

By the Committee on Education and Senators Dyer, Carlton,
Cowin and Saunders

304-808B-00

1 A bill to be entitled
2 An act relating to school safety and security;
3 amending s. 229.57, F.S.; revising criteria for
4 determining a school's performance grade
5 category for specified school years; creating
6 s. 229.8347, F.S.; establishing the Partnership
7 for School Safety and Security; providing
8 responsibilities of the partnership; assigning
9 the partnership to the Department of Education
10 for administrative purposes; providing for
11 membership, meetings, and reimbursement for
12 expenses; providing for the partnership to be
13 funded through the General Appropriations Act;
14 providing for staff support and technical
15 assistance; requiring that the partnership
16 prepare annual reports; requiring the
17 Department of Education to develop an
18 individualized school safety and environment
19 assessment instrument; requiring that the
20 department expand performance standards for
21 school safety; amending s. 230.23025, F.S.;
22 requiring that safety and security be included
23 as part of the factors reviewed as best
24 financial management practices for school
25 districts; amending s. 230.235, F.S.; requiring
26 each district school board to review its
27 zero-tolerance policy and ensure the inclusion
28 of specific offenses; creating s. 231.0851,
29 F.S.; requiring that school principals report
30 and verify data concerning school safety and
31 discipline; requiring that the State Board of

1 Education adopt a form for such reports;
2 requiring the Department of Education to
3 improve reporting concerning school safety;
4 requiring that the department develop
5 indicators of safe schools; amending s.
6 232.24521, F.S.; prohibiting the use of a
7 student's attendance record as the basis of an
8 exemption from academic performance
9 requirements; creating s. 235.192, F.S.;
10 requiring school districts, community colleges,
11 and the Board of Regents to provide blueprints
12 of educational facilities to certain agencies;
13 requiring that school districts, community
14 colleges, and the Board of Regents provide a
15 revised blueprint following modification of a
16 facility; requiring the Department of Education
17 to assess safety and security initiatives and
18 make certain reports; establishing a pilot
19 program to assess teams that meet the optimal
20 ratios of certain school professionals to
21 students; requiring that the school district
22 evaluate the program and make certain reports;
23 requiring a plan for school transportation
24 safety; providing an effective date.

25
26 Be It Enacted by the Legislature of the State of Florida:

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28 Section 1. Subsection (8) of section 229.57, Florida
29 Statutes, is amended to read:

30 229.57 Student assessment program.--
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1 (8) DESIGNATION OF SCHOOL PERFORMANCE GRADE
2 CATEGORIES.--School performance grade category designations
3 itemized in subsection (7) shall be based on the following:
4 (a) Timeframes.--
5 1. School performance grade category designations
6 shall be based on one school year of performance.
7 2. In school year ~~years~~ 1998-1999 ~~and 1999-2000~~, a
8 school's performance grade category designation shall be
9 determined by the student achievement levels on the FCAT, and
10 on other appropriate performance data, including, but not
11 limited to, attendance, dropout rate, school discipline data,
12 and student readiness for college, in accordance with state
13 board rule.
14 3. In school year 1999-2000, a school's performance
15 grade category designation shall be determined by the student
16 achievement levels on the FCAT and on other appropriate
17 performance data, including, but not limited to, attendance,
18 dropout rate, and student readiness for college, in accordance
19 with state board rule.
20 ~~4.3.~~ Beginning with the 2000-2001 school year, a
21 school's performance grade category designation shall be based
22 on a combination of student achievement scores as measured by
23 the FCAT, on the degree of measured learning gains of the
24 students, and on other appropriate performance data,
25 including, but not limited to, attendance, dropout rate,
26 ~~school discipline data,~~and student readiness for college.
27 ~~5.4.~~ Beginning with the 2001-2002 school year and
28 thereafter, a school's performance grade category designation
29 shall be based on student learning gains as measured by annual
30 FCAT assessments in grades 3 through 10, and on other
31 appropriate performance data, including, but not limited to,

1 attendance, dropout rate, ~~school discipline data~~, cohort
2 graduation rate, and student readiness for college.

