety measures employed by the schools and the
24 districts.

25 2. Review financial records as necessary to determine
26 if moneys designated for school safety programs are being
27 spent effectively and as intended.

28 (b) The commission may recommend that the Office of
29 Program Policy Analysis and Government Accountability perform
30 an onsite visit, conduct an audit, or contract with a public
31 or private entity that has appropriate experience and training

1 in determining the effectiveness of safety measures employed
2 by schools and school districts.

3 (2)(a) The commission shall research and prepare a
4 comprehensive report on successful crime prevention,
5 intervention, and management practices for public schools. To
6 the extent possible, the report must detail:

7 1. Successful programs employed by schools within the
8 nation and the state.

9 2. The reasons for the success and failure of various
10 programs.

11 3. The general profiles of schools that implement
12 successful programs.

13 4. The cost factors associated with implementing
14 individual programs.

15 (b) The commission shall research and prepare a report
16 on the training needs of school principals and instructional
17 staff with respect to incident reporting, aggressive-behavior
18 prevention, emergency management, intervention, and other
19 areas determined appropriate by the commission.

20 (3) The commission shall use information gathered for
21 the report as the basis for recommendations, as necessary, to
22 school districts and schools as to how to improve school
23 safety and security. Schools and school districts are
24 encouraged to request site visits and program recommendations
25 from the commission or its representatives at any mutually
26 agreed-upon time.

27 (4) The commission shall, by January 1, 2002, make
28 recommendations to the President of the Senate and the Speaker
29 of the House of Representatives for implementing a system of
30 performance-based funding measures and incentives to be used
31

1 in determining funding to enhance safety, discipline, and
2 security programs in public schools.

3 (5) The commission shall consist of the following
4 members:

5 (a) Three educators who are not members of a school
6 board, to be appointed as follows:

7 1. One member appointed by the Governor from a school
8 district of more than 100,000 students.

9 2. One member appointed by the President of the Senate
10 from a school district of 35,001 to 99,999 students.

11 3. One member appointed by the Speaker of the House of
12 Representatives from a school district of not more than 35,000
13 students.

14 (b) Three members who have backgrounds in law
15 enforcement or security, to be appointed as follows:

16 1. One member appointed by the executive director of
17 the Department of Law Enforcement.

18 2. One member appointed by the President of the
19 Senate.

20 3. One member appointed by the Speaker of the House of
21 Representatives.

22 (c) The president of the Parent-Teacher Association of
23 Florida, or his or her designee, who must be a member of the
24 association.

25 (d) The coordinator of the Safe Schools Program for
26 the Department of Education.

27 (e) An official of the Department of Education,
28 designated by the Commissioner of Education.

29 (f) The division director of the criminal-street-gangs
30 section of the Department of Law Enforcement, or his or her
31 designee.

1 (g) The president of the Florida Association of School
2 Psychologists, or his or her designee, who must be a member of
3 the association.

4 (6) Members appointed by the Governor, the President
5 of the Senate, and the Speaker of the House of Representatives
6 shall be appointed to terms of 4 years each. However, the
7 initial appointments shall be for staggered terms of office.

8 (a) Any vacancy on the commission shall be filled in
9 the same manner as the original appointment, and any member
10 appointed to fill a vacancy occurring because of death,
11 resignation, or ineligibility for membership shall serve only
12 for the unexpired term of the member's predecessor. A member
13 is eligible for reappointment.

14 (b) Members of the commission shall serve without
15 compensation but are entitled to reimbursement for per diem
16 and travel expenses as provided in section 112.061, Florida
17 Statutes.

18 (c) The commission shall designate a chairperson from
19 among its members. The commission shall meet at least
20 quarterly or upon the call of the chairperson.

21 Section 3. District coordinators of school safety and
22 security.--

23 (1) Subject to legislative appropriation, each
24 district school board shall appoint a district coordinator of
25 school safety and security. To the extent possible, a
26 coordinator must have prior experience as a law enforcement
27 officer, as defined in section 943.10, Florida Statutes.

28 (2)(a) The coordinator shall oversee and maintain all
29 district programs that relate to student and staff safety and
30 security whenever students or staff are on school district
31 property for school purposes or activities. To that end, the

1 coordinator may recommend school safety programs and security
2 measures to be approved by the district school board.

3 (b) The coordinator shall coordinate programs with
4 officials of the United States Department of Education; the
5 state Department of Education; and other commissions, local
6 law enforcement agencies, and entities as necessary and as
7 approved by the district school board to ensure the safety and
8 security of district students and personnel. Specifically,
9 coordinators and local law enforcement agencies shall create,
10 and the school boards shall approve, contingency plans to be
11 implemented if an emergency or crisis situation arises on any
12 school campus within the district and within any particular
13 agency's jurisdiction.

14 (c) The coordinator shall maintain district records of
15 incidents of crime, violence, or other reportable actions on
16 district property and school campuses. In addition, the
17 coordinator shall maintain records of off-campus offenses that
18 involve students enrolled in the district's public schools.

19 (d) The coordinator shall conduct onsite visits to
20 schools within the district to ensure that district safety and
21 security measures approved by the school board are being
22 implemented.

23 (e) The coordinator shall coordinate the efforts of
24 school safety officers, as defined in section 230.23175,
25 Florida Statutes, and school resource officers, as defined in
26 section 230.2318, Florida Statutes, as specified by the
27 district school board and in consultation with school
28 principals in order to aid in providing a uniform system of
29 district safety and security.

30 (f) The coordinator shall make recommendations to the
31 school superintendent on training school principals in

1 reporting incidents and other training as is necessary to
2 successfully implement the school safety program.

