

1 A bill to be entitled
2 An act relating to student discipline; creating s.
3 1006.01, F.S.; providing definitions; amending s.
4 1006.07, F.S.; revising the duties of the district
5 school boards relating to student discipline and
6 school safety; requiring school districts to adopt
7 standards for intervention, rather than a code of
8 student conduct, which standards include specified
9 requirements; requiring a school district to
10 meaningfully involve the community in creating and
11 applying certain policies; requiring a school district
12 to fund and support the implementation of school-based
13 restorative justice practices; requiring a school
14 district to hire staff members to improve the school
15 climate and safety; requiring a school district to
16 annually survey parents, students, and teachers
17 regarding school safety and discipline issues;
18 amending s. 1006.12, F.S.; revising the qualifications
19 of a school resource officer and a school safety
20 officer; authorizing a school resource officer and a
21 school safety officer to arrest a student only for
22 certain violations of law; requiring a school resource
23 officer and a school safety officer to immediately
24 notify the principal or the principal's designee if
25 the officer arrests a student in a school-related

26 | incident; prohibiting an officer from arresting or
27 | referring a student to the criminal justice system or
28 | juvenile justice system for petty acts of misconduct;
29 | providing an exception; requiring written
30 | documentation of an arrest or referral to the criminal
31 | justice system or juvenile justice system; requiring
32 | each law enforcement agency that serves a school
33 | district to enter into a cooperative agreement with
34 | the district school board, ensure the training of
35 | school resource officers and school safety officers as
36 | specified, and develop minimum qualifications for the
37 | selection of such officers; amending s. 1006.13, F.S.;
38 | requiring each district school board to adopt a policy
39 | on referrals to the criminal justice system or the
40 | juvenile justice system, rather than a policy of zero-
41 | tolerance for crime and victimization; revising and
42 | providing requirements for a policy on referrals to
43 | the criminal justice system or the juvenile justice
44 | system; providing that a school's authority and
45 | discretion to use other disciplinary consequences and
46 | interventions is not limited by specified provisions;
47 | conforming terminology; requiring each district school
48 | board, in collaboration with students, educators,
49 | parents, and stakeholders, to enter into cooperative
50 | agreements with a county sheriff's office and a local

51 | police department for specified purposes; revising the
52 | requirements for these agreements; requiring each
53 | school district to annually review the cost,
54 | effectiveness, and necessity of its school safety
55 | programs and to submit findings to the Department of
56 | Education; requiring a school district to arrange and
57 | pay for transportation for a student in certain
58 | circumstances; requiring, rather than encouraging, a
59 | school district to use alternatives to expulsion or
60 | referral to a law enforcement agency unless the use of
61 | such alternatives poses a threat to school safety;
62 | requiring each school district to submit to the
63 | department its policies and agreements by a specified
64 | date each year; requiring the department to develop by
65 | a specified date a model policy for referrals to the
66 | criminal justice system or the juvenile justice
67 | system; requiring the Commissioner of Education to
68 | report by a specified date each year to the Governor
69 | and the Legislature on the implementation of policies
70 | on referrals to law enforcement agencies; amending ss.
71 | 1002.20, 1002.23, 1002.33, 1003.02, 1003.32, 1003.53,
72 | 1003.57, 1006.09, 1006.10, 1006.147, 1006.15,
73 | 1007.271, and 1012.98, F.S.; conforming cross-
74 | references and provisions to changes made by the act;
75 | providing an effective date.

76
77 Be It Enacted by the Legislature of the State of Florida:
78

79 Section 1. Section 1006.01, Florida Statutes, is created
80 to read:

81 1006.01 Definitions.—As used in part I of this chapter,
82 the term:

83 (1) "Exclusionary consequence" means a consequence of a
84 student's serious breach of the standards for intervention, as
85 provided in s. 1006.07(2), which results in the student being
86 barred from attending school.

87 (2) "Exclusionary discipline" means a disciplinary,
88 punitive practice that removes a student from instruction time
89 in his or her regular classrooms and may include in-school
90 suspension during class time, out-of-school suspension, transfer
91 to an alternative school, or expulsion. Absences due to
92 exclusionary discipline are considered excused absences.

93 (3) "Restorative circle" means a common space where at
94 least one individual guides a discussion in which each
95 participant has an equal opportunity to speak and in which
96 participants take turns speaking about a topic and using a
97 talking piece, a physical object that is used to assist
98 communication between participants.

99 (4) "Restorative group conferencing" means an intervention
100 in which a facilitator leads the individuals who were involved

101 in an incident, whether they were harmed or caused the harm, as
102 well as their families or other supporters, in a face-to-face
103 process designed to address the harm, resolve any conflict, and
104 prevent recurrence of the harm based on the ideas of restorative
105 justice practices and mutual accountability.

106 (5) "Restorative justice" means an intervening approach to
107 justice which addresses root causes of harm that is a result of
108 unjust behavior; emphasizes repair of the harm; and gives equal
109 attention to accountability, growth, community safety, the
110 harmed student's needs, and the student offender's needs.

111 Section 2. Section 1006.07, Florida Statutes, is amended
112 to read:

113 1006.07 District school board duties relating to student
114 discipline and school safety.—The district school board shall
115 provide for the proper accounting for all students;; for the
116 attendance ~~and control~~ of students at school; for the creation
117 of a safe and effective learning environment, regardless of the
118 student's race, ethnicity, religion, disability, sexual
119 orientation, or gender identity; and for the proper attention
120 to health, safety, and other matters relating to the welfare of
121 students, including the use of:

122 (1) INTERVENTIONS FOR AND DISCIPLINE ~~CONTROL~~ OF STUDENTS.—
123 Each school district shall:

124 (a) Adopt rules for the ~~control~~, discipline, in-school
125 suspension, suspension, and expulsion of students and decide all

126 cases recommended for expulsion. Suspension hearings are exempt
127 ~~exempted~~ from ~~the provisions of~~ chapter 120. Expulsion hearings
128 are ~~shall be~~ governed by ss. 120.569 and 120.57(2) and ~~are~~
129 exempt from s. 286.011. However, the student's parent must be
130 given notice of the provisions of s. 286.011 and may elect to
131 have the hearing held in compliance with that section. The
132 district school board may prohibit the use of corporal
133 punishment, if the district school board adopts or has adopted a
134 written program of alternative ~~control or~~ discipline. In order
135 to fulfill the paramount duty of this state to make adequate
136 provisions for the education of all children residing within its
137 borders in accordance with s. 1, Art. IX of the State
138 Constitution, the district school board shall make every effort
139 to reduce exclusionary discipline for minor misbehavior.

140 (b) Require each student at the time of initial
141 registration for school in the school district to note previous
142 school expulsions, arrests resulting in a charge, and juvenile
143 justice actions the student has had, and have the authority as
144 the district school board of a receiving school district to
145 honor the final order of expulsion or dismissal of a student by
146 any in-state or out-of-state public district school board or
147 private school, or lab school, for an act that ~~which~~ would have
148 been grounds for expulsion according to the receiving district
149 school board's standards for intervention ~~code of student~~
150 ~~conduct~~, in accordance with the following procedures:

151 1. A final order of expulsion shall be recorded in the
152 records of the receiving school district.

153 2. The expelled student applying for admission to the
154 receiving school district shall be advised of the final order of
155 expulsion.

156 3. The district school superintendent of the receiving
157 school district may recommend to the district school board that
158 the final order of expulsion be waived and the student be
159 admitted to the school district, or that the final order of
160 expulsion be honored and the student not be admitted to the
161 school district. If the student is admitted by the district
162 school board, with or without the recommendation of the district
163 school superintendent, the student may be placed in an
164 appropriate educational program at the direction of the district
165 school board.

166 (2) STANDARDS FOR INTERVENTION ~~CODE OF STUDENT CONDUCT.~~—
167 Each school district shall adopt clear standards for
168 intervention, formerly known as a code of student conduct, which
169 create a safe, supportive, and positive school climate and
170 address misbehavior with interventions and consequences aimed at
171 understanding and addressing the causes of misbehavior,
172 resolving conflicts, meeting students' needs, keeping students
173 in school, and teaching them to respond in age-appropriate ways
174 ~~a code of student conduct for elementary schools and a code of~~
175 ~~student conduct for middle and high schools and distribute the~~

176 ~~appropriate code to all teachers, school personnel, students,~~
177 ~~and parents, at the beginning of every school year. The process~~
178 ~~for adopting standards for intervention must include meaningful~~
179 ~~involvement among parents, students, teachers, and the~~
180 ~~community. The standards for intervention must be organized and~~
181 ~~written in language that is understandable to students and~~
182 ~~parents and translated into all languages represented by the~~
183 ~~students and their parents; discussed at the beginning of every~~
184 ~~school year in student classes, school advisory council~~
185 ~~meetings, and parent and teacher association or organization~~
186 ~~meetings; made available at the beginning of every school year~~
187 ~~in the student handbook or similar publication distributed to~~
188 ~~all teachers, school personnel, students, and parents; and~~
189 ~~posted on the school district's website. The standards for~~
190 ~~intervention must Each code shall be organized and written in~~
191 ~~language that is understandable to students and parents and~~
192 ~~shall be discussed at the beginning of every school year in~~
193 ~~student classes, school advisory council meetings, and parent~~
194 ~~and teacher association or organization meetings. Each code~~
195 ~~shall be based on the rules governing student conduct and~~
196 ~~discipline adopted by the district school board and shall be~~
197 ~~made available in the student handbook or similar publication.~~
198 ~~Each code shall include, but need is not be limited to, the~~
199 ~~following:~~

200 (a) Consistent policies and specific grounds for

201 disciplinary action, including in-school suspension, out-of-
202 school suspension, expulsion, intervention, support, and any
203 disciplinary action that may be imposed for the possession or
204 use of alcohol on school property or while attending a school
205 function or for the illegal use, sale, or possession of
206 controlled substances as defined in chapter 893.

207 (b) Procedures to be followed for acts requiring
208 discipline, including corporal punishment.

209 (c) A discipline chart or matrix indicating that a student
210 is not subject to exclusionary discipline for unexcused
211 tardiness, lateness, absence, or truancy; for violation of the
212 school dress code or rules regarding school uniforms; or for
213 behavior infractions that do not endanger the physical safety of
214 other students or staff members, including, but not limited to,
215 insubordination, defiance, disobedience, disrespect, or minor
216 classroom disruptions. The discipline chart or matrix must also:

217 1. Provide guidance on appropriate interventions and
218 consequences to be applied to behaviors or behavior categories
219 as provided in subparagraph 2. The school district may define
220 specific interventions and provide a list of interventions that
221 must be used and documented before exclusionary discipline is
222 considered unless a behavior poses a serious threat to school
223 safety. The interventions may include, but need not be limited
224 to:

225 a. Having a private conversation with the student about

226 his or her behavior and underlying issues that may have
227 precipitated the behavior.

228 b. Providing an opportunity for the student's anger, fear,
229 or anxiety to subside.

230 c. Providing restorative justice practices using a
231 schoolwide approach of informal and formal techniques to foster
232 a sense of school community and to manage conflict by repairing
233 harm and restoring positive relationships.

234 d. Providing reflective activities, such as requiring the
235 student to write an essay about his or her behavior.

236 e. Participating in skill building and conflict resolution
237 activities, such as social-emotional cognitive skill building,
238 restorative circles, and restorative group conferencing.

239 f. Revoking student privileges.

240 g. Referring the student to a school counselor or social
241 worker.

242 h. Speaking to the student's parent.

243 i. Referring the student to intervention outside the
244 school setting.

245 j. Ordering in-school detention or in-school suspension
246 during lunch, after school, or on the weekends.