3
4 For the purpose of implementing ss. 229.0535 and 229.0537, if
5 any of the four schools that were identified as critically low
6 performing, based on both 1996-1997 and 1997-1998 school
7 performance data and state board adopted criteria, receives a
8 performance grade category designation of "F," based on
9 1998-1999 school performance data, that school shall be
10 considered as having failed to make adequate progress for 2
11 years in a 4-year period. All other schools that receive a
12 performance grade category designation of "F," based on
13 1998-1999 school performance data, shall be considered as
14 having failed to make adequate progress for 1 year.

15 (b) Student assessment data.--Student assessment data
16 used in determining school performance grade categories shall
17 include:

18 1. The median scores of all eligible students enrolled
19 in the school who have been assessed on the FCAT.

20 2. The median scores of all eligible students enrolled
21 in the school who have been assessed on the FCAT and who have
22 scored at or in the lowest 25th percentile of the state in the
23 previous school year.

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25 The Department of Education shall study the effects of
26 mobility on the performance of highly mobile students and
27 recommend programs to improve the performance of such
28 students. The state board shall adopt appropriate criteria for
29 each school performance grade category. The criteria must also
30 give added weight to student achievement in reading. Schools
31 designated as performance grade category "C," making

1 satisfactory progress, shall be required to demonstrate that
2 adequate progress has been made by students who have scored
3 among the lowest 25 percent of students in the state as well
4 as by the overall population of students in the school.

5 Section 2. Section 229.8347, Florida Statutes, is
6 created to read:

7 229.8347 Partnership for School Safety and Security.--

8 (1) CREATION AND DUTIES.--There is created a
9 Partnership for School Safety and Security to perform the
10 following responsibilities:

11 (a) Evaluate school safety and security programs and
12 strategies, based on controlled scientific research; recommend
13 information to be included in the electronic clearinghouse of
14 safety and security information; and make recommendations for
15 inclusion in the clearinghouse of safety and security
16 information and to the Legislature for funding school safety
17 and security programs.

18 (b) Create an electronic clearinghouse of safety and
19 security information that includes best practices, model
20 programs, and construction prototypes that are compatible with
21 the requirements for frugal schools.

22 (c) Assess the extent to which best practices for
23 school safety and security are being followed, including, but
24 not limited to, best practices for schools with student
25 participation in planning and implementing violence prevention
26 and other student efforts that contribute to school safety;
27 placing and training new teachers; providing incentives for
28 teachers of demonstrated mastery to remain in or transfer to
29 low-performing schools; providing incentives for teachers
30 based on their willingness to teach at schools that serve
31 low-income areas; and providing support systems, such as

1 mentors or specialized training, for teachers who are willing
2 to teach in schools that serve large populations of students
3 from low-income families.

4 (d) Train and offer technical assistance to school
5 district staff and others on how to create a safe school
6 environment.

7 (e) Foster coordination among schools, law enforcement
8 personnel, and crisis-management teams.

9 (2) ORGANIZATION; MEMBERSHIP; MEETINGS; COMPENSATION
10 AND TRAVEL EXPENSES; BUDGET.--The partnership is an
11 independent, nonpartisan body that is assigned to the
12 Department of Education for administrative purposes. The
13 partnership shall be composed of 11 members who are appointed
14 by the Governor and confirmed by the Senate. Three members
15 must be consumers who are not, and never have been, providers
16 of school safety or security services.

17 (a) Members shall be appointed to 4-year, staggered
18 terms of office.

19 (b) The partnership shall annually elect a chairperson
20 and vice chairperson from among its members.

21 (c) The partnership shall meet at least once each year
22 and the chairperson or a quorum of the members of the
23 partnership may call additional meetings as often as necessary
24 to transact business. A majority of the membership constitutes
25 a quorum, and the vote of a majority of the quorum is
26 necessary to take official action or conduct official business
27 of the partnership. The position of any member who has three
28 consecutive, unexcused absences or who is absent for 50
29 percent or more of the partnership's meetings within any
30 12-month period shall be considered vacant.

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1 (d) A vacancy on the partnership shall be filled in
2 the same manner as the original appointment. Any appointment
3 to fill a vacancy shall be only for the remainder of the
4 unexpired term.

5 (e) Members of the partnership shall serve without
6 compensation, but are entitled to reimbursement for per diem
7 and travel expenses incurred in the performance of their
8 duties as provided in s. 112.061, and are entitled to
9 reimbursement for other reasonable, necessary, and actual
10 expenses.