3 (g) At the request of the district school board, the
4 coordinator shall make recommendations with respect to any
5 purchase of real property to be used for a school campus or
6 with respect to the design of a school to be constructed,
7 renovated, or remodeled within the district.

8 (3) School districts with fewer than 35,000 students
9 which are located in contiguous counties may, pursuant to
10 agreement, employ a regional coordinator of school safety and
11 security. The combined student population of school districts
12 that enter into an agreement as provided under this subsection
13 may not exceed 150,000 students.

14 Section 4. Uniform incident-reporting system.--

15 (1) LEGISLATIVE INTENT.--The Department of Education,
16 in consultation with the Safe and Secure Schools Commission
17 and the Department of Juvenile Justice, shall create a uniform
18 incident-reporting system for the state. The Legislature
19 intends that this system of reporting allow information to be
20 obtained as quickly as possible by all school districts and
21 the department. In addition, the Legislature intends that this
22 system of reporting include all acts of criminality, disorder,
23 and disciplinary actions on school campuses, including those
24 that involve nonstudents.

25 (2) REPORTABLE INCIDENTS.--Each school principal shall
26 report to the district school board the following incidents of
27 crime, delinquency, disorder, or disruption which occur on the
28 grounds of a public school, and the district school board
29 shall forward each report to the Department of Education and
30 the Safe and Secure Schools Commission:

31

1 (a) Alcohol possession.--A violation of laws or
2 ordinances prohibiting the manufacture, sale, purchase,
3 transportation, possession, or use of intoxicating alcoholic
4 beverages. Such a violation includes being intoxicated at
5 school, at a school-sponsored event, or while riding a school
6 transportation vehicle. Use of alcohol must be reported only
7 if a student is caught in the act of using alcohol, is tested,
8 and is found to be using alcohol by a law enforcement officer
9 or is discovered to have used alcohol during the course of an
10 investigation. This paragraph does not require that students
11 be tested for alcohol use, and a school need not report the
12 suspicion of alcohol use.

13 (b) Arson.--The offense of arson, which includes
14 willfully and unlawfully, or while in the commission of any
15 felony, damaging by fire or explosion any:
16 1. Dwelling whether occupied or not, or its contents;
17 2. Structure, or contents thereof, where persons are
18 normally present; or
19 3. Other structure that the person knew or had
20 reasonable grounds to believe was occupied by a human being.

21 (c) Battery.--The offense of battery, which is the
22 actual and intentional touching or striking of another person
23 against his or her will or intentionally causing bodily harm
24 to an individual. This offense includes a physical attack by
25 one individual against another individual, an attack with a
26 weapon that causes serious bodily harm to the victim, or the
27 actual placement of a bomb or the sending of a bomb through
28 the mail, regardless of whether the bomb detonates.

29 (d) Disorderly conduct.--The offense of disorderly
30 conduct, which is any act that substantially disrupts the
31 orderly conduct of a school function; behavior that

1 substantially disrupts the orderly learning environment; or
2 conduct that poses a threat to the health, safety, or welfare
3 of students, staff, or others. If the action results in a more
4 serious offense being committed, the more serious offense must
5 also be reported.

6 (e) Drug possession.--A violation of laws relating to
7 drug possession, excluding alcohol offenses, which includes
8 the unlawful use, cultivation, manufacture, distribution,
9 sale, purchase, possession, transportation, or importation of
10 any controlled drug or narcotic substance, or of equipment or
11 a device used for preparing or taking drugs or narcotics. Such
12 a violation includes being under the influence of drugs at
13 school, at a school-sponsored event, or while riding a school
14 transportation vehicle. Use of drugs shall be reported only if
15 a student is caught in the act of using drugs, is tested, and
16 is found to be using drugs by a law enforcement officer or is
17 discovered to have used drugs during the course of an
18 investigation. This paragraph does not require that students
19 be tested for drug use, and a school need not report the
20 suspicion of drug use. An over-the-counter medication shall be
21 considered a drug under this paragraph if the medication is
22 misused by the student. The use of tobacco is not a drug
23 offense under this paragraph.

24 (f) Fighting.--The offense of fighting, which includes
25 mutual participation in a fight that involves physical
26 violence, involves more than one offender, and does not result
27 in major injury. An offense under this paragraph does not
28 include a verbal confrontation, tussles, or other minor
29 confrontations.

30 (g) Homicide.--The offense of homicide, which includes
31 murder; the unlawful killing of a human being; and

1 manslaughter, which is the killing of a human being by the act
2 of procurement or culpable negligence of another without
3 lawful justification.

4 (h) Kidnapping.--The offense of kidnapping, which
5 includes forcibly, secretly, or by threat confining,
6 abducting, or imprisoning another person against his or her
7 will and without lawful authority, with intent to:

8 1. Hold for ransom or reward or as a shield or
9 hostage;

10 2. Commit or facilitate commission of any felony;

11 3. Inflict bodily harm upon or to terrorize the victim
12 or another person; or

13 4. Interfere with the performance of any governmental
14 or political function.

15 (i) Motor vehicle theft.--The offense of motor vehicle
16 theft, which is the theft or attempted theft of a motor
17 vehicle.

18 (j) Robbery.--The offense of robbery, which is the
19 taking or attempting to take anything of value which is owned
20 by another person or organization, under confrontational
21 circumstances, by force or violence or threat of force or
22 violence, or by putting the victim in fear. The offense of
23 robbery involves battery or a threat of battery.

24 (k) Larceny or theft.--The offense of larceny or
25 theft, which is the unlawful taking, carrying, leading, or
26 riding away of property of another person without threat,
27 violence, or bodily harm. The offense includes pocket picking;
28 purse or backpack snatching, if the item taken is left
29 unattended or no force is used to take the item from the
30 owner; theft of accessories; theft of bicycles; theft from a
31 machine or device that is operated or activated by the use of

1 a coin or token; and all other types of larcenies. This
2 offense includes the theft of items such as a car stereo,
3 speakers, or hub caps.