247 2. Outline specific behaviors or behavior categories. Each
248 behavior or behavior category must include clear maximum
249 consequences to prevent inappropriate exclusionary consequences
250 for minor misbehavior and petty acts of misconduct and set clear

251 requirements that must be satisfied before the school imposes
252 exclusionary discipline. The chart or matrix must show that
253 exclusionary discipline is a last resort to be used only in
254 cases of serious misconduct when in-school interventions and
255 consequences that do not lead to exclusionary consequences are
256 insufficient. The following behaviors, which must be accompanied
257 by appropriate intervention services, such as substance abuse
258 counseling, anger management counseling, or restorative justice
259 practices, may result in exclusionary discipline and in
260 notification of a law enforcement agency if the behavior is a
261 felony or a serious threat to school safety:

262 a. Illegal sale of a controlled substance, as defined in
263 chapter 893, by a student on school property or in attendance at
264 a school function.

265 b. Violation of the district school board's sexual
266 harassment policy.

267 c. Possession, display, transmission, use, or sale of a
268 firearm or weapon, as defined in s. 790.001 or 18 U.S.C. s. 921,
269 or an object that is used as, or is intended to function as, a
270 weapon, while on school property or in attendance at a school
271 function.

272 d. Making a threat or intimidation using any pointed or
273 sharp object or the use of any substance or object as a weapon
274 with the threat or intent to inflict bodily harm.

275 e. Making a threat or a false report, as provided in ss.

276 | 790.162 and 790.163, respectively.

277 | f. Homicide.

278 | g. Sexual battery.

279 | h. Armed robbery.

280 | i. Aggravated battery.

281 | j. Battery or aggravated battery on a teacher, other

282 | school personnel, or district school board personnel.

283 | k. Kidnapping.

284 | l. Arson.

285 | (d) A glossary of clearly defined terms and behaviors.

286 | (e) An explanation of the responsibilities, dignity, and

287 | rights of and respect for students, including, but not limited

288 | to, a student's right not to be discriminated against based on

289 | race, ethnicity, religion, disability, sexual orientation, or

290 | gender identity; a student's right to participate in student

291 | publications, school programs, and school activities; and a

292 | student's right to exercise free speech, to assemble, and to

293 | maintain privacy.

294 | (f) An explanation of the school's dress code or rules

295 | regarding school uniforms and notice that students have the

296 | right to dress in accordance with their stated gender within the

297 | constraints of the school's dress code.

298 | (g) Notice that violation of transportation policies of a

299 | district school board by a student, including disruptive

300 | behavior on a school bus or at a school bus stop, is grounds for

301 disciplinary action by the school.

302 (h) Notice that a student who is determined to have
303 brought a firearm or weapon, as defined in s. 790.001 or 18
304 U.S.C. s. 921, to school, to a school function, or onto school-
305 sponsored transportation, or to have possessed a firearm or
306 weapon at school, will be expelled from the student's regular
307 school for at least 1 full year and referred to the criminal
308 justice system or juvenile justice system. A district school
309 superintendent may consider the requirement of 1-year expulsion
310 on a case-by-case basis and may request the district school
311 board to modify the requirement by assigning the student to a
312 disciplinary program or second chance school if:

- 313 1. The request for modification is in writing; and
314 2. The modification is determined to be in the best
315 interest of the student and the school district.

316 (i) Notice that a student who is determined to have made a
317 threat or false report, as provided in ss. 790.162 and 790.163,
318 respectively, involving the school's or school personnel's
319 property, school transportation, or a school-sponsored activity
320 may be expelled from the student's regular school for at least 1
321 full year, with continuing educational services, and referred to
322 the criminal justice system or juvenile justice system. A
323 district school superintendent may consider the requirement of a
324 1-year expulsion on a case-by-case basis and may request the
325 district school board to modify the requirement by assigning the

326 student to a disciplinary program or second chance school if:

327 1. The request for modification is in writing; and

328 2. The modification is determined to be in the best
329 interest of the student and the school district.

330 (j) A clear and complete explanation of due process rights
331 afforded to a student, including a student with a disability,
332 and the types of exclusionary discipline to which a student may
333 be subjected.

334 ~~(c) An explanation of the responsibilities and rights of~~
335 ~~students with regard to attendance, respect for persons and~~
336 ~~property, knowledge and observation of rules of conduct, the~~
337 ~~right to learn, free speech and student publications, assembly,~~
338 ~~privacy, and participation in school programs and activities.~~

339 ~~(d)1. An explanation of the responsibilities of each~~
340 ~~student with regard to appropriate dress, respect for self and~~
341 ~~others, and the role that appropriate dress and respect for self~~
342 ~~and others has on an orderly learning environment. Each district~~
343 ~~school board shall adopt a dress code policy that prohibits a~~
344 ~~student, while on the grounds of a public school during the~~
345 ~~regular school day, from wearing clothing that exposes underwear~~
346 ~~or body parts in an indecent or vulgar manner or that disrupts~~
347 ~~the orderly learning environment.~~

348 ~~2. Any student who violates the dress policy described in~~
349 ~~subparagraph 1. is subject to the following disciplinary~~
350 ~~actions:~~

351 ~~a. For a first offense, a student shall be given a verbal~~
352 ~~warning and the school principal shall call the student's parent~~
353 ~~or guardian.~~

354 ~~b. For a second offense, the student is ineligible to~~
355 ~~participate in any extracurricular activity for a period of time~~
356 ~~not to exceed 5 days and the school principal shall meet with~~
357 ~~the student's parent or guardian.~~

358 ~~e. For a third or subsequent offense, a student shall~~
359 ~~receive an in-school suspension pursuant to s. 1003.01(5) for a~~
360 ~~period not to exceed 3 days, the student is ineligible to~~
361 ~~participate in any extracurricular activity for a period not to~~
362 ~~exceed 30 days, and the school principal shall call the~~
363 ~~student's parent or guardian and send the parent or guardian a~~
364 ~~written letter regarding the student's in-school suspension and~~
365 ~~ineligibility to participate in extracurricular activities.~~

366 ~~(c) Notice that illegal use, possession, or sale of~~
367 ~~controlled substances, as defined in chapter 893, by any student~~
368 ~~while the student is upon school property or in attendance at a~~
369 ~~school function is grounds for disciplinary action by the school~~
370 ~~and may also result in criminal penalties being imposed.~~

371 ~~(f) Notice that use of a wireless communications device~~
372 ~~includes the possibility of the imposition of disciplinary~~
373 ~~action by the school or criminal penalties if the device is used~~
374 ~~in a criminal act. A student may possess a wireless~~
375 ~~communications device while the student is on school property or~~

376 ~~in attendance at a school function. Each district school board~~
377 ~~shall adopt rules governing the use of a wireless communications~~
378 ~~device by a student while the student is on school property or~~
379 ~~in attendance at a school function.~~

380 ~~(g) Notice that the possession of a firearm or weapon as~~
381 ~~defined in chapter 790 by any student while the student is on~~
382 ~~school property or in attendance at a school function is grounds~~
383 ~~for disciplinary action and may also result in criminal~~
384 ~~prosecution. Simulating a firearm or weapon while playing or~~
385 ~~wearing clothing or accessories that depict a firearm or weapon~~
386 ~~or express an opinion regarding a right guaranteed by the Second~~
387 ~~Amendment to the United States Constitution is not grounds for~~
388 ~~disciplinary action or referral to the criminal justice or~~
389 ~~juvenile justice system under this section or s. 1006.13.~~
390 ~~Simulating a firearm or weapon while playing includes, but is~~
391 ~~not limited to:~~

392 ~~1. Brandishing a partially consumed pastry or other food~~
393 ~~item to simulate a firearm or weapon.~~

394 ~~2. Possessing a toy firearm or weapon that is 2 inches or~~
395 ~~less in overall length.~~

396 ~~3. Possessing a toy firearm or weapon made of plastic~~
397 ~~snap-together building blocks.~~

398 ~~4. Using a finger or hand to simulate a firearm or weapon.~~

399 ~~5. Vocalizing an imaginary firearm or weapon.~~

400 ~~6. Drawing a picture, or possessing an image, of a firearm~~

401 ~~or weapon.~~

402 ~~7. Using a pencil, pen, or other writing or drawing~~
403 ~~utensil to simulate a firearm or weapon.~~

404
405 ~~However, a student may be subject to disciplinary action if~~
406 ~~simulating a firearm or weapon while playing substantially~~
407 ~~disrupts student learning, causes bodily harm to another person,~~
408 ~~or places another person in reasonable fear of bodily harm. The~~
409 ~~severity of consequences imposed upon a student, including~~
410 ~~referral to the criminal justice or juvenile justice system,~~
411 ~~must be proportionate to the severity of the infraction and~~
412 ~~consistent with district school board policies for similar~~
413 ~~infractions. If a student is disciplined for such conduct, the~~
414 ~~school principal or his or her designee must call the student's~~
415 ~~parent. Disciplinary action resulting from a student's clothing~~
416 ~~or accessories shall be determined pursuant to paragraph (d)~~
417 ~~unless the wearing of the clothing or accessory causes a~~
418 ~~substantial disruption to student learning, in which case the~~
419 ~~infraction may be addressed in a manner that is consistent with~~
420 ~~district school board policies for similar infractions. This~~
421 ~~paragraph does not prohibit a public school from adopting a~~
422 ~~school uniform policy.~~

423 ~~(h) Notice that violence against any district school board~~
424 ~~personnel by a student is grounds for in-school suspension, out-~~
425 ~~of-school suspension, expulsion, or imposition of other~~

426 ~~disciplinary action by the school and may also result in~~
427 ~~criminal penalties being imposed.~~

428 ~~(i) Notice that violation of district school board~~
429 ~~transportation policies, including disruptive behavior on a~~
430 ~~school bus or at a school bus stop, by a student is grounds for~~
431 ~~suspension of the student's privilege of riding on a school bus~~
432 ~~and may be grounds for disciplinary action by the school and may~~
433 ~~also result in criminal penalties being imposed.~~

434 ~~(j) Notice that violation of the district school board's~~
435 ~~sexual harassment policy by a student is grounds for in-school~~
436 ~~suspension, out-of-school suspension, expulsion, or imposition~~
437 ~~of other disciplinary action by the school and may also result~~
438 ~~in criminal penalties being imposed.~~

439 ~~(k) Policies to be followed for the assignment of violent~~
440 ~~or disruptive students to an alternative educational program.~~

441 ~~(l) Notice that any student who is determined to have~~
442 ~~brought a firearm or weapon, as defined in chapter 790, to~~
443 ~~school, to any school function, or onto any school sponsored~~
444 ~~transportation, or to have possessed a firearm at school, will~~
445 ~~be expelled, with or without continuing educational services,~~
446 ~~from the student's regular school for a period of not less than~~
447 ~~1 full year and referred to the criminal justice or juvenile~~
448 ~~justice system. District school boards may assign the student to~~
449 ~~a disciplinary program or second chance school for the purpose~~
450 ~~of continuing educational services during the period of~~

451 ~~expulsion. District school superintendents may consider the 1-~~
452 ~~year expulsion requirement on a case-by-case basis and request~~
453 ~~the district school board to modify the requirement by assigning~~
454 ~~the student to a disciplinary program or second chance school if~~
455 ~~the request for modification is in writing and it is determined~~
456 ~~to be in the best interest of the student and the school system.~~

457 ~~(m) Notice that any student who is determined to have made~~
458 ~~a threat or false report, as defined by ss. 790.162 and 790.163,~~
459 ~~respectively, involving school or school personnel's property,~~
460 ~~school transportation, or a school-sponsored activity will be~~
461 ~~expelled, with or without continuing educational services, from~~
462 ~~the student's regular school for a period of not less than 1~~
463 ~~full year and referred for criminal prosecution. District school~~
464 ~~boards may assign the student to a disciplinary program or~~
465 ~~second chance school for the purpose of continuing educational~~
466 ~~services during the period of expulsion. District school~~
467 ~~superintendents may consider the 1-year expulsion requirement on~~
468 ~~a case-by-case basis and request the district school board to~~
469 ~~modify the requirement by assigning the student to a~~
470 ~~disciplinary program or second chance school if it is determined~~
471 ~~to be in the best interest of the student and the school system.~~

472 ~~(3) COMMUNITY INVOLVEMENT IN POLICY CREATION STUDENT CRIME~~
473 ~~WATCH PROGRAM.—Each school district shall ensure the meaningful~~
474 ~~involvement of parents, students, teachers, and the community in~~
475 ~~creating and applying policies regarding student discipline and~~

476 school safety ~~By resolution of the district school board,~~
477 ~~implement a student crime watch program to promote~~
478 ~~responsibility among students and to assist in the control of~~
479 ~~criminal behavior within the schools.~~

480 (4) EMERGENCY DRILLS AND; ~~EMERGENCY PROCEDURES.~~ Each
481 school district shall:

482 (a) Formulate and prescribe policies and procedures for
483 emergency drills and for actual emergencies, including, but not
484 limited to, fires, natural disasters, and bomb threats, for all
485 the public schools of the district which comprise grades K-12.
486 District school board policies must ~~shall~~ include commonly used
487 alarm system responses for specific types of emergencies and
488 verification by each school that drills have been provided as
489 required by law and fire protection codes. The emergency
490 response agency that is responsible for notifying the school
491 district for each type of emergency must be listed in the
492 district's emergency response policy.

