

By Senator Powell

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

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30 requiring written documentation of an arrest or  
31 referral to the criminal justice system or juvenile  
32 justice system; requiring each law enforcement agency  
33 that serves a school district to enter into a  
34 cooperative agreement with the district school board,  
35 ensure the training of school resource officers and  
36 school safety officers as specified, and develop  
37 minimum qualifications for the selection of such  
38 officers; amending s. 1006.13, F.S.; requiring each  
39 district school board to adopt a policy on referrals  
40 to the criminal justice system or the juvenile justice  
41 system, rather than a policy of zero tolerance for  
42 crime and victimization; revising and providing  
43 requirements for a policy on referrals to the criminal  
44 justice system or the juvenile justice system;  
45 providing that a school's authority and discretion to  
46 use other disciplinary consequences and interventions  
47 is not limited by specified provisions; conforming  
48 terminology; requiring each district school board, in  
49 collaboration with students, educators, parents, and  
50 stakeholders, to enter into cooperative agreements  
51 with a county sheriff's office and a local police  
52 department for specified purposes; revising the  
53 requirements for these agreements; requiring each  
54 school district to annually review the cost,  
55 effectiveness, and necessity of its school safety  
56 programs and to submit findings to the Department of  
57 Education; requiring a school district to arrange and  
58 pay for transportation for a student in certain

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59 circumstances; requiring, rather than encouraging, a  
60 school district to use alternatives to expulsion or  
61 referral to a law enforcement agency unless the use of  
62 such alternatives poses a threat to school safety;  
63 requiring each school district to submit to the  
64 department its policies and agreements by a specified  
65 date each year; requiring the department to develop by  
66 a specified date a model policy for referrals to the  
67 criminal justice system or the juvenile justice  
68 system; requiring the Commissioner of Education to  
69 report by a specified date each year to the Governor  
70 and the Legislature on the implementation of policies  
71 on referrals to law enforcement agencies; amending ss.  
72 1002.20, 1002.23, 1002.33, 1003.02, 1003.32, 1003.53,  
73 1003.57, 1006.09, 1006.10, 1006.147, 1006.15,  
74 1007.271, and 1012.98, F.S.; conforming cross-  
75 references and provisions to changes made by the act;  
76 providing an effective date.

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

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

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

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

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

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

100       (4) "Restorative group conferencing" means an intervention  
101 in which a facilitator leads the individuals who were involved  
102 in an incident, whether they were harmed or caused the harm, as  
103 well as their families or other supporters, in a face-to-face  
104 process designed to address the harm, resolve any conflict, and  
105 prevent recurrence of the harm based on the ideas of restorative  
106 justice practices and mutual accountability.

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

113       Section 2. Section 1006.07, Florida Statutes, is amended to  
114 read:

115       1006.07 District school board duties relating to student  
116 discipline and school safety.—The district school board shall

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117 provide for the proper accounting for all students;~~7~~ for the  
118 attendance ~~and control~~ of students at school; for the creation  
119 of a safe and effective learning environment, regardless of the  
120 student's race, ethnicity, religion, disability, sexual  
121 orientation, or gender identity;~~7~~ and for the proper attention  
122 to health, safety, and other matters relating to the welfare of  
123 students, including the use of:

124 (1) INTERVENTIONS FOR AND DISCIPLINE ~~CONTROL~~ OF STUDENTS.-

125 Each school district shall:

126 (a) Adopt rules for the ~~control~~, discipline, in-school  
127 suspension, suspension, and expulsion of students and decide all  
128 cases recommended for expulsion. Suspension hearings are exempt  
129 ~~exempted~~ from ~~the provisions of~~ chapter 120. Expulsion hearings  
130 are ~~shall be~~ governed by ss. 120.569 and 120.57(2) and are  
131 exempt from s. 286.011. However, the student's parent must be  
132 given notice of the provisions of s. 286.011 and may elect to  
133 have the hearing held in compliance with that section. The  
134 district school board may prohibit the use of corporal  
135 punishment~~7~~ if the district school board adopts or has adopted a  
136 written program of alternative ~~control or~~ discipline. In order  
137 to fulfill the paramount duty of this state to make adequate  
138 provisions for the education of all children residing within its  
139 borders in accordance with s. 1, Art. IX of the State  
140 Constitution, the district school board shall make every effort  
141 to reduce exclusionary discipline for minor misbehavior.