4 (l) Sexual battery.--The offense of sexual battery,
5 which includes oral, anal, or vaginal penetration by, or union
6 with, the sexual organ of another or the anal or vaginal
7 penetration of another by any other object.

8 (m) Sexual harassment.--The offense of sexual
9 harassment, which is:

10 1. Discriminating against a student in any course or
11 program of study in any school, in evaluating academic
12 achievement, or in providing benefits, privileges, and
13 placement services on the basis of that student's submission
14 to or rejection of sexual advances or requests for sexual
15 favours by administrators, staff, teachers, students, or other
16 school board employees.

17 2. Creating or allowing to exist an atmosphere of
18 sexual harassment, consisting of deliberate, repeated, and
19 unsolicited physical actions, gestures, or verbal or written
20 comments of a sexual nature, when such conduct has the purpose
21 or effect of interfering with a student's academic performance
22 or creating an intimidating, hostile, or offensive learning
23 environment.

24 (n) Sexual offenses.--Sexual offenses, which offenses
25 include sexual intercourse; sexual conduct; other unlawful
26 behavior or conduct intended to result in sexual gratification
27 without force or threat of force and where the victim is
28 capable of giving consent; and indecent exposure and
29 obscenity.

30 (o) Threats or intimidation.--The use of verbal
31 threats or intimidation that unlawfully place another person

1 in fear of bodily harm, without displaying a weapon or
2 subjecting the person to actual physical attack.

3 (p) Tobacco use.--The use of tobacco, which includes
4 use, distribution, or sale of tobacco products on school
5 grounds, at school-sponsored events, or while riding a school
6 transportation vehicle.

7 (q) Trespassing.--The offense of trespassing,
8 consisting of entering or remaining on a public school campus
9 or school board facility without authorization or invitation
10 and with no lawful purpose for entry, including trespassing by
11 a student under suspension or expulsion or by an unauthorized
12 person who enters or remains on campus or within a school
13 board facility after being directed to leave by the chief
14 administrator, or his or her designee, of the facility,
15 campus, or function.

16 (r) Vandalism.--The offense of vandalism, which is the
17 willful or malicious destruction, damage, or defacement of
18 public or private property, real or personal, without the
19 consent of the owner or the person who has custody or control
20 of the property. This offense includes the marking of
21 graffiti.

22 (s) Weapons possession.--The offense of weapons
23 possession, which includes the possession of:

24 1. A firearm, as defined in section 921 of Title 18 of
25 the United States Code, which will, is designed to, or may
26 readily be converted to expel a projectile by the action of an
27 explosive.

28 2. Firearm components or attachments, or any
29 combination of parts, designed or intended for use in
30 converting any device into a destructive device that expels a
31 projectile or an explosive, incendiary, or poison gas, and

1 from which a destructive device may be readily assembled. This
2 includes the frame or receiver of any weapon designed to be
3 converted to expel a projectile or any firearm muffler or
4 silencer.

5 3. An explosive, incendiary, or poison gas, including
6 any chemical compound or mixture that has the property of
7 yielding readily to combustion or oxidation upon application
8 of heat, flame, or shock, including, but not limited to,
9 dynamite, nitroglycerin, trinitrotoluene, ammonium nitrate
10 when combined with other ingredients to form an explosive
11 mixture, blasting caps, or detonators.

12 4. Any other weapon used or intended to be used as an
13 instrument or object to inflict harm on another person, or to
14 intimidate any person.

15 (t) Unauthorized organization of secret
16 societies.--The establishment of or membership in any
17 organization, fraternity, sorority, or gang, as prohibited
18 under section 232.39 or section 232.40, Florida Statutes. A
19 secret society includes any group that is not officially
20 recognized by school authorities or any group whose membership
21 is exclusionary.

22 1. A school principal need not be able to document all
23 members of an unauthorized secret society for purposes of
24 reporting under this section.

25 2. If a principal determines that one or more members
26 of an unauthorized secret society are or have been in
27 violation of one or more of the reportable offenses cited in
28 this subsection, the principal shall contact appropriate local
29 law enforcement authorities.

30 (3) DOCUMENTATION REQUIRED.--Each school district
31 shall require each principal in grades kindergarten through 12

1 within its jurisdiction to document all incidents of crime,
2 delinquency, disorder, or disruption that occur on public
3 school grounds or that involve a public school student or
4 district staff member. In addition to the offenses listed in
5 subsection (2), each school principal shall document:

6 (a) Incidents for which a student is referred for
7 disciplinary action;

8 (b) Criminal incidents that are instigated by
9 nonstudents or nonstaff persons on school property; and

10 (c) Incidents that the district is required to report
11 to a law enforcement agency under section 230.235, Florida
12 Statutes.

13 (4) REPORTS OF ARRESTS.--Subject to mutual agreement
14 between each school district and the county sheriff's office
15 or local police department and to the extent possible, any
16 arrest of a public school student or a district staff member
17 which occurs outside of school property shall be reported to
18 the principal of the school where the student is enrolled or
19 where the staff member is employed by the law enforcement
20 agency that makes the arrest. The principal shall document all
21 such reports of arrests.

22 (5) REPORTS TO SCHOOL DISTRICTS.--Each school
23 principal shall report all documented incidents to the
24 appropriate school district personnel responsible for
25 collecting and disseminating school safety data.