493 (b) Establish model emergency management and emergency
494 preparedness procedures, including emergency notification
495 procedures pursuant to paragraph (a), for the following life-
496 threatening emergencies:

- 497 1. Weapon-use and hostage situations.
- 498 2. Hazardous materials or toxic chemical spills.
- 499 3. Weather emergencies, including hurricanes, tornadoes,
500 and severe storms.

501 4. Exposure as a result of a manmade emergency.

502 (5) EDUCATIONAL SERVICES IN DETENTION FACILITIES.—Each
503 school district shall offer educational services to minors who
504 have not graduated from high school and eligible students with
505 disabilities under the age of 22 who have not graduated with a
506 standard diploma or its equivalent who are detained in a county
507 or municipal detention facility as defined in s. 951.23. These
508 educational services must ~~shall~~ be based upon the estimated
509 length of time the student will be in the facility and the
510 student's current level of functioning. A county sheriff or
511 chief correctional officer, or his or her designee, shall notify
512 the district school superintendent, superintendents or his or
513 her designee, when ~~their designees shall be notified by the~~
514 ~~county sheriff or chief correctional officer, or his or her~~
515 ~~designee, upon the assignment of a student under the age of 21~~
516 is assigned to the facility. A ~~cooperative agreement with the~~
517 district school board and applicable law enforcement units shall
518 develop a cooperative agreement ~~be developed~~ to address the
519 notification requirement and the provision of educational
520 services to such ~~these~~ students.

521 (6) SAFETY AND SECURITY BEST PRACTICES.—Each school
522 district shall use the Safety and Security Best Practices
523 developed by the Office of Program Policy Analysis and
524 Government Accountability to conduct a self-assessment of the
525 school districts' current safety and security practices. Based

526 | on these self-assessment findings, the district school
527 | superintendent shall provide recommendations to the district
528 | school board which identify strategies and activities that the
529 | district school board should implement in order to improve
530 | school safety and security. ~~Annually~~ Each district school board
531 | must annually receive the self-assessment results at a publicly
532 | noticed district school board meeting to provide the public an
533 | opportunity to hear the district school board members discuss
534 | and take action on the report findings. Each district school
535 | superintendent shall report the self-assessment results and
536 | school board action to the commissioner within 30 days after the
537 | district school board meeting.

538 | (7) RESTORATIVE JUSTICE PRACTICES.—Each school district
539 | shall provide funding for, train school staff members on, and
540 | support the implementation of school-based restorative justice
541 | practices. Schools shall use these practices to foster a sense
542 | of school community and to resolve conflict by encouraging the
543 | reporting of harm and by restoring positive relationships. There
544 | are various ways to use these practices in the schools and in
545 | the juvenile justice system where students and educators work
546 | together to set academic goals, develop core values for the
547 | classroom, and resolve conflicts. Many types of restorative
548 | justice practices, such as restorative circles, may be used to
549 | promote a positive learning environment and to confront issues
550 | as they arise. Some common restorative circles that schools use

551 for discipline may include, but need not be limited to:

552 (a) Discipline circles that address the harm that
553 occurred, repair the harm, and develop solutions to prevent
554 recurrence of the harm among the parties involved.

555 (b) Proactive behavior management circles that use role
556 play to develop positive behavioral models for students.

557 (8) SUPPORT STAFF.—Each school district shall provide
558 funding to hire staff members to improve school climate and
559 safety, such as social workers, counselors, and restorative
560 justice coordinators, at the nationally recommended ratio of 250
561 students to 1 counselor in order to reduce dependency on school
562 safety officers, school resource officers, and other school
563 resources.

564 (9) SURVEYS.—Each school district shall annually survey
565 parents, students, and teachers regarding school safety and
566 disciplinary issues.

567 Section 3. Section 1006.12, Florida Statutes, is amended
568 to read:

569 1006.12 School resource officers and school safety
570 officers.—

571 (1) A district school board ~~boards~~ may establish a school
572 resource officer program ~~programs~~, through a cooperative
573 agreement with a law enforcement agency ~~agencies~~ or in
574 accordance with subsection (2).

575 (a) Each school resource officer must ~~officers shall~~ be a

576 certified law enforcement officer ~~officers~~, as defined in s.
577 943.10(1), and have been who are employed for at least 2 years
578 by a law enforcement agency ~~as defined in s. 943.10(4)~~. The
579 powers and duties of a law enforcement officer ~~shall~~ continue
580 throughout the employee's tenure as a school resource officer.

581 (b) A school resource officer ~~officers~~ shall abide by
582 district school board policies and ~~shall~~ consult with and
583 coordinate activities through the school principal, but is ~~shall~~
584 ~~be~~ responsible to the law enforcement agency in all matters
585 relating to employment, subject to agreements between the a
586 district school board and the a law enforcement agency. A school
587 resource officer's activities that ~~conducted by the school~~
588 ~~resource officer which~~ are part of the regular instructional
589 program of the school are ~~shall be~~ under the direction of the
590 school principal.

591 (c) A school resource officer may arrest a student only
592 for a violation of law which constitutes a serious threat to
593 school safety and only after consultation with the school
594 principal or the principal's designee, documented attempts at
595 intervention or in-school consequences, and pursuant to the
596 standards for intervention and the cooperative agreement as
597 described in ss. 1006.07 and 1006.13, respectively. If a school
598 resource officer arrests a student in a school-related incident,
599 the officer shall immediately notify the principal or the
600 principal's designee. A school resource officer may not arrest

601 or otherwise refer a student to the criminal justice system or
602 the juvenile justice system for a petty act of misconduct unless
603 it is determined that the failure to do so would endanger the
604 physical safety of other students or staff at the school. Such
605 determination must be documented in a written report to the
606 principal or the principal's designee which includes a
607 description of the behavior at issue and an explanation of why
608 an arrest or referral was necessary.

609 (2) (a) Each school safety officer must ~~officers shall~~ be a
610 law enforcement officer ~~officers~~, as defined in s. 943.10(1),
611 certified under ~~the provisions of~~ chapter 943 and have been
612 employed for at least 2 years by ~~either~~ a law enforcement agency
613 or ~~by~~ the district school board. If the officer is employed by
614 the district school board, the district school board is the
615 employing agency for purposes of chapter 943, and must comply
616 with ~~the provisions of~~ that chapter.

617 (b) A district school board may commission one or more
618 school safety officers for the protection and safety of school
619 personnel, property, and students within the school district.
620 The district school superintendent may recommend and the
621 district school board may appoint one or more school safety
622 officers.

623 (c) A school safety officer may ~~has and shall exercise the~~
624 ~~power to~~ make arrests for violations of law on district school
625 board property and ~~to~~ arrest persons, whether on or off such

626 | property, who violate any law on such property under the same
627 | conditions that deputy sheriffs are authorized to make arrests.
628 | A school safety officer may arrest a student only for a
629 | violation of law which constitutes a serious threat to school
630 | safety and only after consultation with the school principal or
631 | the principal's designee, documented attempts at intervention or
632 | in-school consequences, and pursuant to the standards for
633 | intervention and the cooperative agreement as described in ss.
634 | 1006.07 and 1006.13, respectively. If a school safety officer
635 | arrests a student in a school-related incident, the officer
636 | shall immediately notify the principal or the principal's
637 | designee. A school safety officer may not arrest or otherwise
638 | refer a student to the criminal justice system or the juvenile
639 | justice system for a petty act of misconduct unless it is
640 | determined that the failure to do so would endanger the physical
641 | safety of other students or staff at the school. Such
642 | determination must be documented in a written report to the
643 | principal or the principal's designee which includes a
644 | description of the behavior at issue and an explanation of why
645 | an arrest or referral was necessary ~~A school safety officer has~~
646 | ~~the authority to carry weapons when performing his or her~~
647 | ~~official duties.~~

648 | (d) A district school board may enter into mutual aid
649 | agreements with one or more law enforcement agencies as provided
650 | in chapter 23. A school safety officer's salary may be paid

651 jointly by the district school board and the law enforcement
652 agency, as mutually agreed to.

653 (3) Each law enforcement agency serving a school district
654 shall do the following:

655 (a) Enter into a cooperative agreement with the district
656 school board pursuant to s. 1006.13.

657 (b) Ensure that each school resource officer and school
658 safety officer is trained to use appropriate and positive
659 interactions with students in different stages of mental,
660 emotional, and physical development, and to implement the range
661 of interventions and school-based consequences that should be
662 used to avoid an arrest. Training must include, but is not
663 limited to, the following:

- 664 1. Child and adolescent development and psychology;
665 2. Teaching students to respond in age-appropriate ways;
666 3. Cultural differences and unconscious bias;
667 4. Restorative justice practices;
668 5. Rights of students with disabilities and appropriate
669 responses to their behaviors;
670 6. Practices that improve the school climate; and
671 7. The creation of safe environments for lesbian, gay,
672 bisexual, and transgender students.

673 (c) Establish the following minimum qualifications for the
674 selection of school resource officers and school safety
675 officers:

- 676 1. Proficiency in verbal, written, and interpersonal
677 skills that include public speaking;
- 678 2. Knowledge and experience in matters involving cultural
679 diversity and sensitivity;
- 680 3. Training in best practices for working with students as
681 specified in paragraph (b);
- 682 4. Commitment to serving as a positive role model for
683 students;
- 684 5. Passion for and desire to interact positively with
685 students; and
- 686 6. An employment record with no history of excessive force
687 or racial bias.

688 Section 4. Section 1006.13, Florida Statutes, is amended
689 to read:

690 1006.13 Policy on referrals to the criminal justice system
691 or the juvenile justice system ~~of zero tolerance for crime and~~
692 ~~victimization.~~—

693 (1) It is the intent of the Legislature to promote a safe
694 and supportive learning environment in schools, to protect
695 students and staff from conduct that poses a serious threat to
696 school safety, and to encourage schools to use alternatives to
697 expulsion or referral to law enforcement agencies by addressing
698 disruptive behavior through restitution, civil citation, teen
699 court, neighborhood restorative justice, or similar programs.
700 The Legislature finds that referrals to the criminal justice

701 system or the juvenile justice system ~~zero-tolerance policies~~
702 are not intended to be rigorously applied to petty acts of
703 misconduct and misdemeanors, including, but not limited to,
704 minor fights or disturbances. The Legislature finds that ~~zero-~~
705 ~~tolerance policies~~ on referrals to the criminal justice system
706 or the juvenile justice system must apply equally to all
707 students regardless of their economic status, race, or
708 disability.

