

By the Committee on Education Pre-K - 12; and Senator Legg

581-03230-15

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1 A bill to be entitled
2 An act relating to district school boards; amending s.
3 1001.41, F.S.; requiring district school boards to
4 adopt a strategic plan; amending s. 1001.42, F.S.;
5 revising provisions relating to standards of ethical
6 conduct to apply to administrative personnel and
7 school officers; requiring a school to monitor and
8 evaluate its instructional practices and intervention
9 strategies relating to the early warning system;
10 amending s. 1001.43, F.S.; authorizing district school
11 boards to adopt a standard student attire policy;
12 establishing criteria for and the purpose of the
13 policy; providing immunity from civil liability for
14 district school boards that implement a standard
15 student attire policy under certain conditions;
16 providing an effective date.

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

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

22 1001.41 General powers of district school board.—The
23 district school board, after considering recommendations
24 submitted by the district school superintendent, shall exercise
25 the following general powers:

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

28 Section 2. Subsection (6) and paragraphs (a) and (b) of
29 subsection (18) of section 1001.42, Florida Statutes, are

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30 amended to read:

31 1001.42 Powers and duties of district school board.—The
32 district school board, acting as a board, shall exercise all
33 powers and perform all duties listed below:

34 (6) STANDARDS OF ETHICAL CONDUCT FOR INSTRUCTIONAL
35 PERSONNEL, ADMINISTRATIVE PERSONNEL, AND SCHOOL OFFICERS
36 ADMINISTRATORS.—Adopt policies establishing standards of ethical
37 conduct for instructional personnel and school administrators.
38 The policies must require all instructional personnel,
39 administrative personnel and school administrators, and school
40 officers, as defined in s. 1012.01, to complete training on the
41 standards; establish the duty of instructional personnel,
42 administrative personnel, and school officers administrators to
43 report, and procedures for reporting, alleged misconduct by
44 other instructional or administrative personnel and school
45 officers school administrators which affects the health, safety,
46 or welfare of a student; and include an explanation of the
47 liability protections provided under ss. 39.203 and 768.095. A
48 district school board, or any of its employees, may not enter
49 into a confidentiality agreement regarding terminated or
50 dismissed instructional or administrative personnel or school
51 officers administrators, or personnel, or administrators, or
52 school officers who resign in lieu of termination, based in
53 whole or in part on misconduct that affects the health, safety,
54 or welfare of a student, and may not provide instructional or
55 administrative personnel or school officers administrators with
56 employment references or discuss the personnel's or school
57 officers' administrators' performance with prospective employers
58 in another educational setting, without disclosing the

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59 personnel's or school officers' ~~administrators'~~ misconduct. Any
60 part of an agreement or contract that has the purpose or effect
61 of concealing misconduct by instructional or administrative
62 personnel or school officers ~~administrators~~ which affects the
63 health, safety, or welfare of a student is void, is contrary to
64 public policy, and may not be enforced.

65 (18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.-
66 Maintain a system of school improvement and education
67 accountability as provided by statute and State Board of
68 Education rule. This system of school improvement and education
69 accountability shall be consistent with, and implemented
70 through, the district's continuing system of planning and
71 budgeting required by this section and ss. 1008.385, 1010.01,
72 and 1011.01. This system of school improvement and education
73 accountability shall comply with the provisions of ss. 1008.33,
74 1008.34, 1008.345, and 1008.385 and include the following:

75 (a) *School improvement plans.*-

76 1. The district school board shall annually approve and
77 require implementation of a new, amended, or continuation school
78 improvement plan for each school in the district. If a school
79 has a significant gap in achievement on statewide, standardized
80 assessments administered pursuant to s. 1008.22 by one or more
81 student subgroups, as defined in the federal Elementary and
82 Secondary Education Act (ESEA), 20 U.S.C. s.
83 6311(b) (2) (C) (v) (II); has not significantly increased the
84 percentage of students passing statewide, standardized
85 assessments; has not significantly increased the percentage of
86 students demonstrating Learning Gains, as defined in s. 1008.34
87 and as calculated under s. 1008.34(3) (b), who passed statewide,

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88 standardized assessments; or has significantly lower graduation
89 rates for a subgroup when compared to the state's graduation
90 rate, that school's improvement plan shall include strategies
91 for improving these results. The state board shall adopt rules
92 establishing thresholds and for determining compliance with this
93 subparagraph.