26 Section 5. Paragraph (c) of subsection (3) of section
27 230.2316, Florida Statutes, is amended to read:

28 230.2316 Dropout prevention.--

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

30 (c) A student shall be identified as being eligible to
31 receive services funded through the dropout prevention and

1 academic intervention program based upon one of the following
2 criteria:

3 1. The student is academically unsuccessful as
4 evidenced by low test scores, retention, failing grades, low
5 grade point average, falling behind in earning credits, or not
6 meeting the state or district proficiency levels in reading,
7 mathematics, or writing.

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

10 3. The student has a history of disruptive behavior in
11 school or has committed an offense that warrants out-of-school
12 suspension or expulsion from school according to the district
13 code of student conduct. For the purposes of this program,
14 "disruptive behavior" is behavior that:

15 a. Interferes with the student's own learning or the
16 educational process of others and requires attention and
17 assistance beyond that which the traditional program can
18 provide or results in frequent conflicts of a disruptive
19 nature while the student is under the jurisdiction of the
20 school either in or out of the classroom; or

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

23 4. The student is the child of a custodial or
24 noncustodial parent or legal guardian who is currently
25 incarcerated or has been determined to be a habitual felony
26 offender or a violent career criminal, as defined in s.
27 775.084.

28 Section 6. Subsection (2) of section 230.23175,
29 Florida Statutes, is amended to read:

30 230.23175 School safety officers.--
31

1 (2) A district school board may commission one or more
2 school safety officers for the protection and safety of school
3 personnel, property, and students within the school district.
4 The district school superintendent may recommend and the
5 school board may appoint one or more school safety officers.
6 The duties of the school safety officer shall be coordinated
7 by the school principal and the district coordinator of school
8 safety and security.

9 Section 7. Paragraph (b) of subsection (2) of section
10 230.2318, Florida Statutes, is amended to read:

11 230.2318 School resource officer program.--

12 (2) SCHOOL RESOURCE OFFICER CERTIFICATION; DUTIES AND
13 RESPONSIBILITIES.--

14 (b) School resource officers shall abide by school
15 board policies and shall consult with and coordinate
16 activities through the school principal and the district
17 coordinator of school safety and security, but shall be
18 responsible to the law enforcement agency in all matters
19 relating to employment, subject to agreements between a school
20 board and a law enforcement agency. Activities conducted by
21 the school resource officer which are part of the regular
22 instructional program of the school shall be under the
23 direction of the principal.

24 Section 8. Subsections (2) and (4) of section
25 230.23185, Florida Statutes, are amended to read:

26 230.23185 Statewide crime watch program.--

27 (2) A toll-free school safety hotline may be created
28 and maintained to provide an avenue for students to report
29 criminal activity, such as violations of the code of student
30 conduct, and to enhance the safety and welfare of students,
31 faculty, and staff. A person who receives calls made to the

1 school safety hotline shall be anonymous and may not identify
2 the organization or agency that is responsible for receiving
3 the calls, except that the caller may be notified that the
4 organization or agency receiving the call is not a law
5 enforcement agency if that is in fact the case.

6 (4)(a) The department may contract with the Florida
7 Sheriffs Association to establish and operate a statewide
8 toll-free school safety hotline for the purpose of reporting
9 incidents that affect the safety and well-being of the
10 school's population.

11 (b) The toll-free school safety hotline is to be a
12 conduit for any person to anonymously report activity that
13 affects the safety and well-being of the school's population.
14 A person who receives calls made to the school safety hotline
15 shall be anonymous and may not identify the organization or
16 agency that is responsible for receiving the calls, except
17 that the caller may be notified that the organization or
18 agency receiving the call is not a law enforcement agency if
19 that is in fact the case.

20 (c) There may not be an award or monetary benefit for
21 reporting an incident through the toll-free school safety
22 hotline.

23 (d) The toll-free school safety hotline shall be
24 operated in a manner that ensures that a designated school
25 official is notified of a complaint received through the
26 hotline if the complaint concerns that school. A complaint
27 that concerns an actionable offense must be reported to the
28 designated official within a reasonable time after the
29 complaint is made. An actionable offense is an incident that
30 could directly affect the safety or well-being of a person or
31 property within a school.

1 (e) If a toll-free school safety hotline is
2 established by contract with the Florida Sheriffs Association,
3 the Florida Sheriffs Association shall produce a quarterly
4 report that evaluates the incidents that have been reported to
5 the hotline. This report must be forwarded to the district
6 coordinator of school security and information may be used to
7 evaluate future school safety educational needs and the need
8 for prevention programs as the school board considers
9 necessary.

10 Section 9. Paragraph (a) of subsection (5) of section
11 231.17, Florida Statutes, is amended to read:

12 231.17 Official statements of eligibility and
13 certificates granted on application to those meeting
14 prescribed requirements.--

15 (5) MINIMUM COMPETENCIES FOR PROFESSIONAL
16 CERTIFICATE.--

17 (a) The state board must specify, by rule, the minimum
18 essential competencies that educators must possess and
19 demonstrate in order to qualify to teach students the
20 standards of student performance adopted by the state board.
21 The minimum competencies must include but are not limited to
22 the ability to:

23 1. Write in a logical and understandable style with
24 appropriate grammar and sentence structure.

25 2. Read, comprehend, and interpret professional and
26 other written material.

27 3. Comprehend and work with mathematical concepts,
28 including algebra.

29 4. Recognize the potential of and intervene in
30 disciplinary, disruptive, or crisis situations. This

31

1 subparagraph applies to all applicants seeking certification
2 after September 1, 2000.

3 ~~5.4.~~ Recognize signs of students' difficulty with the
4 reading process and apply appropriate measures to improve
5 students' reading performance.

6 ~~6.5.~~ Recognize signs of severe emotional distress in
7 students and apply techniques of crisis intervention with an
8 emphasis on suicide prevention and positive emotional
9 development.

10 ~~7.6.~~ Recognize signs of alcohol and drug abuse in
11 students and know how to appropriately work with such students
12 and seek assistance designed to prevent future abuse.