709 (2) Each district school board shall adopt a policy on
710 referrals to the criminal justice system or the juvenile justice
711 system which ~~of zero tolerance~~ that:

712 (a) Clearly limits the role of law enforcement
713 intervention to serious threats to school safety and delineates
714 clear roles in which school principals or their designees, under
715 the constraints of the standards for intervention as described
716 in s. 1006.07 and other district policies, are the final
717 decisionmakers on disciplinary consequences, including referrals
718 to law enforcement agencies.

719 (b) Defines criteria for reporting to a law enforcement
720 agency any act that occurs whenever or wherever students are
721 within the jurisdiction of the district school board and that
722 poses a serious threat to school safety. An act that does not
723 pose a serious threat to school safety must be handled within
724 the school's disciplinary system.

725 (c) ~~(b)~~ Defines acts that pose a serious threat to school

726 safety, including, but not limited to, those acts or behaviors
727 specified in s. 1006.07(2)(c)2.

728 (d)-(e) Defines petty acts of misconduct, including, but
729 not limited to, behavior that could amount to the misdemeanor
730 criminal charge of disorderly conduct, disturbing a school
731 function, loitering, simple assault or battery, affray, theft of
732 less than \$300, trespassing, vandalism of less than \$1,000,
733 criminal mischief, and other behavior that does not pose a
734 serious threat to school safety.

735 (e) Specifies that students may not be arrested or
736 otherwise referred to the criminal justice system or the
737 juvenile justice system for petty acts of misconduct unless it
738 is determined that the failure to do so would endanger the
739 physical safety of other students or staff at the school. Such
740 determination must be documented in a written report that
741 includes a description of the behavior at issue and an
742 explanation of why an arrest or referral was necessary.

743 (f)-(d) Minimizes the victimization of students, staff, or
744 volunteers, including taking all steps necessary to protect the
745 victim of any violent crime from any further victimization.

746 (g)-(e) Establishes a procedure that provides each student
747 with the opportunity for a review of the disciplinary action
748 imposed pursuant to s. 1006.07.

749 (h) Establishes data-sharing protocols so that each school
750 district receives, at least twice a year, a report on the number

751 of school-based arrests of students. All data must be
752 disaggregated by race, ethnicity, gender, school, offense, and
753 the name of the law enforcement officer involved, and match the
754 school district's records on grade, disability, and status as a
755 limited English proficient student.

756 (3) This section does not limit a school's authority and
757 discretion under law to use other disciplinary consequences and
758 interventions as appropriate to address school-based incidents.

759 (4) ~~(3)~~ The policy on referrals to the criminal justice
760 system or the juvenile justice system ~~zero-tolerance policies~~
761 must require a student who is ~~students~~ found to have committed
762 one of the following offenses to be expelled, with or without
763 continuing educational services, from the student's regular
764 school for a period of not less than 1 full year, and to be
765 referred to the criminal justice system or juvenile justice
766 system:-

767 (a) Bringing a firearm or weapon, as defined in s. 790.001
768 or 18 U.S.C. s. 921 ~~chapter 790~~, to school, to any school
769 function, or onto any school-sponsored transportation or
770 possessing a firearm at school.

771 (b) Making a threat or false report, as provided in
772 ~~defined by~~ ss. 790.162 and 790.163, respectively, involving
773 school or school personnel's property, school transportation, or
774 a school-sponsored activity.

775

776 | A district school board ~~boards~~ may assign the student to a
 777 | disciplinary program for the purpose of continuing educational
 778 | services during the period of expulsion. A district school
 779 | superintendent ~~superintendents~~ may consider the 1-year expulsion
 780 | requirement on a case-by-case basis and request the district
 781 | school board to modify the requirement by assigning the student
 782 | to a disciplinary program or second chance school if the request
 783 | for modification is in writing and it is determined to be in the
 784 | best interest of the student and the school system. If a student
 785 | committing any of the offenses in this subsection is a student
 786 | who has a disability, the district school board shall comply
 787 | with applicable State Board of Education rules.

788 | (5)(4)(a) Each district school board, in collaboration
 789 | with students, educators, parents, and stakeholders, shall enter
 790 | into cooperative agreements with the county sheriff's office and
 791 | local police department specifying guidelines for ensuring that
 792 | acts that pose a serious threat to school safety, whether
 793 | committed by a student or adult, are reported to a law
 794 | enforcement agency. Such agreements must:

795 | (a)(b) ~~The agreements must~~ Include the role of school
 796 | safety officers and school resource officers, ~~if applicable,~~ in
 797 | handling reported incidents that pose a serious threat to school
 798 | safety and, circumstances in which school officials may handle
 799 | incidents without filing a report with a law enforcement agency,
 800 | ~~and a procedure for ensuring that school personnel properly~~

801 ~~report appropriate delinquent acts and crimes.~~

802 (b)(c) Clarify that zero-tolerance policies do not require
803 the reporting of petty acts of misconduct and misdemeanors may
804 not be reported to a law enforcement agency, including, but not
805 limited to, disorderly conduct, disturbing ~~disrupting~~ a school
806 function, loitering, simple assault or battery, affray, theft of
807 less than \$300, trespassing, and vandalism of less than \$1,000,
808 criminal mischief, and other misdemeanors that do not pose a
809 serious threat to school safety.

810 (c)(d) Clarify the role of the school principal in
811 ensuring ~~shall ensure~~ that all school personnel are properly
812 informed of ~~as to~~ their responsibilities regarding crime
813 reporting, that appropriate delinquent acts and crimes are
814 properly reported, and that actions taken in cases with special
815 circumstances are properly taken and documented.

816 (d) Specify training for each school resource officer and
817 school safety officer on school grounds to foster appropriate
818 and positive interactions with students in different stages of
819 mental, emotional, and physical development, and to implement
820 the range of interventions and school-based consequences that
821 should be used to avoid an arrest. Training must include, but is
822 not limited to, the following:

- 823 1. Child and adolescent development and psychology;
824 2. Teaching students to respond in age-appropriate ways;
825 3. Cultural differences and unconscious bias;

826 4. Restorative justice practices;

827 5. Rights of students with disabilities and appropriate
828 responses to their behaviors;

829 6. Practices that improve the school climate; and

830 7. The creation of safe environments for lesbian, gay,
831 bisexual, and transgender students.

832 (e) Include clear guidelines for selecting school resource
833 officers and school safety officers, who must meet the following
834 minimum qualifications:

835 1. Proficiency in verbal, written, and interpersonal
836 skills that include public speaking;

837 2. Knowledge and experience in matters involving cultural
838 diversity and sensitivity;

839 3. Training in best practices for working with students as
840 specified in paragraph (d);

841 4. Commitment to serving as a positive role model for
842 students;

843 5. Passion for and desire to interact positively with
844 students; and

845 6. An employment record with no history of excessive force
846 or racial bias.

847 (f) Require a school district to annually review the cost
848 and effectiveness of its school safety programs, including the
849 use of school safety officers, school resource officers, and
850 other security measures, to report its findings to the

851 Department of Education by August 1 of each school year, and to
852 use these findings to reevaluate and improve school safety
853 programs.

854 (6)~~(5)~~ Notwithstanding any other provision of law, each
855 district school board shall adopt rules providing that a ~~any~~
856 student found to have committed an ~~any~~ offense in s. 784.081(1),
857 (2), or (3) shall be expelled or placed in an alternative school
858 setting or other program, as appropriate. Upon being charged
859 with the offense, and pending disposition, the student shall be
860 removed from the classroom immediately and placed in an
861 alternative school setting ~~pending disposition.~~

862 (7) (a)~~(6) (a)~~ Notwithstanding any provision of law
863 prohibiting the disclosure of the identity of a minor, if a
864 ~~whenever any~~ student who is attending a public school is
865 adjudicated guilty of or delinquent for, or is found to have
866 committed, regardless of whether adjudication is withheld, or
867 pleads guilty or nolo contendere to, a felony violation of:

- 868 1. Chapter 782, relating to homicide;
- 869 2. Chapter 784, relating to assault, battery, and culpable
870 negligence;
- 871 3. Chapter 787, relating to kidnapping, false
872 imprisonment, luring or enticing a child, and custody offenses;
- 873 4. Chapter 794, relating to sexual battery;
- 874 5. Chapter 800, relating to lewdness and indecent
875 exposure;

876 6. Chapter 827, relating to abuse of children;
877 7. Section 812.13, relating to robbery;
878 8. Section 812.131, relating to robbery by sudden
879 snatching;
880 9. Section 812.133, relating to carjacking; or
881 10. Section 812.135, relating to home-invasion robbery,
882
883 and, before or at the time of such adjudication, withholding of
884 adjudication, or plea, the student ~~offender~~ was attending a
885 school attended by the victim or a sibling of the victim of the
886 offense, the Department of Juvenile Justice shall notify the
887 appropriate district school board of the adjudication or plea,
888 the requirements of ~~in~~ this paragraph, and whether the student
889 ~~offender~~ is prohibited from attending that school or riding on a
890 school bus if ~~whenever~~ the victim or a sibling of the victim is
891 attending the same school or riding on the same school bus,
892 except as provided pursuant to a written disposition order under
893 s. 985.455(2). Upon receipt of such notice, the district school
894 board shall take appropriate action to effectuate the provisions
895 in paragraph (b).
896 (b) Each district school board shall adopt a cooperative
897 agreement with the Department of Juvenile Justice which
898 establishes guidelines for ensuring that a ~~any~~ no contact order
899 entered by a court is reported and enforced and that all of the
900 necessary steps are taken to protect the victim ~~of the offense~~.

901 Any student offender described in paragraph (a) ~~7~~ who is not
902 exempt ~~exempted~~ as provided in paragraph (a) ~~7~~ may not attend the
903 ~~any~~ school attended by the victim or a sibling of the victim ~~of~~
904 ~~the offense~~ or ride on a school bus on which the victim or a
905 sibling of the victim is riding. The district school board shall
906 allow the student offender shall be permitted by the district
907 ~~school board~~ to attend another school within the district in
908 which the student offender resides ~~7~~, only if the other school is
909 not attended by the victim or sibling of the victim. Another
910 district school board may allow ~~of the offense; or the student~~
911 ~~offender may be permitted by another district school board to~~
912 attend a school in that district if the student offender is
913 unable to attend any school in the district in which the student
914 ~~offender~~ resides.

915 (c) If the student offender is unable to attend any other
916 school in the district in which the student offender resides and
917 is prohibited from attending a school in another school
918 district, the district school board in the school district in
919 which the student offender resides shall take every reasonable
920 precaution to keep the student offender separated from the
921 victim while on school grounds or on school transportation. The
922 steps ~~to be~~ taken by a district school board to keep the student
923 ~~offender~~ separated from the victim must include, but are not
924 limited to, in-school suspension of the student offender and the
925 scheduling of classes, lunch, or other school activities of the

926 victim and the student ~~offender~~ so as not to coincide.

927 (d) The student ~~offender~~, or the parents of the student
928 ~~offender~~ if the student ~~offender~~ is a juvenile, shall arrange
929 and pay for transportation associated with or required by the
930 student's ~~offender's~~ attending another school or that would be
931 required as a consequence of the prohibition against riding on a
932 school bus on which the victim or a sibling of the victim is
933 riding. If the student is experiencing homelessness as described
934 in s. 1003.01(12) or belongs to a family whose income does not
935 exceed 150 percent of the federal poverty level, the school
936 district shall arrange and pay for the transportation. However,
937 The student ~~offender~~ or the parents of the student ~~offender~~ may
938 not be charged for existing modes of transportation which ~~that~~
939 can be used by the student ~~offender~~ at no additional cost to the
940 district school board.

