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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/31/2015	.	
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The Committee on Education Pre-K - 12 (Legg) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (8) is added to section 1001.41,  
Florida Statutes, to read:

1001.41 General powers of district school board.—The  
district school board, after considering recommendations  
submitted by the district school superintendent, shall exercise  
the following general powers:



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11           (8) Adopt a strategic plan consistent with the school  
12 board's mission and long-term goals.

13           Section 2. Subsection (6) and paragraphs (a) and (b) of  
14 subsection (18) of section 1001.42, Florida Statutes, are  
15 amended to read:

16           1001.42 Powers and duties of district school board.—The  
17 district school board, acting as a board, shall exercise all  
18 powers and perform all duties listed below:

19           (6) STANDARDS OF ETHICAL CONDUCT FOR INSTRUCTIONAL  
20 PERSONNEL, ADMINISTRATIVE PERSONNEL, AND SCHOOL OFFICERS  
21 ~~ADMINISTRATORS~~.—Adopt policies establishing standards of ethical  
22 conduct for instructional personnel and school administrators.  
23 The policies must require all instructional personnel,  
24 administrative personnel and school administrators, and school  
25 officers, as defined in s. 1012.01, to complete training on the  
26 standards; establish the duty of instructional personnel,  
27 administrative personnel, and school officers administrators to  
28 report, and procedures for reporting, alleged misconduct by  
29 other instructional or administrative personnel and school  
30 officers school administrators which affects the health, safety,  
31 or welfare of a student; and include an explanation of the  
32 liability protections provided under ss. 39.203 and 768.095. A  
33 district school board, or any of its employees, may not enter  
34 into a confidentiality agreement regarding terminated or  
35 dismissed instructional or administrative personnel or school  
36 officers administrators, or personnel, or administrators, or  
37 school officers who resign in lieu of termination, based in  
38 whole or in part on misconduct that affects the health, safety,  
39 or welfare of a student, and may not provide instructional or



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40 administrative personnel or school officers ~~administrators~~ with  
41 employment references or discuss the personnel's or school  
42 officers' ~~administrators'~~ performance with prospective employers  
43 in another educational setting, without disclosing the  
44 personnel's or school officers' ~~administrators'~~ misconduct. Any  
45 part of an agreement or contract that has the purpose or effect  
46 of concealing misconduct by instructional or administrative  
47 personnel or school officers ~~administrators~~ which affects the  
48 health, safety, or welfare of a student is void, is contrary to  
49 public policy, and may not be enforced.

50 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.-  
51 Maintain a system of school improvement and education  
52 accountability as provided by statute and State Board of  
53 Education rule. This system of school improvement and education  
54 accountability shall be consistent with, and implemented  
55 through, the district's continuing system of planning and  
56 budgeting required by this section and ss. 1008.385, 1010.01,  
57 and 1011.01. This system of school improvement and education  
58 accountability shall comply with the provisions of ss. 1008.33,  
59 1008.34, 1008.345, and 1008.385 and include the following:

60 (a) *School improvement plans*.-

61 1. The district school board shall annually approve and  
62 require implementation of a new, amended, or continuation school  
63 improvement plan for each school in the district. If a school  
64 has a significant gap in achievement on statewide, standardized  
65 assessments administered pursuant to s. 1008.22 by one or more  
66 student subgroups, as defined in the federal Elementary and  
67 Secondary Education Act (ESEA), 20 U.S.C. s.  
68 6311(b)(2)(C)(v)(II); has not significantly increased the



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69 percentage of students passing statewide, standardized  
70 assessments; has not significantly increased the percentage of  
71 students demonstrating Learning Gains, as defined in s. 1008.34  
72 and as calculated under s. 1008.34(3)(b), who passed statewide,  
73 standardized assessments; or has significantly lower graduation  
74 rates for a subgroup when compared to the state's graduation  
75 rate, that school's improvement plan shall include strategies  
76 for improving these results. The state board shall adopt rules  
77 establishing thresholds and for determining compliance with this  
78 subparagraph.

79         2. A school that includes any of grades 6, 7, or 8 shall  
80 include annually in its school improvement plan information and  
81 data on the school's early warning system required under  
82 paragraph (b), including a list of the early warning indicators  
83 used in the system, the number of students identified by the  
84 system as exhibiting two or more early warning indicators, the  
85 number of students by grade level that exhibit each early  
86 warning indicator, and a description of all intervention  
87 strategies employed by the school to improve the academic  
88 performance of students identified by the early warning system.  
89 In addition, a school that includes any of grades 6, 7, or 8  
90 shall describe in its school improvement plan the strategies  
91 used by the school to implement and evaluate the instructional  
92 practices for middle grades emphasized by the district's  
93 professional development system pursuant to s. 1012.98(4)(b)9.