13 ~~8.7.~~ Recognize the physical and behavioral indicators
14 of child abuse and neglect, know rights and responsibilities
15 regarding reporting, know how to care for a child's needs
16 after a report is made, and know recognition, intervention,
17 and prevention strategies pertaining to child abuse and
18 neglect which can be related to children in a classroom
19 setting in a nonthreatening, positive manner.

20 ~~9.8.~~ Comprehend patterns of physical, social, and
21 academic development in students, including exceptional
22 students in the regular classroom, and counsel these students
23 concerning their needs in these areas.

24 ~~10.9.~~ Recognize and be aware of the instructional
25 needs of exceptional students.

26 ~~11.10.~~ Comprehend patterns of normal development in
27 students and employ appropriate intervention strategies for
28 disorders of development.

29 ~~12.11.~~ Identify and comprehend the codes and standards
30 of professional ethics, performance, and practices adopted
31 pursuant to s. 231.546(2)(b), the grounds for disciplinary

1 action provided by s. 231.28, and the procedures for resolving
2 complaints filed pursuant to this chapter, including appeal
3 processes.

4 ~~13.12.~~ Recognize and demonstrate awareness of the
5 educational needs of students who have limited proficiency in
6 English and employ appropriate teaching strategies.

7 ~~14.13.~~ Use and integrate appropriate technology in
8 teaching and learning processes and in managing, evaluating,
9 and improving instruction.

10 ~~15.14.~~ Use assessment and other diagnostic strategies
11 to assist the continuous development of the learner.

12 ~~16.15.~~ Use teaching and learning strategies that
13 include considering each student's culture, learning styles,
14 special needs, and socioeconomic background.

15 ~~17.16.~~ Demonstrate knowledge and understanding of the
16 subject matter that is aligned with the subject knowledge and
17 skills specified in the Sunshine State Standards and student
18 performance standards approved by the state board.

19 ~~18.17.~~ Recognize the early signs of truancy in
20 students and identify effective interventions to avoid or
21 resolve nonattendance behavior.

22 ~~19.18.~~ Demonstrate knowledge and skill in managing
23 student behavior inside and outside the classroom. Such
24 knowledge and skill must include techniques for preventing and
25 effectively responding to incidents of disruptive or violent
26 behavior.

27 ~~20.19.~~ Demonstrate knowledge of and skill in
28 developing and administering appropriate classroom assessment
29 instruments designed to measure student learning gains.

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1 ~~21.20.~~ Demonstrate the ability to maintain a positive
2 collaborative relationship with students' families to increase
3 student achievement.

4 Section 10. Paragraph (a) of subsection (3) of section
5 231.24, Florida Statutes, is amended to read:

6 231.24 Process for renewal of professional
7 certificates.--

8 (3) For the renewal of a professional certificate, the
9 following requirements must be met:

10 (a) The applicant must earn a minimum of 6 college
11 credits or 120 inservice points or a combination thereof. For
12 each area of specialization to be retained on a certificate,
13 the applicant must earn at least 3 of the required credit
14 hours or equivalent inservice points in the specialization
15 area. Education in "clinical educator" training pursuant to s.
16 240.529(5)(b) and credits or points that provide training in
17 the area of exceptional student education, normal child
18 development, and the disorders of development may be applied
19 toward any specialization area. Credits or points that provide
20 training in the areas of the prevention of drug abuse, child
21 abuse, and neglect; ~~strategies in teaching students having~~
22 limited proficiency in English; ~~or dropout prevention;~~ or the
23 management of crisis situations, or training in areas
24 identified in the educational goals and performance standards
25 adopted pursuant to ss. 229.591(3) and 229.592, may be applied
26 toward any specialization area. Applicants are highly
27 encouraged to earn credits or points in these areas, and a
28 school principal or supervisor must earn at least one credit,
29 or the equivalent points, in at least one of these areas.
30 Credits or points earned through approved summer institutes
31 may be applied toward the fulfillment of these requirements.

1 Inservice points may also be earned by participation in
2 professional growth components approved by the State Board of
3 Education and specified pursuant to s. 236.0811 in the
4 district's approved master plan for inservice educational
5 training, including, but not limited to, serving as a trainer
6 in an approved teacher training activity, serving on an
7 instructional materials committee or a state board or
8 commission that deals with educational issues, or serving on
9 an advisory council created pursuant to s. 229.58.

10 Section 11. Section 232.26, Florida Statutes, is
11 amended to read:

12 232.26 Authority of principal.--

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

23 (b) The principal or the principal's designee may
24 suspend a student only in accordance with the rules of the
25 district school board. The principal or the principal's
26 designee shall make a good faith effort to immediately inform
27 a student's parent or guardian by telephone of a student's
28 suspension and the reasons for the suspension. Each suspension
29 and the reasons for the suspension shall be reported in
30 writing within 24 hours to the student's parent or guardian by
31 United States mail. Each suspension and the reasons for the

1 suspension shall also be reported in writing within 24 hours
2 to the superintendent and the district coordinator of school
3 safety and security. A good-faith ~~good-faith~~ effort shall be
4 made by the principal or the principal's designee to employ
5 parental assistance or other alternative measures prior to
6 suspension, except in the case of emergency or disruptive
7 conditions which require immediate suspension or in the case
8 of a serious breach of conduct as defined by rules of the
9 district school board. Such rules shall require oral and
10 written notice to the student of the charges and an
11 explanation of the evidence against him or her prior to the
12 suspension. Each student shall be given an opportunity to
13 present his or her side of the story. No student shall be
14 suspended for unexcused tardiness, lateness, absence, or
15 truancy. The principal or the principal's designee may suspend
16 any student transported to or from school at the public
17 expense from the privilege of riding on a school bus for
18 violation of school board transportation policies, which shall
19 include a policy regarding behavior at school bus stops, and
20 the principal or the principal's designee shall give notice in
21 writing to the student's parent or guardian and to the
22 superintendent within 24 hours. School personnel shall not be
23 held legally responsible for suspensions of students made in
24 good faith.