941 (8)-(7) Any disciplinary or prosecutorial action taken
942 against a student who violates the a zero-tolerance policy on
943 referrals to the criminal justice system or the juvenile justice
944 system must be based on the particular circumstances of the
945 student's misconduct.

946 (9)-(8) A school district shall ~~districts are encouraged to~~
947 use alternatives to expulsion or referral to a law enforcement
948 agency ~~agencies~~ unless the use of such alternatives will pose a
949 threat to school safety. By August 1 of each year, a school
950 district shall provide to the department all policies and

951 agreements adopted or implemented pursuant to this section.

952 (10) To assist a school district in developing policies
953 that ensure students are not arrested or otherwise referred to
954 the criminal justice system or the juvenile justice system for
955 petty acts of misconduct, the department shall, by March 1,
956 2019, in collaboration with students, educators, parents, and
957 stakeholders, develop and provide to each school district a
958 model policy.

959 (11) On or before January 1 of each year, the Commissioner
960 of Education shall report to the Governor, the President of the
961 Senate, and the Speaker of the House of Representatives on the
962 implementation of this section. The report must include data
963 regarding school-based arrests and referrals of students to law
964 enforcement agencies.

965 Section 5. Subsection (5) of section 1002.20, Florida
966 Statutes, is amended to read:

967 1002.20 K-12 student and parent rights.—Parents of public
968 school students must receive accurate and timely information
969 regarding their child's academic progress and must be informed
970 of ways they can help their child to succeed in school. K-12
971 students and their parents are afforded numerous statutory
972 rights including, but not limited to, the following:

973 (5) SAFETY.—In accordance with the provisions of s.
974 1006.13(7) ~~s. 1006.13(6)~~, students who have been victims of
975 certain felony offenses by other students, as well as the

976 | siblings of the student victims, have the right to be kept
977 | separated from the student offender both at school and during
978 | school transportation.

979 | Section 6. Subsection (5) of section 1002.23, Florida
980 | Statutes, is amended to read:

981 | 1002.23 Family and School Partnership for Student
982 | Achievement Act.—

983 | (5) Each school district shall develop and disseminate a
984 | parent guide to successful student achievement, consistent with
985 | the guidelines of the Department of Education, which addresses
986 | what parents need to know about their child's educational
987 | progress and how parents can help their child to succeed in
988 | school. The guide must:

989 | (a) Be understandable to students and parents;

990 | (b) Be distributed to all parents, students, and school
991 | personnel at the beginning of each school year;

992 | (c) Be discussed at the beginning of each school year in
993 | meetings of students, parents, and teachers;

994 | (d) Include information concerning services,
995 | opportunities, choices, academic standards, and student
996 | assessment; and

997 | (e) Provide information on the importance of student
998 | health and available immunizations and vaccinations, including,
999 | but not limited to:

1000 | 1. A recommended immunization schedule in accordance with

1001 United States Centers for Disease Control and Prevention
 1002 recommendations.

1003 2. Detailed information regarding the causes, symptoms,
 1004 and transmission of meningococcal disease and the availability,
 1005 effectiveness, known contraindications, and appropriate age for
 1006 the administration of any required or recommended vaccine
 1007 against meningococcal disease, in accordance with the
 1008 recommendations of the Advisory Committee on Immunization
 1009 Practices of the United States Centers for Disease Control and
 1010 Prevention.

1011
 1012 The parent guide described in this subsection may be included as
 1013 a part of the standards for intervention under s. 1006.07 ~~code~~
 1014 ~~of student conduct that is required in s. 1006.07(2).~~

1015 Section 7. Paragraph (a) of subsection (7) of section
 1016 1002.33, Florida Statutes, is amended to read:

1017 1002.33 Charter schools.—

1018 (7) CHARTER.—The terms and conditions for the operation of
 1019 a charter school shall be set forth by the sponsor and the
 1020 applicant in a written contractual agreement, called a charter.
 1021 The sponsor and the governing board of the charter school shall
 1022 use the standard charter contract pursuant to subsection (21),
 1023 which shall incorporate the approved application and any addenda
 1024 approved with the application. Any term or condition of a
 1025 proposed charter contract that differs from the standard charter

1026 contract adopted by rule of the State Board of Education shall
1027 be presumed a limitation on charter school flexibility. The
1028 sponsor may not impose unreasonable rules or regulations that
1029 violate the intent of giving charter schools greater flexibility
1030 to meet educational goals. The charter shall be signed by the
1031 governing board of the charter school and the sponsor, following
1032 a public hearing to ensure community input.

1033 (a) The charter shall address and criteria for approval of
1034 the charter shall be based on:

1035 1. The school's mission, the students to be served, and
1036 the ages and grades to be included.

1037 2. The focus of the curriculum, the instructional methods
1038 to be used, any distinctive instructional techniques to be
1039 employed, and identification and acquisition of appropriate
1040 technologies needed to improve educational and administrative
1041 performance which include a means for promoting safe, ethical,
1042 and appropriate uses of technology which comply with legal and
1043 professional standards.

1044 a. The charter shall ensure that reading is a primary
1045 focus of the curriculum and that resources are provided to
1046 identify and provide specialized instruction for students who
1047 are reading below grade level. The curriculum and instructional
1048 strategies for reading must be consistent with the Next
1049 Generation Sunshine State Standards and grounded in
1050 scientifically based reading research.

1051 b. In order to provide students with access to diverse
1052 instructional delivery models, to facilitate the integration of
1053 technology within traditional classroom instruction, and to
1054 provide students with the skills they need to compete in the
1055 21st century economy, the Legislature encourages instructional
1056 methods for blended learning courses consisting of both
1057 traditional classroom and online instructional techniques.
1058 Charter schools may implement blended learning courses which
1059 combine traditional classroom instruction and virtual
1060 instruction. Students in a blended learning course must be full-
1061 time students of the charter school pursuant to s.
1062 1011.61(1)(a)1. Instructional personnel certified pursuant to s.
1063 1012.55 who provide virtual instruction for blended learning
1064 courses may be employees of the charter school or may be under
1065 contract to provide instructional services to charter school
1066 students. At a minimum, such instructional personnel must hold
1067 an active state or school district adjunct certification under
1068 s. 1012.57 for the subject area of the blended learning course.
1069 The funding and performance accountability requirements for
1070 blended learning courses are the same as those for traditional
1071 courses.

1072 3. The current incoming baseline standard of student
1073 academic achievement, the outcomes to be achieved, and the
1074 method of measurement that will be used. The criteria listed in
1075 this subparagraph shall include a detailed description of:

1076 a. How the baseline student academic achievement levels
1077 and prior rates of academic progress will be established.

1078 b. How these baseline rates will be compared to rates of
1079 academic progress achieved by these same students while
1080 attending the charter school.

1081 c. To the extent possible, how these rates of progress
1082 will be evaluated and compared with rates of progress of other
1083 closely comparable student populations.

1084
1085 The district school board is required to provide academic
1086 student performance data to charter schools for each of their
1087 students coming from the district school system, as well as
1088 rates of academic progress of comparable student populations in
1089 the district school system.

1090 4. The methods used to identify the educational strengths
1091 and needs of students and how well educational goals and
1092 performance standards are met by students attending the charter
1093 school. The methods shall provide a means for the charter school
1094 to ensure accountability to its constituents by analyzing
1095 student performance data and by evaluating the effectiveness and
1096 efficiency of its major educational programs. Students in
1097 charter schools shall, at a minimum, participate in the
1098 statewide assessment program created under s. 1008.22.

1099 5. In secondary charter schools, a method for determining
1100 that a student has satisfied the requirements for graduation in

1101 s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

1102 6. A method for resolving conflicts between the governing
1103 board of the charter school and the sponsor.

1104 7. The admissions procedures and dismissal procedures,
1105 including the school's standards for intervention ~~code of~~
1106 ~~student conduct~~. Admission or dismissal must not be based on a
1107 student's academic performance.

1108 8. The ways by which the school will achieve a
1109 racial/ethnic balance reflective of the community it serves or
1110 within the racial/ethnic range of other public schools in the
1111 same school district.

1112 9. The financial and administrative management of the
1113 school, including a reasonable demonstration of the professional
1114 experience or competence of those individuals or organizations
1115 applying to operate the charter school or those hired or
1116 retained to perform such professional services and the
1117 description of clearly delineated responsibilities and the
1118 policies and practices needed to effectively manage the charter
1119 school. A description of internal audit procedures and
1120 establishment of controls to ensure that financial resources are
1121 properly managed must be included. Both public sector and
1122 private sector professional experience shall be equally valid in
1123 such a consideration.

1124 10. The asset and liability projections required in the
1125 application which are incorporated into the charter and shall be

1126 compared with information provided in the annual report of the
1127 charter school.

1128 11. A description of procedures that identify various
1129 risks and provide for a comprehensive approach to reduce the
1130 impact of losses; plans to ensure the safety and security of
1131 students and staff; plans to identify, minimize, and protect
1132 others from violent or disruptive student behavior; and the
1133 manner in which the school will be insured, including whether or
1134 not the school will be required to have liability insurance,
1135 and, if so, the terms and conditions thereof and the amounts of
1136 coverage.

1137 12. The term of the charter which shall provide for
1138 cancellation of the charter if insufficient progress has been
1139 made in attaining the student achievement objectives of the
1140 charter and if it is not likely that such objectives can be
1141 achieved before expiration of the charter. The initial term of a
1142 charter shall be for 4 or 5 years. In order to facilitate access
1143 to long-term financial resources for charter school
1144 construction, charter schools that are operated by a
1145 municipality or other public entity as provided by law are
1146 eligible for up to a 15-year charter, subject to approval by the
1147 district school board. A charter lab school is eligible for a
1148 charter for a term of up to 15 years. In addition, to facilitate
1149 access to long-term financial resources for charter school
1150 construction, charter schools that are operated by a private,

1151 not-for-profit, s. 501(c)(3) status corporation are eligible for
1152 up to a 15-year charter, subject to approval by the district
1153 school board. Such long-term charters remain subject to annual
1154 review and may be terminated during the term of the charter, but
1155 only according to the provisions set forth in subsection (8).

1156 13. The facilities to be used and their location. The
1157 sponsor may not require a charter school to have a certificate
1158 of occupancy or a temporary certificate of occupancy for such a
1159 facility earlier than 15 calendar days before the first day of
1160 school.

1161 14. The qualifications to be required of the teachers and
1162 the potential strategies used to recruit, hire, train, and
1163 retain qualified staff to achieve best value.

1164 15. The governance structure of the school, including the
1165 status of the charter school as a public or private employer as
1166 required in paragraph (12)(i).

1167 16. A timetable for implementing the charter which
1168 addresses the implementation of each element thereof and the
1169 date by which the charter shall be awarded in order to meet this
1170 timetable.

1171 17. In the case of an existing public school that is being
1172 converted to charter status, alternative arrangements for
1173 current students who choose not to attend the charter school and
1174 for current teachers who choose not to teach in the charter
1175 school after conversion in accordance with the existing

1176 collective bargaining agreement or district school board rule in
1177 the absence of a collective bargaining agreement. However,
1178 alternative arrangements shall not be required for current
1179 teachers who choose not to teach in a charter lab school, except
1180 as authorized by the employment policies of the state university
1181 which grants the charter to the lab school.