11 (3) BUDGET.--The partnership shall have a budget and
12 shall be funded to the extent provided for in the General
13 Appropriations Act.

14 (4) ANNUAL REPORT.--The partnership shall submit an
15 annual report to the Governor, the President of the Senate,
16 the Speaker of the House of Representatives, the minority
17 leaders of the Senate and House of Representatives, and the
18 Commissioner of Education. The report must contain an
19 independent analysis of best practices for school safety and
20 security in the state; a summary of programs evaluated; a
21 summary of progress made in developing, maintaining, and
22 refining the electronic clearinghouse of safety and security
23 information; and recommendations for legislative changes or
24 budget requests.

25 (5) STAFF AND TECHNICAL ASSISTANCE.--The Department of
26 Education shall provide or contract for staff support and
27 technical assistance for the partnership.

28 Section 3. By December 1, 2000, the Department of
29 Education shall develop an individualized school safety and
30 environment assessment instrument that each school may use to
31 assess its needs with respect to the state education goal for

1 safety specified in section 229.591(3)(e), Florida Statutes.
2 In addition, by December 1, 2000, the Department of Education
3 shall expand the current performance standards for the state
4 education goal for safety to comprehensively address district
5 and school safety.

6 Section 4. Subsection (1) of section 230.23025,
7 Florida Statutes, is amended to read:

8 230.23025 Best financial management practices;
9 standards; reviews; designation of districts.--

10 (1) The Office of Program Policy Analysis and
11 Government Accountability (OPPAGA) and the Office of the
12 Auditor General are directed to develop a system for reviewing
13 the financial management practices of school districts. In
14 this system, OPPAGA and the Auditor General shall jointly
15 examine district operations to determine whether they meet
16 "best financial management practices." The best financial
17 management practices adopted by the Commissioner of Education
18 may be updated periodically after consultation with the
19 Legislature, the Governor, the SMART Schools Clearinghouse,
20 OPPAGA, and the Auditor General. The best financial management
21 practices, at a minimum, must instill public confidence by
22 addressing the following areas:

23 (a) Efficient use of resources, use of lottery
24 proceeds, student transportation and food service operations,
25 management structures, ~~and~~ personnel systems and benefits, and
26 safety and security;

27 (b) Compliance with generally accepted accounting
28 principles and state and federal laws relating to financial
29 management;

30 (c) Performance accountability systems, including
31 performance measurement reports to the public, internal

1 auditing, financial auditing, and information made available
2 to support decisionmaking; and

3 (d) Cost control systems, including asset, risk, and
4 financial management; purchasing; and information system
5 controls.

6 Section 5. Subsection (3) is added to section 230.235,
7 Florida Statutes, to read:

8 230.235 Policy of zero tolerance for crime.--

9 (3) Each district school board shall review the
10 zero-tolerance policy required by this section and by rule of
11 the State Board of Education. The board shall ensure that
12 there is a uniform policy for the discipline of students at
13 each school for the following offenses:

14 (a) Possession of a firearm, a knife, a weapon, or an
15 item that can be used as a weapon by any student while the
16 student is on school property, on school transportation, or in
17 attendance at a school function; or

18 (b) Bringing a firearm, as defined in 18 U.S.C. s.
19 921, to school, to any school function, or onto any
20 school-sponsored transportation; and making a threat, as
21 defined in s. 790.162, involving school property, school
22 transportation, or a school-sponsored activity.

23 Section 6. Section 231.0851, Florida Statutes, is
24 created to read:

25 231.0851 Reports of school safety and
26 discipline.--Each principal must ensure that standardized
27 forms prescribed by rule of the State Board of Education are
28 used to report data concerning school safety and discipline to
29 the Department of Education. The principal must develop a plan
30 to verify the accuracy of reported incidents.

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1 Section 7. The State Board of Education shall adopt by
2 rule a standardized form to be used by each school to report
3 data concerning school safety and discipline.

4 Section 8. By October 1, 2000, the Department of
5 Education shall establish a mechanism to improve the
6 reliability and accuracy of reports concerning school safety,
7 including a means for improving the reliability and accuracy
8 of the School Environmental Safety Incident Reporting System.