25 1. When a student is suspended, the principal must
26 request, both verbally and in the written notification to the
27 parent or guardian, that the parent or guardian inform the
28 principal if firearms or other instruments for which the
29 primary purpose is use as a weapon are available to the
30 student. The parent or guardian must, to the best of his or
31 her ability, make an accurate accounting of any such firearms

1 or weapons within the student's residence or any other place
2 over which the parent or guardian exercises control or
3 ownership.

4 2. If the parent or guardian informs the principal
5 that firearms or weapons are available to the student, the
6 principal must inform the parent or guardian of laws related
7 to the storage of firearms under ss. 784.05 and 790.174, and
8 may recommend that other weapons available to the student be
9 properly stored.

10 3. If a student is suspended for any violent conduct
11 against another student or against school personnel, or if a
12 student threatens any act of violence against another student
13 or against school personnel, the student's parent or guardian
14 and the principal shall determine an appropriate means for the
15 parent or guardian to supervise the student or shall arrange
16 an alternative placement for the student, as provided by the
17 school district, for the duration of the suspension or for a
18 period determined by the principal.

19 (c) The principal or the principal's designee may
20 recommend to the superintendent the expulsion of any student
21 who has committed a serious breach of conduct, including, but
22 not limited to, willful disobedience, open defiance of
23 authority of a member of his or her staff, violence against
24 persons or property, or any other act which substantially
25 disrupts the orderly conduct of the school. A recommendation
26 of expulsion or assignment to a second chance school may also
27 be made for any student found to have intentionally made false
28 accusations that jeopardize the professional reputation,
29 employment, or professional certification of a teacher or
30 other member of the school staff, according to the school
31 district code of student conduct. Any recommendation of

1 expulsion shall include a detailed report by the principal or
2 the principal's designated representative on the alternative
3 measures taken prior to the recommendation of expulsion.

4 (d) The principal or the principal's designee shall
5 include an analysis of suspensions and expulsions in the
6 annual report of school progress.

7 (2) Suspension proceedings, pursuant to rules of the
8 State Board of Education, may be initiated against any pupil
9 enrolled as a student who is formally charged with a felony,
10 or with a delinquent act which would be a felony if committed
11 by an adult, by a proper prosecuting attorney for an incident
12 which allegedly occurred on property other than public school
13 property, if that incident is shown, in an administrative
14 hearing with notice provided to the parents or legal guardian
15 or custodian of such pupil by the principal of the school
16 pursuant to rules adopted ~~promulgated~~ by the State Board of
17 Education and to rules developed pursuant to s. 231.085, to
18 have an adverse impact on the educational program, discipline,
19 or welfare in the school in which the student is enrolled. Any
20 pupil who is suspended as the result of such proceedings may
21 be suspended from all classes of instruction on public school
22 grounds during regular classroom hours for a period of time,
23 which may exceed 10 days, as determined by the superintendent.
24 Such suspension shall not affect the delivery of educational
25 services to the pupil, and the pupil shall be immediately
26 enrolled in a daytime alternative education program, or an
27 evening alternative education program, where appropriate. If
28 the court determines that the pupil did commit the felony or
29 delinquent act which would have been a felony if committed by
30 an adult, the school board shall have the authority to expel
31 the student, provided that expulsion under this subsection

1 shall not affect the delivery of educational services to the
2 pupil in any residential, nonresidential, alternative,
3 daytime, or evening program outside of the regular school
4 setting. Any pupil who is subject to discipline or expulsion
5 for unlawful possession or use of any substance controlled
6 under chapter 893 may be entitled to a waiver of the
7 discipline or expulsion:

8 (a) If the pupil divulges information leading to the
9 arrest and conviction of the person who supplied such
10 controlled substance to him or her, or if the pupil
11 voluntarily discloses his or her unlawful possession of such
12 controlled substance prior to his or her arrest. Any
13 information divulged which leads to such arrest and conviction
14 is not admissible in evidence in a subsequent criminal trial
15 against the pupil divulging such information.

16 (b) If the pupil commits himself or herself, or is
17 referred by the court in lieu of sentence, to a state-licensed
18 drug abuse program and successfully completes the program.

19 (3) A pupil may be disciplined or expelled for
20 unlawful possession or use of any substance controlled under
21 chapter 893 upon the third violation of this provision.

22 (4) Any recommendation for the expulsion of a
23 handicapped student shall be made in accordance with the rules
24 adopted ~~promulgated~~ by the State Board of Education.

25 Section 12. Section 232.39, Florida Statutes, is
26 amended to read:

27 232.39 Secret societies prohibited in public
28 schools.--

29 (1) It is unlawful for any person, group, or
30 organization to organize or establish a fraternity, sorority,
31 criminal street gang as defined in s. 874.03, or other secret

1 society in the state whose membership shall be comprised in
2 whole or in part of pupils enrolled in any public school,
3 whether elementary or secondary, or to go upon any public
4 school premises for the purpose of soliciting any pupils to
5 join such an organization.

6 (2) A secret society shall be interpreted to be a
7 fraternity, sorority, criminal street gang as defined in s.
8 874.03, or other organization whose active membership is
9 comprised wholly or partly of pupils enrolled in the public
10 schools of the state and which perpetuates itself wholly or
11 partly by taking in additional members from the pupils
12 enrolled in public schools on the basis of the decision of its
13 membership rather than on the right of any pupil who is
14 qualified by the rules of the school to be a member of and
15 take part in any class or group exercise designated and
16 classified according to sex, subjects included in the course
17 of study, or program of school activities fostered and
18 promoted by the school board and superintendent or by
19 principals of the schools.