1182 18. Full disclosure of the identity of all relatives
1183 employed by the charter school who are related to the charter
1184 school owner, president, chairperson of the governing board of
1185 directors, superintendent, governing board member, principal,
1186 assistant principal, or any other person employed by the charter
1187 school who has equivalent decisionmaking authority. For the
1188 purpose of this subparagraph, the term "relative" means father,
1189 mother, son, daughter, brother, sister, uncle, aunt, first
1190 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
1191 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
1192 stepfather, stepmother, stepson, stepdaughter, stepbrother,
1193 stepsister, half brother, or half sister.

1194 19. Implementation of the activities authorized under s.
1195 1002.331 by the charter school when it satisfies the eligibility
1196 requirements for a high-performing charter school. A high-
1197 performing charter school shall notify its sponsor in writing by
1198 March 1 if it intends to increase enrollment or expand grade
1199 levels the following school year. The written notice shall
1200 specify the amount of the enrollment increase and the grade

1201 levels that will be added, as applicable.

1202 Section 8. Subsection (1) of section 1003.02, Florida
 1203 Statutes, is amended to read:

1204 1003.02 District school board operation and control of
 1205 public K-12 education within the school district.—As provided in
 1206 part II of chapter 1001, district school boards are
 1207 constitutionally and statutorily charged with the operation and
 1208 control of public K-12 education within their school district.
 1209 The district school boards must establish, organize, and operate
 1210 their public K-12 schools and educational programs, employees,
 1211 and facilities. Their responsibilities include staff
 1212 development, public K-12 school student education including
 1213 education for exceptional students and students in juvenile
 1214 justice programs, special programs, adult education programs,
 1215 and career education programs. Additionally, district school
 1216 boards must:

1217 (1) Provide for the proper accounting for all students of
 1218 school age, for the attendance and discipline ~~control~~ of
 1219 students at school, and for proper attention to health, safety,
 1220 and other matters relating to the welfare of students in the
 1221 following areas:

1222 (a) Admission, classification, promotion, and graduation
 1223 of students.—Adopt rules for admitting, classifying, promoting,
 1224 and graduating students to or from the various schools of the
 1225 district.

1226 (b) Enforcement of attendance laws.—Provide for the
 1227 enforcement of all laws and rules relating to the attendance of
 1228 students at school. District school boards are authorized to
 1229 establish policies that allow accumulated unexcused tardies,
 1230 regardless of when they occur during the school day, and early
 1231 departures from school to be recorded as unexcused absences.
 1232 District school boards are also authorized to establish policies
 1233 that require referral to a school's child study team for
 1234 students who have fewer absences than the number required by s.
 1235 1003.26(1)(b).

1236 (c) Discipline ~~Control~~ of students.—

1237 1. Adopt rules for the ~~control~~, attendance, discipline,
 1238 in-school suspension, suspension, and expulsion of students and
 1239 decide all cases recommended for expulsion.

1240 2. Maintain standards for intervention ~~a code of student~~
 1241 ~~conduct~~ as provided in chapter 1006.

1242 (d) Courses of study and instructional materials.—

1243 1. Provide adequate instructional materials for all
 1244 students as follows and in accordance with the requirements of
 1245 chapter 1006, in the core courses of mathematics, language arts,
 1246 social studies, science, reading, and literature, except for
 1247 instruction for which the school advisory council approves the
 1248 use of a program that does not include a textbook as a major
 1249 tool of instruction.

1250 2. Adopt courses of study for use in the schools of the

1251 district.

1252 3. Provide for proper requisitioning, distribution,
 1253 accounting, storage, care, and use of all instructional
 1254 materials as may be needed, and ensure that instructional
 1255 materials used in the district are consistent with the district
 1256 goals and objectives and the course descriptions approved by the
 1257 State Board of Education, as well as with the state and school
 1258 district performance standards required by law and state board
 1259 rule.

1260 (e) Transportation.—Make provision for the transportation
 1261 of students to the public schools or school activities they are
 1262 required or expected to attend, efficiently and economically, in
 1263 accordance with the requirements of chapter 1006, which function
 1264 may be accomplished, in whole or part, by means of an interlocal
 1265 agreement under s. 163.01.

1266 (f) Facilities and school plant.—

1267 1. Approve and adopt a districtwide school facilities
 1268 program, in accordance with the requirements of chapter 1013.

1269 2. Approve plans for locating, planning, constructing,
 1270 sanitating, insuring, maintaining, protecting, and condemning
 1271 school property as prescribed in chapter 1013.

1272 3. Approve and adopt a districtwide school building
 1273 program.

1274 4. Select and purchase school sites, playgrounds, and
 1275 recreational areas located at centers at which schools are to be

1276 | constructed, of adequate size to meet the needs of projected
 1277 | students to be accommodated.

1278 | 5. Approve the proposed purchase of any site, playground,
 1279 | or recreational area for which school district funds are to be
 1280 | used.

1281 | 6. Expand existing sites.

1282 | 7. Rent buildings when necessary, which function may be
 1283 | accomplished, in whole or part, by means of an interlocal
 1284 | agreement under s. 163.01.

1285 | 8. Enter into leases or lease-purchase arrangements, in
 1286 | accordance with the requirements and conditions provided in s.
 1287 | 1013.15(2).

1288 | 9. Provide for the proper supervision of construction.

1289 | 10. Make or contract for additions, alterations, and
 1290 | repairs on buildings and other school properties.

1291 | 11. Ensure that all plans and specifications for buildings
 1292 | provide adequately for the safety and well-being of students, as
 1293 | well as for economy of construction.

1294 | 12. Provide adequately for the proper maintenance and
 1295 | upkeep of school plants, which function may be accomplished, in
 1296 | whole or part, by means of an interlocal agreement under s.
 1297 | 163.01.

1298 | 13. Carry insurance on every school building in all school
 1299 | plants including contents, boilers, and machinery, except
 1300 | buildings of three classrooms or less which are of frame

1301 construction and located in a tenth class public protection zone
1302 as defined by the Florida Inspection and Rating Bureau, and on
1303 all school buses and other property under the control of the
1304 district school board or title to which is vested in the
1305 district school board, except as exceptions may be authorized
1306 under rules of the State Board of Education.

1307 14. Condemn and prohibit the use for public school
1308 purposes of any building under the control of the district
1309 school board.

1310 (g) School operation.—

1311 1. Provide for the operation of all public schools as free
1312 schools for a term of 180 days or the equivalent on an hourly
1313 basis as specified by rules of the State Board of Education;
1314 determine district school funds necessary in addition to state
1315 funds to operate all schools for the minimum term; and arrange
1316 for the levying of district school taxes necessary to provide
1317 the amount needed from district sources.

1318 2. Prepare, adopt, and timely submit to the Department of
1319 Education, as required by law and by rules of the State Board of
1320 Education, the annual school budget, so as to promote the
1321 improvement of the district school system.

1322 (h) Records and reports.—

1323 1. Keep all necessary records and make all needed and
1324 required reports, as required by law or by rules of the State
1325 Board of Education.

1326 2. At regular intervals require reports to be made by
 1327 principals or teachers in all public schools to the parents of
 1328 the students enrolled and in attendance at their schools,
 1329 apprising them of the academic and other progress being made by
 1330 the student and giving other useful information.

1331 (i) Parental notification of acceleration options.—At the
 1332 beginning of each school year, notify parents of students in or
 1333 entering high school of the opportunity and benefits of advanced
 1334 placement, International Baccalaureate, Advanced International
 1335 Certificate of Education, dual enrollment, and Florida Virtual
 1336 School courses and options for early graduation under s.
 1337 1003.4281.

1338 (j) Return on investment.—Notify the parent of a student
 1339 who earns an industry certification that articulates for
 1340 postsecondary credit of the estimated cost savings to the parent
 1341 before the student's high school graduation versus the cost of
 1342 acquiring such certification after high school graduation, which
 1343 would include the tuition and fees associated with available
 1344 postsecondary credits. Also, the student and the parent must be
 1345 informed of any additional industry certifications available to
 1346 the student.

1347 Section 9. Section 1003.32, Florida Statutes, is amended
 1348 to read:

1349 1003.32 Authority of teacher; responsibility for
 1350 discipline ~~control~~ of students; district school board and

1351 principal duties.—Subject to law and to the rules of the
1352 district school board, each teacher or other member of the staff
1353 of any school shall have such authority for the ~~control and~~
1354 discipline of students as may be assigned to him or her by the
1355 principal or the principal's designated representative and shall
1356 keep good order in the classroom and in other places in which he
1357 or she is assigned to be in charge of students.

1358 (1) In accordance with this section and within the
1359 framework of the district school board's standards for
1360 intervention ~~code of student conduct~~, teachers and other
1361 instructional personnel shall have the authority to undertake
1362 any of the following actions in managing student behavior and
1363 ensuring the safety of all students in their classes and school
1364 and their opportunity to learn in an orderly and disciplined
1365 classroom:

1366 (a) Establish classroom rules of conduct.

1367 (b) Establish and implement consequences, designed to
1368 change behavior, for infractions of classroom rules.

1369 (c) Have disobedient, disrespectful, violent, abusive,
1370 uncontrollable, or disruptive students removed from the
1371 classroom for behavior management intervention.

1372 (d) Have violent, abusive, uncontrollable, or disruptive
1373 students directed for information or assistance from appropriate
1374 school or district school board personnel.

1375 (e) Assist in enforcing school rules on school property,

1376 | during school-sponsored transportation, and during school-
 1377 | sponsored activities.

1378 | (f) Request and receive information as to the disposition
 1379 | of any referrals to the administration for violation of
 1380 | classroom or school rules.

1381 | (g) Request and receive immediate assistance in classroom
 1382 | management if a student becomes uncontrollable or in case of
 1383 | emergency.

1384 | (h) Request and receive training and other assistance to
 1385 | improve skills in classroom management, violence prevention,
 1386 | conflict resolution, and related areas.

1387 | (i) Press charges if there is a reason to believe that a
 1388 | crime has been committed on school property, during school-
 1389 | sponsored transportation, or during school-sponsored activities.

1390 | (j) Use reasonable force, according to standards adopted
 1391 | by the State Board of Education, to protect himself or herself
 1392 | or others from injury.

1393 | (k) Use corporal punishment according to school board
 1394 | policy and at least the following procedures, if a teacher feels
 1395 | that corporal punishment is necessary:

1396 | 1. The use of corporal punishment shall be approved in
 1397 | principle by the principal before it is used, but approval is
 1398 | not necessary for each specific instance in which it is used.
 1399 | The principal shall prepare guidelines for administering such
 1400 | punishment which identify the types of punishable offenses, the

1401 conditions under which the punishment shall be administered, and
1402 the specific personnel on the school staff authorized to
1403 administer the punishment.

1404 2. A teacher or principal may administer corporal
1405 punishment only in the presence of another adult who is informed
1406 beforehand, and in the student's presence, of the reason for the
1407 punishment.

1408 3. A teacher or principal who has administered punishment
1409 shall, upon request, provide the student's parent with a written
1410 explanation of the reason for the punishment and the name of the
1411 other adult who was present.

1412 (2) Teachers and other instructional personnel shall:

1413 (a) Set and enforce reasonable classroom rules that treat
1414 all students equitably.

1415 (b) Seek professional development to improve classroom
1416 management skills when data show that they are not effective in
1417 handling minor classroom disruptions.

1418 (c) Maintain an orderly and disciplined classroom with a
1419 positive and effective learning environment that maximizes
1420 learning and minimizes disruption.

1421 (d) Work with parents and other school personnel to solve
1422 discipline problems in their classrooms.

1423 (3) A teacher may send a student to the principal's office
1424 to maintain effective discipline in the classroom and may
1425 recommend an appropriate consequence consistent with the

1426 standards for intervention ~~student code of conduct~~ under s.
1427 1006.07. The principal shall respond by employing the teacher's
1428 recommended consequence or a more serious disciplinary action if
1429 the student's history of disruptive behavior warrants it. If the
1430 principal determines that a lesser disciplinary action is
1431 appropriate, the principal should consult with the teacher
1432 before ~~prior to~~ taking disciplinary action.

