

By the Committee on Criminal Justice and Senators Dyer,  
Carlton, Cowin, Saunders, Campbell, Latvala and Mitchell

307-1661-00

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; amending s. 232.26, F.S.;  
10 requiring that any suspension of a student with  
11 disabilities be in accordance with rules of the  
12 State Board of Education; creating s. 235.192,  
13 F.S.; requiring school districts and community  
14 colleges to provide blueprints of educational  
15 facilities to certain agencies; requiring that  
16 school districts and community colleges provide  
17 a revised blueprint following modification of a  
18 facility; requiring the Department of Education  
19 to assess safety and security initiatives and  
20 make certain reports; establishing a pilot  
21 program to assess teams that meet the optimal  
22 ratios of certain school professionals to  
23 students; requiring that the school district  
24 evaluate the program and make certain reports;  
25 requiring a plan for school transportation  
26 safety; providing an effective date.

27  
28 Be It Enacted by the Legislature of the State of Florida:

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

1           229.57 Student assessment program.--

2           (8) DESIGNATION OF SCHOOL PERFORMANCE GRADE  
3 CATEGORIES.--School performance grade category designations  
4 itemized in subsection (7) shall be based on the following:

5           (a) Timeframes.--

6           1. School performance grade category designations  
7 shall be based on one school year of performance.

8           2. In school year ~~years~~ 1998-1999 ~~and 1999-2000~~, a  
9 school's performance grade category designation shall be  
10 determined by the student achievement levels on the FCAT, and  
11 on other appropriate performance data, including, but not  
12 limited to, attendance, dropout rate, school discipline data,  
13 and student readiness for college, in accordance with state  
14 board rule.

15           3. In school year 1999-2000, a school's performance  
16 grade category designation shall be determined by the student  
17 achievement levels on the FCAT and on other appropriate  
18 performance data, including, but not limited to, attendance,  
19 dropout rate, and student readiness for college, in accordance  
20 with state board rule.

21           ~~4.3.~~ Beginning with the 2000-2001 school year, a  
22 school's performance grade category designation shall be based  
23 on a combination of student achievement scores as measured by  
24 the FCAT, on the degree of measured learning gains of the  
25 students, and on other appropriate performance data,  
26 including, but not limited to, attendance, dropout rate,  
27 ~~school discipline data,~~ and student readiness for college.

28           ~~5.4.~~ Beginning with the 2001-2002 school year and  
29 thereafter, a school's performance grade category designation  
30 shall be based on student learning gains as measured by annual  
31 FCAT assessments in grades 3 through 10, and on other

1 appropriate performance data, including, but not limited to,  
2 attendance, dropout rate, ~~school discipline data~~, cohort  
3 graduation rate, and student readiness for college.

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

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

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

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

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

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

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

8 229.8347 Partnership for School Safety and Security.--

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

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

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

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

1 low-income areas; and providing support systems, such as  
2 mentors or specialized training, for teachers who are willing  
3 to teach in schools that serve large populations of students  
4 from low-income families.

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

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

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

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

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

22 (c) The partnership shall meet at least once each year  
23 and the chairperson or a quorum of the members of the  
24 partnership may call additional meetings as often as necessary  
25 to transact business. A majority of the membership constitutes  
26 a quorum, and the vote of a majority of the quorum is  
27 necessary to take official action or conduct official business  
28 of the partnership. The position of any member who has three  
29 consecutive, unexcused absences or who is absent for 50  
30 percent or more of the partnership's meetings within any  
31 12-month period shall be considered vacant.

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.

13

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. Paragraph (b) of subsection (1) and  
21 subsection (4) of section 232.26, Florida Statutes, are  
22 amended to read:

23           232.26 Authority of principal.--

24           (1)

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

1 writing within 24 hours to the student's parent or guardian by  
2 United States mail. Each suspension and the reasons for the  
3 suspension shall also be reported in writing within 24 hours  
4 to the superintendent. A good faith effort shall be made by  
5 the principal or the principal's designee to employ parental  
6 assistance or other alternative measures prior to suspension,  
7 except in the case of emergency or disruptive conditions which  
8 require immediate suspension or in the case of a serious  
9 breach of conduct as defined by rules of the district school  
10 board. Such rules shall require oral and written notice to the  
11 student of the charges and an explanation of the evidence  
12 against him or her prior to the suspension. Each student shall  
13 be given an opportunity to present his or her side of the  
14 story. No student shall be suspended for unexcused tardiness,  
15 lateness, absence, or truancy. The principal or the  
16 principal's designee may suspend any student transported to or  
17 from school at the public expense from the privilege of riding  
18 on a school bus for violation of school board transportation  
19 policies, which shall include a policy regarding behavior at  
20 school bus stops, and the principal or the principal's  
21 designee shall give notice in writing to the student's parent  
22 or guardian and to the superintendent within 24 hours. School  
23 personnel shall not be held legally responsible for  
24 suspensions of students made in good faith. Any suspension of  
25 a student with disabilities, as defined in s. 228.041(18),  
26 must be in accordance with rules adopted by the State Board of  
27 Education.

28 (4) Any recommendation for the expulsion of a student  
29 with disabilities, as defined in s. 228.041(18),~~handicapped~~  
30 ~~student~~ shall be made in accordance with the rules adopted  
31 ~~promulgated~~ by the State Board of Education.

1           Section 12. Section 235.192, Florida Statutes, is  
2 created to read:

3           235.192 Coordination of school safety information.--

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

14           (2) Beginning October 1, 2000, each community college  
15 president must provide to the Department of Education, the  
16 State Board of Education, and the law enforcement agency that  
17 has jurisdiction over the community college a copy of the  
18 blueprint for each educational facility as defined in s.  
19 235.011(6). After the initial submission of the blueprint, the  
20 community college president shall submit, by October 1 of each  
21 year, a revised blueprint for each educational facility that  
22 was modified during the preceding year.

23           Section 13. By October 1, 2000, the Department of  
24 Education shall assess the effectiveness of current school  
25 safety and security initiatives, including the impact of state  
26 funding for safe schools in this state, and shall provide a  
27 report to the Governor, the President of the Senate, the  
28 Speaker of the House of Representatives, the minority leaders  
29 of the Senate and House of Representatives, and the  
30 Partnership for School Safety and Security.

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1           Section 14. Pilot program to assess teams that meet  
2 optimal ratios.--

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

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

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

22           (a) Truancy.

23           (b) School disciplinary referrals.

24           (c) Academic performance.

25           (d) Parent, teacher, and school administration  
26 satisfaction.

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

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

12       Section 15. Each school district and the state or  
13 local governmental entity having jurisdiction shall develop a  
14 school safety transportation plan. The plan shall be submitted  
15 to the Department of Education by July 1, 2000.

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

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

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

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

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

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

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

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

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

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

22           1. Limitations in the volume of traffic for the road  
23 or the direction of traffic; and

24           2. The definition of an uncontrolled crossing site.

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

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



1           (a) Separate the school bus loading and departure  
2 locations from the loading and departure locations for  
3 parents, guardians, or others who provide transportation to  
4 children.

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

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

12           Section 16. This act shall take effect July 1, 2000.

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14                           STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
15   COMMITTEE SUBSTITUTE FOR  
16   CS/SB's 852, 2 and 46

- 17 1.       Deletes the requirement for the Board of Regents to  
18       supply blueprints to the Department of Education, State  
19       Board of Education, and law enforcement.  
20 2.       Clarifies that when students with disabilities are  
21       suspended, the suspension must be in accordance with  
22       State Board of Education rules.  
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