20 (3) Each public school principal must immediately
21 notify the appropriate local law enforcement agency and the
22 district coordinator of school safety and security if the
23 principal determines that one or more members of a secret
24 society prohibited under this section have committed any
25 violent or disruptive offense prohibited by the code of
26 student conduct or any other act reportable under the uniform
27 incident-reporting system. However, this section is not
28 intended to interfere with the exercise of constitutionally
29 protected rights of freedom of expression or association.

30 ~~(4)~~(3) This section shall not be construed to prevent
31 the establishment of an organization which is fostered and

1 promoted by the school authorities, or which is first approved
2 and accepted by the school authorities, and whose membership
3 is selected on the basis of good character, good scholarship,
4 leadership ability, and achievement. Full information
5 regarding the charter, principles, purposes, and conduct of
6 any such accepted organization shall always be available to
7 all students and instructional personnel of any school where
8 same may be organized.

9 (5)~~(4)~~ This section shall not be construed to relate
10 to any junior organization or society sponsored by the Police
11 Athletic League, Knights of Pythias, Oddfellows, Moose,
12 Woodmen of the World, Knights of Columbus, Elks, Masons, B'nai
13 B'rith, Young Men's and Young Women's Hebrew Associations,
14 Young Men's and Young Women's Christian Associations, Kiwanis,
15 Rotary, Optimist, Civitan, Exchange Clubs, Florida Federation
16 of Garden Clubs, and Florida Federation of Women's Clubs.

17 Section 13. Subsection (4) of section 235.0155,
18 Florida Statutes, is amended to read:

19 235.0155 Prototype designs.--

20 (4) Plans for various schools shall be developed with
21 the assistance of district educational facilities and
22 maintenance personnel from large, medium, and small
23 districts; ~~and with the assistance of~~ teachers and
24 principals; and the Safe and Secure Schools Commission. The
25 development of the programs and facilities plans shall be
26 reviewed by a value-engineering team under contract with the
27 department, to assure that the cost of construction of the
28 buildings does not exceed the national average cost of
29 educational facilities, as determined by national estimating
30 publications. These prototypes shall be revised or new
31 prototypes developed as programs require every 5 years. The

1 use of prototype plans shall not preclude the school board's
2 authority to select construction procurement techniques
3 pursuant to s. 235.211.

4 Section 14. Subsection (1) of section 235.19, Florida
5 Statutes, is amended to read:

6 235.19 Site planning and selection.--

7 (1) Before acquiring property for sites, each board
8 shall determine the location of proposed educational centers
9 or campuses for the board. In making this determination, the
10 board shall consider existing and anticipated site needs, the
11 recommendations of the Safe and Secure Schools Commission and
12 the district coordinator of school safety and security, and
13 the most economical and practicable locations of sites. The
14 board shall coordinate with the long-range or comprehensive
15 plans of local, regional, and state governmental agencies to
16 assure the compatibility of such plans with site planning.
17 Boards are encouraged to locate schools proximate to urban
18 residential areas to the extent possible, and shall seek to
19 collocate schools with other public facilities, such as parks,
20 libraries, and community centers, to the extent possible.

21 Section 15. Subsection (4) of section 235.211, Florida
22 Statutes, is amended to read:

23 235.211 Educational facilities contracting and
24 construction techniques.--

25 (4)(a) Except as otherwise provided in this section
26 and s. 481.229, the services of a registered architect must be
27 used for the development of plans for the erection,
28 enlargement, or alteration of any educational facility. The
29 services of a registered architect are not required for a
30 minor renovation project for which the construction cost is
31 less than \$50,000 or for the placement or hookup of

1 relocatable educational facilities that conform with standards
2 adopted under s. 235.26(2) and (3). However, boards must
3 provide compliance with building code requirements and ensure
4 that these structures are adequately anchored for wind
5 resistance as required by law. Boards are encouraged to
6 consider the reuse of existing construction documents or
7 design criteria packages where such reuse is feasible and
8 practical. Notwithstanding s. 287.055, a board may purchase
9 the architectural services for the design of educational or
10 ancillary facilities under an existing contract agreement for
11 professional services held by a school board in the State of
12 Florida, provided that the purchase is to the economic
13 advantage of the purchasing board, the services conform to the
14 standards prescribed by rules of the Commissioner of
15 Education, and such reuse is not without notice to, and
16 permission from, the architect of record whose plans or design
17 criteria are being reused. Plans shall be reviewed for
18 compliance with the state requirements for educational
19 facilities. Rules adopted under this section must establish
20 uniform prequalification, selection, bidding, and negotiation
21 procedures applicable to construction management contracts and
22 the design-build process. This section does not supersede any
23 small, woman-owned or minority-owned business enterprise
24 preference program adopted by a board. Except as otherwise
25 provided in this section, the negotiation procedures
26 applicable to construction management contracts and the
27 design-build process must conform to the requirements of s.
28 287.055. A board may not modify any rules regarding
29 construction management contracts or the design-build process.

30 (b) Beginning July 1, 2002, all new development and
31 design plans for erecting, enlarging, or altering any public

1 educational facility for grades K through 12 must comply with
2 the recommendations of the Safe and Secure Schools Commission.
3 If plans in existence before July 1, 2002, are reused as
4 prototypes, the school district is encouraged to alter design
5 plans or design criteria packages to meet any recommendations
6 made by the commission.