94         (b) *Early warning system.*—

95         1. A school that includes any of grades 6, 7, or 8 shall  
96 implement an early warning system to identify students in grades  
97 6, 7, and 8 who need additional support to improve academic



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98 performance and stay engaged in school. The early warning system  
99 must include the following early warning indicators:

100 a. Attendance below 90 percent, regardless of whether  
101 absence is excused or a result of out-of-school suspension.

102 b. One or more suspensions, whether in school or out of  
103 school.

104 c. Course failure in English Language Arts or mathematics.

105 d. A Level 1 score on the statewide, standardized  
106 assessments in English Language Arts or mathematics.

107

108 A school district may identify additional early warning  
109 indicators for use in a school's early warning system.

110 2. A school-based team responsible for implementing the  
111 requirements of this paragraph shall monitor the data from the  
112 early warning system in subparagraph (a)2. When a student  
113 exhibits two or more early warning indicators, the team must ~~the~~  
114 ~~school's child study team under s. 1003.02 or a school-based~~  
115 ~~team formed for the purpose of implementing the requirements of~~  
116 ~~this paragraph shall~~ convene to determine appropriate  
117 intervention strategies for the student unless the student is  
118 already being served by an intervention program. The school  
119 shall provide at least 10 days' written notice of the meeting to  
120 the student's parent, indicating the meeting's purpose, time,  
121 and location, and provide the parent the opportunity to  
122 participate. Data and information relating to the indicators  
123 must be used to inform any intervention strategies provided to a  
124 student identified under this paragraph.

125 Section 3. Paragraph (b) of subsection (1) of section  
126 1001.43, Florida Statutes, is amended to read:



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127           1001.43 Supplemental powers and duties of district school  
128 board.—The district school board may exercise the following  
129 supplemental powers and duties as authorized by this code or  
130 State Board of Education rule.

131           (1) STUDENT MANAGEMENT.—The district school board may adopt  
132 programs and policies to ensure the safety and welfare of  
133 individuals, the student body, and school personnel, which  
134 programs and policies may:

135           (b) Require that the attire ~~uniforms~~ to be worn by the  
136 student body conform to a standard student attire policy that  
137 prohibits certain types or styles of clothing and requires solid  
138 colored clothing and fabrics for pants, skirts, shorts, or  
139 similar clothing and short or long sleeved shirts with collars.  
140 The policy may authorize a small logo but may not authorize a  
141 motto or slogan. The purpose of a standard student attire policy  
142 is to provide a safe environment that fosters learning and  
143 improves school safety and discipline by:

144           1. Encouraging students to express their individuality  
145 through personality and academic achievements, rather than  
146 outward appearance.

147           2. Enabling students to focus on academics, rather than  
148 fashion, because they are able to project a neat, serious, and  
149 studious image.

150           3. Minimizing disciplinary problems because students are  
151 not distracted by clothing.

152           4. Reducing the time needed to correct dress code  
153 violations through a readily available inventory of compliant  
154 attire.

155           5. Minimizing visible differences and eliminating social



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156 pressures to wear brand name clothing or "gang colors," thereby  
157 easing financial pressures on parents and enhancing school  
158 safety.

159 6. Creating a sense of school pride and belonging.

160  
161 A district school board may implement a standard student attire  
162 policy as part of an overall program to foster and promote  
163 desirable school operating conditions and a safe and supportive  
164 educational environment. A standard student attire policy must  
165 allow a parent to opt his or her student out of the policy for  
166 religious purposes or by reason of a disability. A district  
167 school board that implements a districtwide standard student  
168 attire policy for all students in at least kindergarten through  
169 eighth grade is immune from civil liability resulting from  
170 adoption of the policy in accordance with this paragraph, ~~or~~  
171 ~~impose other dress-related requirements, if the district school~~  
172 ~~board finds that those requirements are necessary for the safety~~  
173 ~~or welfare of the student body or school personnel. However,~~  
174 Students may wear sunglasses, hats, or other sun-protective wear  
175 while outdoors during school hours, such as when students are at  
176 recess.

177 Section 4. This act shall take effect July 1, 2015.

178  
179 ===== T I T L E A M E N D M E N T =====

180 And the title is amended as follows:

181 Delete everything before the enacting clause  
182 and insert:

183 A bill to be entitled  
184 An act relating to district school boards; amending s.



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185 1001.41, F.S.; requiring district school boards to  
186 adopt a strategic plan; amending s. 1001.42, F.S.;  
187 revising provisions relating to standards of ethical  
188 conduct to apply to administrative personnel and  
189 school officers; requiring a school to monitor and  
190 evaluate its instructional practices and intervention  
191 strategies relating to the early warning system;  
192 amending s. 1001.43, F.S.; authorizing district school  
193 boards to adopt a standard student attire policy;  
194 establishing criteria for and the purpose of the  
195 policy; providing immunity from civil liability for  
196 district school boards that implement a standard  
197 student attire policy under certain conditions;  
198 providing an effective date.