1433 (4) A teacher may remove from class a student whose
1434 behavior the teacher determines interferes with the teacher's
1435 ability to communicate effectively with the students in the
1436 class or with the ability of the student's classmates to learn.
1437 Each district school board, each district school superintendent,
1438 and each school principal shall support the authority of
1439 teachers to remove disobedient, violent, abusive,
1440 uncontrollable, or disruptive students from the classroom.

1441 (5) If a teacher removes a student from class under
1442 subsection (4), the principal may place the student in another
1443 appropriate classroom, in in-school suspension, or in a dropout
1444 prevention and academic intervention program as provided by s.
1445 1003.53; or the principal may recommend the student for out-of-
1446 school suspension or expulsion, as appropriate. The student may
1447 be prohibited from attending or participating in school-
1448 sponsored or school-related activities. The principal may not
1449 return the student to that teacher's class without the teacher's
1450 consent unless the committee established under subsection (6)

1451 determines that such placement is the best or only available
1452 alternative. The teacher and the placement review committee must
1453 render decisions within 5 days of the removal of the student
1454 from the classroom.

1455 (6) (a) Each school shall establish a placement review
1456 committee to determine placement of a student when a teacher
1457 withholds consent to the return of a student to the teacher's
1458 class. A school principal must notify each teacher in that
1459 school about the availability, the procedures, and the criteria
1460 for the placement review committee as outlined in this section.

1461 (b) The principal must report on a quarterly basis to the
1462 district school superintendent and district school board each
1463 incidence of a teacher's withholding consent for a removed
1464 student to return to the teacher's class and the disposition of
1465 the incident, and the superintendent must annually report these
1466 data to the department.

1467 (c) The Commissioner of Education shall annually review
1468 each school district's compliance with this section, and success
1469 in achieving orderly classrooms, and shall use all appropriate
1470 enforcement actions up to and including the withholding of
1471 disbursements from the Educational Enhancement Trust Fund until
1472 full compliance is verified.

1473 (d) Placement review committee membership must include at
1474 least the following:

1475 1. Two teachers, one selected by the school's faculty and

1476 one selected by the teacher who has removed the student.

1477 2. One member from the school's staff who is selected by
1478 the principal.

1479

1480 The teacher who withheld consent to readmitting the student may
1481 not serve on the committee. The teacher and the placement review
1482 committee must render decisions within 5 days after the removal
1483 of the student from the classroom. If the placement review
1484 committee's decision is contrary to the decision of the teacher
1485 to withhold consent to the return of the removed student to the
1486 teacher's class, the teacher may appeal the committee's decision
1487 to the district school superintendent.

1488 (7) Any teacher who removes 25 percent of his or her total
1489 class enrollment shall be required to complete professional
1490 development to improve classroom management skills.

1491 (8) Each teacher or other member of the staff of any
1492 school who knows or has reason to suspect that any person has
1493 committed, or has made a credible threat to commit, a crime of
1494 violence on school property shall report such knowledge or
1495 suspicion in accordance with the provisions of s. 1006.13. Each
1496 district school superintendent and each school principal shall
1497 fully support good faith reporting in accordance with the
1498 provisions of this subsection and s. 1006.13. Any person who
1499 makes a report required by this subsection in good faith shall
1500 be immune from civil or criminal liability for making the

1501 report.

1502 (9) When knowledgeable of the likely risk of physical
 1503 violence in the schools, the district school board shall take
 1504 reasonable steps to ensure that teachers, other school staff,
 1505 and students are not at undue risk of violence or harm.

1506 Section 10. Paragraphs (c) and (d) of subsection (1) of
 1507 section 1003.53, Florida Statutes, are amended to read:

1508 1003.53 Dropout prevention and academic intervention.—

1509 (1)

1510 (c) A student shall be identified as being eligible to
 1511 receive services funded through the dropout prevention and
 1512 academic intervention program based upon one of the following
 1513 criteria:

1514 1. The student is academically unsuccessful as evidenced
 1515 by low test scores, retention, failing grades, low grade point
 1516 average, falling behind in earning credits, or not meeting the
 1517 state or district proficiency levels in reading, mathematics, or
 1518 writing.

1519 2. The student has a pattern of excessive absenteeism or
 1520 has been identified as a habitual truant.

1521 3. The student has a history of disruptive behavior in
 1522 school or has committed an offense that warrants out-of-school
 1523 suspension or expulsion from school according to the district
 1524 school board's standards for intervention ~~code of student~~
 1525 ~~conduct~~. For the purposes of this program, "disruptive behavior"

1526 | is behavior that:

1527 | a. Interferes with the student's own learning or the
 1528 | educational process of others and requires attention and
 1529 | assistance beyond that which the traditional program can provide
 1530 | or results in frequent conflicts of a disruptive nature while
 1531 | the student is under the jurisdiction of the school either in or
 1532 | out of the classroom; or

1533 | b. Severely threatens the general welfare of students or
 1534 | others with whom the student comes into contact.

1535 | 4. The student is identified by a school's early warning
 1536 | system pursuant to s. 1001.42(18)(b).

1537 | (d)1. "Second chance schools" means district school board
 1538 | programs provided through cooperative agreements between the
 1539 | Department of Juvenile Justice, private providers, state or
 1540 | local law enforcement agencies, or other state agencies for
 1541 | students who have been disruptive or violent or who have
 1542 | committed serious offenses. As partnership programs, second
 1543 | chance schools are eligible for waivers by the Commissioner of
 1544 | Education from State Board of Education rules that prevent the
 1545 | provision of appropriate educational services to violent,
 1546 | severely disruptive, or delinquent students in small
 1547 | nontraditional settings or in court-adjudicated settings.

1548 | 2. District school boards seeking to enter into a
 1549 | partnership with a private entity or public entity to operate a
 1550 | second chance school for disruptive students may apply to the

1551 Department of Education for startup grants. These grants must be
1552 available for 1 year and must be used to offset the startup
1553 costs for implementing such programs off public school campuses.
1554 General operating funds must be generated through the
1555 appropriate programs of the Florida Education Finance Program.
1556 Grants approved under this program shall be for the full
1557 operation of the school by a private nonprofit or for-profit
1558 provider or the public entity. This program must operate under
1559 rules adopted by the State Board of Education and be implemented
1560 to the extent funded by the Legislature.

1561 3. A student enrolled in a sixth, seventh, eighth, ninth,
1562 or tenth grade class may be assigned to a second chance school
1563 if the student meets the following criteria:

1564 a. The student is a habitual truant as defined in s.
1565 1003.01.

1566 b. The student's excessive absences have detrimentally
1567 affected the student's academic progress and the student may
1568 have unique needs that a traditional school setting may not
1569 meet.

1570 c. The student's high incidences of truancy have been
1571 directly linked to a lack of motivation.

1572 d. The student has been identified as at risk of dropping
1573 out of school.

1574 4. A student who is habitually truant may be assigned to a
1575 second chance school only if the case staffing committee,

1576 established pursuant to s. 984.12, determines that such
1577 placement could be beneficial to the student and the criteria
1578 included in subparagraph 3. are met.

1579 5. A student may be assigned to a second chance school if
1580 the district school board in which the student resides has a
1581 second chance school and if the student meets one of the
1582 following criteria:

1583 a. The student habitually exhibits disruptive behavior in
1584 violation of the standards for intervention ~~code of student~~
1585 ~~conduct~~ adopted by the district school board.

1586 b. The student interferes with the student's own learning
1587 or the educational process of others and requires attention and
1588 assistance beyond that which the traditional program can
1589 provide, or, while the student is under the jurisdiction of the
1590 school either in or out of the classroom, frequent conflicts of
1591 a disruptive nature occur.

1592 c. The student has committed a serious offense which
1593 warrants suspension or expulsion from school according to the
1594 district school board's standards for intervention ~~code of~~
1595 ~~student conduct~~. For the purposes of this program, "serious
1596 offense" is behavior which:

1597 (I) Threatens the general welfare of students or others
1598 with whom the student comes into contact;

1599 (II) Includes violence;

1600 (III) Includes possession of weapons or drugs; or

1601 (IV) Is harassment or verbal abuse of school personnel or
1602 other students.

1603 6. Prior to assignment of students to second chance
1604 schools, district school boards are encouraged to use
1605 alternative programs, such as in-school suspension, which
1606 provide instruction and counseling leading to improved student
1607 behavior, a reduction in the incidence of truancy, and the
1608 development of more effective interpersonal skills.

1609 7. Students assigned to second chance schools must be
1610 evaluated by the district school board's child study team before
1611 placement in a second chance school. The study team shall ensure
1612 that students are not eligible for placement in a program for
1613 emotionally disturbed children.

1614 8. Students who exhibit academic and social progress and
1615 who wish to return to a traditional school shall complete a
1616 character development and law education program and demonstrate
1617 preparedness to reenter the regular school setting prior to
1618 reentering a traditional school.

1619 Section 11. Paragraph (h) of subsection (1) of section
1620 1003.57, Florida Statutes, is amended to read:

1621 1003.57 Exceptional students instruction.-

1622 (1)

1623 (h) School personnel may consider any unique circumstances
1624 on a case-by-case basis when determining whether a change in
1625 placement is appropriate for a student who has a disability and

1626 violates a district school board's standards for intervention
 1627 ~~code of student conduct~~. School personnel may remove and place
 1628 such student in an interim alternative educational setting for
 1629 not more than 45 school days, without regard to whether the
 1630 behavior is determined to be a manifestation of the student's
 1631 disability, if the student:

1632 1. Carries a weapon to or possesses a weapon at school, on
 1633 school premises, or at a school function under the jurisdiction
 1634 of the school district;

1635 2. Knowingly possesses or uses illegal drugs, or sells or
 1636 solicits the sale of a controlled substance, while at school, on
 1637 school premises, or at a school function under the jurisdiction
 1638 of the school district; or

1639 3. Has inflicted serious bodily injury upon another person
 1640 while at school, on school premises, or at a school function
 1641 under the jurisdiction of the school district.

1642 Section 12. Paragraph (c) of subsection (1) and subsection
 1643 (4) of section 1006.09, Florida Statutes, are amended to read:

1644 1006.09 Duties of school principal relating to student
 1645 discipline and school safety.—

1646 (1)

1647 (c) The principal or the principal's designee may
 1648 recommend to the district school superintendent the expulsion of
 1649 any student who has committed a serious breach of conduct,
 1650 including, but not limited to, willful disobedience, open

1651 defiance of authority of a member of his or her staff, violence
1652 against persons or property, or any other act which
1653 substantially disrupts the orderly conduct of the school. A
1654 recommendation of expulsion or assignment to a second chance
1655 school may also be made for any student found to have
1656 intentionally made false accusations that jeopardize the
1657 professional reputation, employment, or professional
1658 certification of a teacher or other member of the school staff,
1659 according to the district school board's standards for
1660 intervention ~~board code of student conduct~~. Any recommendation
1661 of expulsion must ~~shall~~ include a detailed report by the
1662 principal or the principal's designated representative on the
1663 alternative measures taken prior to the recommendation of
1664 expulsion.

1665 (4) When a student has been the victim of a violent crime
1666 perpetrated by another student who attends the same school, the
1667 school principal shall make full and effective use of the
1668 provisions of subsection (2) and s. 1006.13(7) ~~s. 1006.13(6)~~. A
1669 school principal who fails to comply with this subsection is
1670 ~~shall be~~ ineligible for any portion of the performance pay or
1671 the differentiated pay under s. 1012.22. However, if any party
1672 responsible for notification fails to properly notify the
1673 school, the school principal is ~~shall be~~ eligible for the
1674 performance pay or differentiated pay.