7 Section 16. Section 790.169, Florida Statutes, is
8 amended to read:

9 790.169 Juvenile offenders; release of names and
10 addresses.--

11 (1) A law enforcement agency may release for
12 publication the name and address of a child who has been
13 convicted of any offense involving possession or use of a
14 firearm.

15 (2) A law enforcement agency must release the name and
16 address of a child who has been convicted of any offense
17 involving possession or use of a firearm to the district
18 coordinator of school safety and security or to other
19 appropriate personnel of the school district in which the
20 arrest was made and in which the child resides.

21 Section 17. Section 790.17, Florida Statutes, is
22 amended to read:

23 790.17 Furnishing weapons to minors under 18 years of
24 age or persons of unsound mind and furnishing firearms to
25 minors under 18 years of age prohibited.--

26 (1) A person who sells, hires, barter, lends,
27 transfers, or gives any minor under 18 years of age any dirk,
28 electric weapon or device, or other weapon, other than an
29 ordinary pocketknife, without permission of the minor's parent
30 or guardian, or sells, hires, barter, lends, transfers, or
31 gives to any person of unsound mind an electric weapon or

1 device or any dangerous weapon, other than an ordinary
2 pocketknife, commits a misdemeanor of the first degree,
3 punishable as provided in s. 775.082 or s. 775.083.

4 (2)(a) A person may not knowingly or willfully sell or
5 transfer a firearm to a minor under 18 years of age, except
6 that a person may transfer ownership of a firearm to a minor
7 with permission of the parent or guardian. A person who
8 violates this paragraph commits a felony of the third degree,
9 punishable as provided in s. 775.082, s. 775.083, or s.
10 775.084.

11 (b) The parent or guardian must maintain possession of
12 the firearm except pursuant to s. 790.22.

13 (3) The parent or guardian of a minor under 18 years
14 of age may not permit the sale or transfer of a firearm to the
15 minor if the minor has been convicted of, or has had
16 adjudication withheld for, any offense related to the
17 possession or use of a firearm or any violent offense.

18 Section 18. Section 790.174, Florida Statutes, is
19 amended to read:

20 790.174 Safe storage of firearms required.--

21 (1) A person who stores or leaves, on a premise under
22 his or her control, a loaded firearm, as defined in s.
23 790.001, and who knows or reasonably should know that a minor
24 is likely to gain access to the firearm without the lawful
25 permission of the minor's parent or the person having charge
26 of the minor, or without the supervision required by law,
27 shall keep the firearm in a securely locked box or container
28 or in a location which a reasonable person would believe to be
29 secure or shall secure it with a trigger lock, except when the
30 person is carrying the firearm on his or her body or within
31 such close proximity thereto that he or she can retrieve and

1 use it as easily and quickly as if he or she carried it on his
2 or her body.

3 (2) It is a misdemeanor of the first ~~second~~ degree,
4 punishable as provided in s. 775.082 or s. 775.083, if a
5 person violates subsection (1) by failing to store or leave a
6 firearm in the required manner and as a result thereof a minor
7 gains access to the firearm, without the lawful permission of
8 the minor's parent or the person having charge of the minor,
9 and possesses or exhibits it, without the supervision required
10 by law:

11 (a) In a public place; or

12 (b) In a rude, careless, angry, or threatening manner
13 in violation of s. 790.10.

14

15 This subsection does not apply if the minor obtains the
16 firearm as a result of an unlawful entry by any person.

17 (3) As used in this act, the term "minor" means any
18 person under the age of 18 ~~16~~.

19 Section 19. Section 874.05, Florida Statutes, is
20 amended to read:

21 874.05 Causing, encouraging, soliciting, or recruiting
22 criminal street gang membership.--

23 (1) A person who intentionally causes, encourages,
24 solicits, or recruits another person to join a criminal street
25 gang that requires as a condition of membership or continued
26 membership the commission of any crime commits a felony of the
27 third degree, punishable as provided in s. 775.082, s.
28 775.083, or s. 775.084.

29 (2) Upon a second or subsequent offense under
30 subsection (1), the person commits a felony of the second
31

1 degree, punishable as provided in s. 775.082, s. 775.083, or
2 s. 775.084.

3 (3) Any person who intentionally causes, encourages,
4 solicits, or recruits a public school student to join a
5 criminal street gang while on a public school campus, or who
6 requires that a public school student be identified with other
7 members of a criminal street gang by a common name, color,
8 sign, or symbol while on a public school campus as a condition
9 of membership or continued membership, commits a felony of the
10 second degree, punishable as provided in s. 775.082, s.
11 775.083, or s. 775.084.

12 Section 20. This act shall take effect July 1, 2000.

13
14 *****

15 SENATE SUMMARY

16 Creates the Safe and Secure Schools Commission for the
17 purpose of making recommendations to the Legislature on
18 school safety. Requires district school boards to appoint
19 a district coordinator of school safety and security.
20 Requires the Department of Education to create a uniform
21 incident-reporting system for the state. Specifies
22 various offenses and incidents occurring on school
23 property which must be reported to the Department of
24 Education and the Safe and Secure Schools Commission.
25 Requires that an arrest of a student or staff member be
26 reported to the principal. Requires that the district
27 coordinator of school safety and security coordinate the
28 duties of school safety officers and school resource
29 officers. Provides for telephone calls to be received
30 anonymously by a school safety hotline. Requires that
31 student suspensions be reported to the district
32 coordinator of school safety and security. Prohibits
33 criminal street gangs whose membership includes public
34 school students. Requires that the Safe and Secure
35 Schools Commission and the district coordinator of school
36 safety and security assist in developing plans for
37 educational sites and facilities. Requires that law
38 enforcement agencies release the names of certain
39 juvenile offenders to district school personnel.
40 Increases the penalty imposed for the unsafe storage of a
41 firearm that is accessible to a minor. (See bill for
42 details.)