9 Section 9. By December 1, 2000, the Department of
10 Education shall develop additional indicators of safe schools,
11 including indicators based on the number of students involved
12 in extracurricular activities; the effectiveness of
13 student-developed plans for school safety; the number of
14 students and extent of student involvement in developing and
15 implementing school safety, crime watch, violence prevention,
16 drug abuse prevention, crime reporting, and other programs
17 that contribute to school safety; and an optimal school
18 psychologist-to-student ratio, guidance-counselor-to-student
19 ratio, and school social-worker-to-student ratio. The
20 department shall use the National Standards for School
21 Counseling Programs in developing the
22 guidance-counselor-to-student ratio.

23 Section 10. Section 232.24521, Florida Statutes, is
24 amended to read:

25 232.24521 Report cards; end-of-the-year status.--

26 (1) Each school district shall establish and publish
27 policies requiring the content and regular issuance of student
28 report cards for all elementary school, middle school, and
29 high school students. These report cards must clearly depict
30 and grade:

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1 (a) The student's academic performance in each class
2 or course, which in grades 1 through 12 must be based upon
3 examinations as well as written papers, class participation,
4 and other academic performance criteria.

5 (b) The student's conduct and behavior.

6 (c) The student's attendance, including absences and
7 tardiness.

8 (2) A student's final report card for a school year
9 shall contain a statement indicating end-of-the-year status
10 regarding performance or nonperformance at grade level,
11 acceptable or unacceptable behavior and attendance, and
12 promotion or nonpromotion.

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14 School districts shall not allow schools to exempt students
15 from academic performance requirements based on practices or
16 policies designed to encourage student attendance. A student's
17 attendance record may not be used in whole or in part to
18 provide an exemption from any academic performance
19 requirement.

20 Section 11. Section 235.192, Florida Statutes, is
21 created to read:

22 235.192 Coordination of school safety information.--

23 (1) Beginning October 1, 2000, each district school
24 superintendent must provide to the Department of Education,
25 the State Board of Education, and the law enforcement agency
26 that has jurisdiction over each educational facility a copy of
27 the blueprint for each educational facility in the district,
28 as defined in s. 235.011(6). After the initial submission of
29 the blueprint, the district school superintendent shall
30 submit, by October 1 of each year, a revised blueprint for
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1 each district educational facility that was modified during
2 the preceding year.

3 (2) Beginning October 1, 2000, each community college
4 president must provide to the Department of Education, the
5 State Board of Education, and the law enforcement agency that
6 has jurisdiction over the community college a copy of the
7 blueprint for each educational facility as defined in s.
8 235.011(6). After the initial submission of the blueprint, the
9 community college president shall submit, by October 1 of each
10 year, a revised blueprint for each educational facility that
11 was modified during the preceding year.

12 (3) Beginning October 1, 2000, the Board of Regents
13 must provide to the Department of Education, the State Board
14 of Education, and the law enforcement agency that has
15 jurisdiction over each state university a copy of the
16 blueprint for each state university facility. After the
17 initial submission of the blueprint, the Board of Regents
18 shall submit, by October 1 of each year, a revised blueprint
19 for each state university facility that was modified during
20 the preceding year.

21 Section 12. By October 1, 2000, the Department of
22 Education shall assess the effectiveness of current school
23 safety and security initiatives, including the impact of state
24 funding for safe schools in this state, and shall provide a
25 report to the Governor, the President of the Senate, the
26 Speaker of the House of Representatives, the minority leaders
27 of the Senate and House of Representatives, and the
28 Partnership for School Safety and Security.

29 Section 13. Pilot program to assess teams that meet
30 optimal ratios.--

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1 (1) An elementary school, middle school, junior high
2 school, and a high school within each school district in
3 Sarasota, St. Johns, Broward, Okaloosa, Lake, and Duval
4 counties, from funds in the 2000-2001 General Appropriations
5 Act, shall establish a 3-year pilot program to assess the use
6 of a team composed of school psychologists, guidance
7 counselors, and school social workers which meets the optimal
8 school psychologist-to-student ratio,
9 guidance-counselor-to-student ratio, and school
10 social-worker-to-student ratio.

11 (2) To be eligible to participate in the pilot
12 program, each school district must ensure that each school
13 participating in the pilot program meets the optimal ratio of
14 school psychologists, guidance counselors, and school social
15 workers to students which is developed by the Department of
16 Education.