94 2. A school that includes any of grades 6, 7, or 8 shall
95 include annually in its school improvement plan information and
96 data on the school's early warning system required under
97 paragraph (b), including a list of the early warning indicators
98 used in the system, the number of students identified by the
99 system as exhibiting two or more early warning indicators, the
100 number of students by grade level that exhibit each early
101 warning indicator, and a description of all intervention
102 strategies employed by the school to improve the academic
103 performance of students identified by the early warning system.
104 In addition, a school that includes any of grades 6, 7, or 8
105 shall describe in its school improvement plan the strategies
106 used by the school to implement and evaluate the instructional
107 practices for middle grades emphasized by the district's
108 professional development system pursuant to s. 1012.98(4)(b)9.

109 (b) *Early warning system.*—

110 1. A school that includes any of grades 6, 7, or 8 shall
111 implement an early warning system to identify students in grades
112 6, 7, and 8 who need additional support to improve academic
113 performance and stay engaged in school. The early warning system
114 must include the following early warning indicators:

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

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117 b. One or more suspensions, whether in school or out of
118 school.

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

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

122

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

125 2. A school-based team responsible for implementing the
126 requirements of this paragraph shall monitor the data from the
127 early warning system in subparagraph (a)2. When a student
128 exhibits two or more early warning indicators, the team must ~~the~~
129 ~~school's child study team under s. 1003.02 or a school-based~~
130 ~~team formed for the purpose of implementing the requirements of~~
131 ~~this paragraph shall~~ convene to determine appropriate
132 intervention strategies for the student unless the student is
133 already being served by an intervention program. The school
134 shall provide at least 10 days' written notice of the meeting to
135 the student's parent, indicating the meeting's purpose, time,
136 and location, and provide the parent the opportunity to
137 participate. Data and information relating to the indicators
138 must be used to inform any intervention strategies provided to a
139 student identified under this paragraph.

140 Section 3. Paragraph (b) of subsection (1) of section
141 1001.43, Florida Statutes, is amended to read:

142 1001.43 Supplemental powers and duties of district school
143 board.—The district school board may exercise the following
144 supplemental powers and duties as authorized by this code or
145 State Board of Education rule.

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146 (1) STUDENT MANAGEMENT.—The district school board may adopt
147 programs and policies to ensure the safety and welfare of
148 individuals, the student body, and school personnel, which
149 programs and policies may:

150 (b) Require that the attire ~~uniforms~~ to be worn by the
151 student body conform to a standard student attire policy that
152 prohibits certain types or styles of clothing and requires solid
153 colored clothing and fabrics for pants, skirts, shorts, or
154 similar clothing and short or long sleeved shirts with collars.
155 The policy may authorize a small logo but may not authorize a
156 motto or slogan. The purpose of a standard student attire policy
157 is to provide a safe environment that fosters learning and
158 improves school safety and discipline by:

159 1. Encouraging students to express their individuality
160 through personality and academic achievements, rather than
161 outward appearance.

162 2. Enabling students to focus on academics, rather than
163 fashion, because they are able to project a neat, serious, and
164 studious image.

165 3. Minimizing disciplinary problems because students are
166 not distracted by clothing.

167 4. Reducing the time needed to correct dress code
168 violations through a readily available inventory of compliant
169 attire.

170 5. Minimizing visible differences and eliminating social
171 pressures to wear brand name clothing or "gang colors," thereby
172 easing financial pressures on parents and enhancing school
173 safety.

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

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176 A district school board may implement a standard student attire
177 policy as part of an overall program to foster and promote
178 desirable school operating conditions and a safe and supportive
179 educational environment. A standard student attire policy must
180 allow a parent to opt his or her student out of the policy for
181 religious purposes or by reason of a disability. A district
182 school board that implements a districtwide standard student
183 attire policy for all students in at least kindergarten through
184 eighth grade is immune from civil liability resulting from
185 adoption of the policy in accordance with this paragraph, ~~or~~
186 ~~impose other dress-related requirements, if the district school~~
187 ~~board finds that those requirements are necessary for the safety~~
188 ~~or welfare of the student body or school personnel. However,~~
189 Students may wear sunglasses, hats, or other sun-protective wear
190 while outdoors during school hours, such as when students are at
191 recess.

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