1675 Section 13. Subsection (2) of section 1006.10, Florida

HB 1255

2018

1676 Statutes, is amended to read:

1677 1006.10 Authority of school bus drivers and district
1678 school boards relating to student discipline and student safety
1679 on school buses.—

1680 (2) The district school board shall require a system of
1681 progressive discipline of transported students for actions which
1682 are prohibited by the standards for intervention ~~code of student~~
1683 ~~conduct~~. Disciplinary actions, including suspension of students
1684 from riding on district school board owned or contracted school
1685 buses, shall be subject to district school board policies and
1686 procedures and may be imposed by the principal or the
1687 principal's designee. The principal or the principal's designee
1688 may delegate any disciplinary authority to school bus drivers
1689 except for suspension of students from riding the bus.

1690 Section 14. Paragraph (n) of subsection (4) of section
1691 1006.147, Florida Statutes, is amended to read:

1692 1006.147 Bullying and harassment prohibited.—

1693 (4) Each school district shall adopt and review at least
1694 every 3 years a policy prohibiting bullying and harassment of a
1695 student or employee of a public K-12 educational institution.
1696 Each school district's policy shall be in substantial conformity
1697 with the Department of Education's model policy. The school
1698 district bullying and harassment policy shall afford all
1699 students the same protection regardless of their status under
1700 the law. The school district may establish separate

1701 discrimination policies that include categories of students. The
 1702 school district shall involve students, parents, teachers,
 1703 administrators, school staff, school volunteers, community
 1704 representatives, and local law enforcement agencies in the
 1705 process of adopting and reviewing the policy. The school
 1706 district policy must be implemented by each school principal in
 1707 a manner that is ongoing throughout the school year and
 1708 integrated with the school's curriculum, bullying prevention and
 1709 intervention program, discipline policies, and other violence
 1710 prevention efforts. The school district policy must contain, at
 1711 a minimum, the following components:

1712 (n) A procedure for publicizing the policy, which must
 1713 include its publication in the standards for intervention code
 1714 ~~of student conduct required~~ under s. 1006.07 ~~s. 1006.07(2)~~ and
 1715 in all employee handbooks.

1716 Section 15. Paragraph (a) of subsection (3) of section
 1717 1006.15, Florida Statutes, is amended to read:

1718 1006.15 Student standards for participation in
 1719 interscholastic and intrascholastic extracurricular student
 1720 activities; regulation.—

1721 (3) (a) As used in this section and s. 1006.20, the term
 1722 "eligible to participate" includes, but is not limited to, a
 1723 student participating in tryouts, off-season conditioning,
 1724 summer workouts, preseason conditioning, in-season practice, or
 1725 contests. The term does not mean that a student must be placed

HB 1255

2018

1726 on any specific team for interscholastic or intrascholastic
1727 extracurricular activities. To be eligible to participate in
1728 interscholastic extracurricular student activities, a student
1729 must:

1730 1. Maintain a grade point average of 2.0 or above on a 4.0
1731 scale, or its equivalent, in the previous semester or a
1732 cumulative grade point average of 2.0 or above on a 4.0 scale,
1733 or its equivalent, in the courses required by s. 1002.3105(5) or
1734 s. 1003.4282.

1735 2. Execute and fulfill the requirements of an academic
1736 performance contract between the student, the district school
1737 board, the appropriate governing association, and the student's
1738 parents, if the student's cumulative grade point average falls
1739 below 2.0, or its equivalent, on a 4.0 scale in the courses
1740 required by s. 1002.3105(5) or s. 1003.4282. At a minimum, the
1741 contract must require that the student attend summer school, or
1742 its graded equivalent, between grades 9 and 10 or grades 10 and
1743 11, as necessary.

1744 3. Have a cumulative grade point average of 2.0 or above
1745 on a 4.0 scale, or its equivalent, in the courses required by s.
1746 1002.3105(5) or s. 1003.4282 during his or her junior or senior
1747 year.

1748 4. Maintain satisfactory conduct, including adherence to
1749 the school's appropriate dress code and other standards for
1750 intervention under s. 1006.07 ~~codes of student conduct policies~~

1751 ~~described in s. 1006.07(2)~~. If a student is convicted of, or is
1752 found to have committed, a felony or a delinquent act that would
1753 have been a felony if committed by an adult, regardless of
1754 whether adjudication is withheld, the student's participation in
1755 interscholastic extracurricular activities is contingent upon
1756 established and published district school board policy.

1757 Section 16. Paragraph (b) of subsection (5) of section
1758 1007.271, Florida Statutes, is amended to read:

1759 1007.271 Dual enrollment programs.—

1760 (5)

1761 (b) Each president, or designee, of a postsecondary
1762 institution offering a college credit dual enrollment course
1763 must:

1764 1. Provide a copy of the institution's current faculty or
1765 adjunct faculty handbook to all faculty members teaching a dual
1766 enrollment course.

1767 2. Provide to all faculty members teaching a dual
1768 enrollment course a copy of the institution's current student
1769 handbook, which may include, but is not limited to, information
1770 on registration policies, the standards for intervention ~~student~~
1771 ~~code of conduct~~, grading policies, and critical dates.

1772 3. Designate an individual or individuals to observe all
1773 faculty members teaching a dual enrollment course, regardless of
1774 the location of instruction.

1775 4. Use the same criteria to evaluate faculty members

1776 | teaching a dual enrollment course as the criteria used to
 1777 | evaluate all other faculty members.

1778 | 5. Provide course plans and objectives to all faculty
 1779 | members teaching a dual enrollment course.

1780 | Section 17. Paragraph (b) of subsection (4) of section
 1781 | 1012.98, Florida Statutes, is amended to read:

1782 | 1012.98 School Community Professional Development Act.—

1783 | (4) The Department of Education, school districts,
 1784 | schools, Florida College System institutions, and state
 1785 | universities share the responsibilities described in this
 1786 | section. These responsibilities include the following:

1787 | (b) Each school district shall develop a professional
 1788 | development system as specified in subsection (3). The system
 1789 | shall be developed in consultation with teachers, teacher-
 1790 | educators of Florida College System institutions and state
 1791 | universities, business and community representatives, and local
 1792 | education foundations, consortia, and professional
 1793 | organizations. The professional development system must:

1794 | 1. Be approved by the department. All substantial
 1795 | revisions to the system shall be submitted to the department for
 1796 | review for continued approval.

1797 | 2. Be based on analyses of student achievement data and
 1798 | instructional strategies and methods that support rigorous,
 1799 | relevant, and challenging curricula for all students. Schools
 1800 | and districts, in developing and refining the professional

1801 development system, shall also review and monitor school
1802 discipline data; school environment surveys; assessments of
1803 parental satisfaction; performance appraisal data of teachers,
1804 managers, and administrative personnel; and other performance
1805 indicators to identify school and student needs that can be met
1806 by improved professional performance.

1807 3. Provide inservice activities coupled with followup
1808 support appropriate to accomplish district-level and school-
1809 level improvement goals and standards. The inservice activities
1810 for instructional personnel shall focus on analysis of student
1811 achievement data, ongoing formal and informal assessments of
1812 student achievement, identification and use of enhanced and
1813 differentiated instructional strategies that emphasize rigor,
1814 relevance, and reading in the content areas, enhancement of
1815 subject content expertise, integrated use of classroom
1816 technology that enhances teaching and learning, classroom
1817 management, parent involvement, and school safety.

1818 4. Provide inservice activities and support targeted to
1819 the individual needs of new teachers participating in the
1820 professional development certification and education competency
1821 program under s. 1012.56(8) (a).

1822 5. Include a master plan for inservice activities,
1823 pursuant to rules of the State Board of Education, for all
1824 district employees from all fund sources. The master plan shall
1825 be updated annually by September 1, must be based on input from

1826 teachers and district and school instructional leaders, and must
1827 use the latest available student achievement data and research
1828 to enhance rigor and relevance in the classroom. Each district
1829 inservice plan must be aligned to and support the school-based
1830 inservice plans and school improvement plans pursuant to s.
1831 1001.42(18). Each district inservice plan must provide a
1832 description of the training that middle grades instructional
1833 personnel and school administrators receive on the district's
1834 standards for intervention ~~code of student conduct~~ adopted
1835 pursuant to s. 1006.07; integrated digital instruction and
1836 competency-based instruction and CAPE Digital Tool certificates
1837 and CAPE industry certifications; classroom management; student
1838 behavior and interaction; extended learning opportunities for
1839 students; and instructional leadership. District plans must be
1840 approved by the district school board annually in order to
1841 ensure compliance with subsection (1) and to allow for
1842 dissemination of research-based best practices to other
1843 districts. District school boards must submit verification of
1844 their approval to the Commissioner of Education no later than
1845 October 1, annually. Each school principal may establish and
1846 maintain an individual professional development plan for each
1847 instructional employee assigned to the school as a seamless
1848 component to the school improvement plans developed pursuant to
1849 s. 1001.42(18). An individual professional development plan must
1850 be related to specific performance data for the students to whom

1851 | the teacher is assigned, define the inservice objectives and
 1852 | specific measurable improvements expected in student performance
 1853 | as a result of the inservice activity, and include an evaluation
 1854 | component that determines the effectiveness of the professional
 1855 | development plan.

1856 | 6. Include inservice activities for school administrative
 1857 | personnel that address updated skills necessary for
 1858 | instructional leadership and effective school management
 1859 | pursuant to s. 1012.986.

1860 | 7. Provide for systematic consultation with regional and
 1861 | state personnel designated to provide technical assistance and
 1862 | evaluation of local professional development programs.

1863 | 8. Provide for delivery of professional development by
 1864 | distance learning and other technology-based delivery systems to
 1865 | reach more educators at lower costs.

1866 | 9. Provide for the continuous evaluation of the quality
 1867 | and effectiveness of professional development programs in order
 1868 | to eliminate ineffective programs and strategies and to expand
 1869 | effective ones. Evaluations must consider the impact of such
 1870 | activities on the performance of participating educators and
 1871 | their students' achievement and behavior.

1872 | 10. For middle grades, emphasize:

1873 | a. Interdisciplinary planning, collaboration, and
 1874 | instruction.

1875 | b. Alignment of curriculum and instructional materials to

1876 | the state academic standards adopted pursuant to s. 1003.41.

1877 | c. Use of small learning communities; problem-solving,
 1878 | inquiry-driven research and analytical approaches for students;
 1879 | strategies and tools based on student needs; competency-based
 1880 | instruction; integrated digital instruction; and project-based
 1881 | instruction.

1882 |
 1883 | Each school that includes any of grades 6, 7, or 8 must include
 1884 | in its school improvement plan, required under s. 1001.42(18), a
 1885 | description of the specific strategies used by the school to
 1886 | implement each item listed in this subparagraph.

1887 | 11. Provide training to reading coaches, classroom
 1888 | teachers, and school administrators in effective methods of
 1889 | identifying characteristics of conditions such as dyslexia and
 1890 | other causes of diminished phonological processing skills;
 1891 | incorporating instructional techniques into the general
 1892 | education setting which are proven to improve reading
 1893 | performance for all students; and using predictive and other
 1894 | data to make instructional decisions based on individual student
 1895 | needs. The training must help teachers integrate phonemic
 1896 | awareness; phonics, word study, and spelling; reading fluency;
 1897 | vocabulary, including academic vocabulary; and text
 1898 | comprehension strategies into an explicit, systematic, and
 1899 | sequential approach to reading instruction, including
 1900 | multisensory intervention strategies. Each district must provide

HB 1255

2018

1901 | all elementary grades instructional personnel access to training
1902 | sufficient to meet the requirements of s. 1012.585(3)(f).
1903 | Section 18. This act shall take effect July 1, 2018.