17 (3) Each school that participates in the pilot program
18 must have a plan that is based on national standards and must
19 agree to achieve and document the outcomes for:

20 (a) Truancy.

21 (b) School disciplinary referrals.

22 (c) Academic performance.

23 (d) Parent, teacher, and school administration
24 satisfaction.

25 (4) The school district shall evaluate the
26 consequences of achieving the optimal ratio of school
27 psychologists, guidance counselors, and school social workers
28 to students for each school that participates in the pilot
29 program. By August 1 following each school year during which
30 the pilot program is operated, the school district shall
31 report its findings to the Governor, the President of the

1 Senate, the Speaker of the House of Representatives, the
2 minority leaders of the Senate and the House of
3 Representatives, the Commissioner of Education, and the
4 Partnership for School Safety and Security. The annual report
5 must include, for each school participating in the pilot
6 program, information about the types and frequency of
7 referrals made of children and adolescents to private
8 providers and professionals in the community who provide
9 mental health treatment and support services.

10 Section 14. Each school district and the state or
11 local governmental entity having jurisdiction shall develop a
12 school safety transportation plan. The plan shall be submitted
13 to the Department of Education by July 1, 2000.

14 (1) Each school district and the state or local
15 governmental entity having jurisdiction shall jointly develop
16 a priority list of hazardous-walking-conditions projects that
17 have not yet been corrected. Each school district shall use
18 this part of the plan to monitor school transportation safety.
19 The plan must include the following for the hazardous walking
20 conditions determined under the provisions of section 234.021,
21 Florida Statutes:

22 (a) The number of hazardous walking conditions which
23 have not been corrected by the state or local governmental
24 entity having jurisdiction within 5 years after identification
25 of the hazard; and

26 (b) For each hazardous walking condition that has not
27 been corrected, a statement of the reason given for the
28 deficiency by the state or local governmental entity having
29 jurisdiction.

30 (2) The plan must also include recommendations and
31 fiscal estimates for:

1 (a) Any changes to current law for expanding the
2 definition of a student in section 234.021(1), Florida
3 Statutes, to include students in grades 7 through 12.

4 (b) Any changes to current law for identifying
5 hazardous walking conditions for walkways parallel to the
6 road, including, but not limited to:

7 1. Increasing the size of the walk area adjacent to
8 the road from 4 feet or making changes to the walk area
9 surface;

10 2. Increasing the size of the current set-off
11 requirement for uncurbed walkways or decreasing the posted
12 speed limit of 50 miles per hour; or

13 3. Amending the current exceptions to the criteria for
14 determining hazardous walking conditions for certain
15 residential areas and roads that have a certain volume of
16 traffic and a posted speed limit of 30 miles per hour or less.

17 (c) Any changes to current law for identifying
18 hazardous walking conditions for walkways perpendicular to the
19 road, including, but not limited to:

20 1. Limitations in the volume of traffic for the road
21 or the direction of traffic; and

22 2. The definition of an uncontrolled crossing site.

23 (d) Any other recommendations, including, but not
24 limited to, the consideration of additional criteria for
25 determining hazardous walking conditions, procedures for
26 identifying hazardous walking conditions, and procedures for
27 locating bus stops.

28 (3) The plan must also identify, by district, the
29 number of schools that:

30 (a) Separate the school bus loading and departure
31 locations from the loading and departure locations for

1 parents, guardians, or others who provide transportation to
2 children.

3 (b) Provide transportation to students whose grade
4 level exceeds grade 6 and who live within the 2-mile limit of
5 an identified hazardous walking condition.

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7 The identification of schools under this subsection may be
8 used as a basis for providing incentive funds to specific
9 school districts in the 2000-2001 legislative session.

10 Section 15. This act shall take effect July 1, 2000.

11
12 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
13 COMMITTEE SUBSTITUTE FOR
14 s852

15 The committee substitute requires the Partnership for School
16 Safety and Security to assess bestpractices for schools with
17 student participation in planing and implementing violence
18 prevention andviolence prevention andother student that
19 contribute to school safety. The committee substitutealso
20 requires the Department of Education to develop safe schools
21 indicators for the number ofstudents and extent of student
22 involvement efforts
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