142 (b) Require each student at the time of initial  
143 registration for school in the school district to note previous  
144 school expulsions, arrests resulting in a charge, and juvenile  
145 justice actions the student has had, and have the authority as

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146 the district school board of a receiving school district to  
 147 honor the final order of expulsion or dismissal of a student by  
 148 any in-state or out-of-state public district school board or  
 149 private school, or lab school, for an act that ~~which~~ would have  
 150 been grounds for expulsion according to the receiving district  
 151 school board's standards for intervention ~~code of student~~  
 152 ~~conduct~~, in accordance with the following procedures:

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

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

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

168 (2) STANDARDS FOR INTERVENTION ~~CODE OF STUDENT CONDUCT~~.--  
 169 Each school district shall adopt clear standards for  
 170 intervention, formerly known as a code of student conduct, which  
 171 create a safe, supportive, and positive school climate and  
 172 address misbehavior with interventions and consequences aimed at  
 173 understanding and addressing the causes of misbehavior,  
 174 resolving conflicts, meeting students' needs, keeping students

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

202 (a) Consistent policies and specific grounds for  
203 disciplinary action, including in-school suspension, out-of-

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

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

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

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

227 a. Having a private conversation with the student about his  
228 or her behavior and underlying issues that may have precipitated  
229 the behavior.

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

232 c. Providing restorative justice practices using a



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233 schoolwide approach of informal and formal techniques to foster  
234 a sense of school community and to manage conflict by repairing  
235 harm and restoring positive relationships.

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

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

241 f. Revoking student privileges.

242 g. Referring the student to a school counselor or social  
243 worker.

244 h. Speaking to the student's parent.

245 i. Referring the student to intervention outside the school  
246 setting.

247 j. Ordering in-school detention or in-school suspension  
248 during lunch, after school, or on weekends.

249 2. Outline specific behaviors or behavior categories. Each  
250 behavior or behavior category must include clear maximum  
251 consequences to prevent inappropriate exclusionary consequences  
252 for minor misbehavior and petty acts of misconduct and set clear  
253 requirements that must be satisfied before the school imposes  
254 exclusionary discipline. The chart or matrix must show that  
255 exclusionary discipline is a last resort to be used only in  
256 cases of serious misconduct when in-school interventions and  
257 consequences that do not lead to exclusionary consequences are  
258 insufficient. The following behaviors, which must be accompanied  
259 by such appropriate intervention services as substance abuse  
260 counseling, anger management counseling, or restorative justice  
261 practices, may result in exclusionary discipline and in

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262 notification of a law enforcement agency if the behavior is a  
263 felony or a serious threat to school safety:

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

267 b. Violation of the district school board's sexual  
268 harassment policy.

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

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

277 e. Making a threat or a false report, as provided in ss.  
278 790.162 and 790.163, respectively.

279 f. Homicide.

280 g. Sexual battery.

281 h. Armed robbery.

282 i. Aggravated battery.

283 j. Battery or aggravated battery on a teacher, other school  
284 personnel, or district school board personnel.

285 k. Kidnapping.

286 l. Arson.

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

288 (e) An explanation of the responsibilities, dignity, and  
289 rights of and respect for students, including, but not limited  
290 to, a student's right not to be discriminated against based on

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291 race, ethnicity, religion, disability, sexual orientation, or  
292 gender identity; a student's right to participate in student  
293 publications, school programs, and school activities; and a  
294 student's right to exercise free speech, to assemble, and to  
295 maintain privacy.

296 (f) An explanation of the school's dress code or rules  
297 regarding school uniforms and notice that students have the  
298 right to dress in accordance with their stated gender within the  
299 constraints of the school's dress code.

300 (g) Notice that violation of transportation policies of a  
301 district school board by a student, including disruptive  
302 behavior on a school bus or at a school bus stop, is grounds for  
303 disciplinary action by the school.

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

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

318 (i) Notice that a student who is determined to have made a  
319 threat or false report, as provided in ss. 790.162 and 790.163,

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320 respectively, involving the school's or school personnel's  
321 property, school transportation, or a school-sponsored activity  
322 may be expelled from the student's regular school for at least 1  
323 full year, with continuing educational services, and referred to  
324 the criminal justice system or juvenile justice system. A  
325 district school superintendent may consider the requirement of a  
326 1-year expulsion on a case-by-case basis and may request the  
327 district school board to modify the requirement by assigning the  
328 student to a disciplinary program or second chance school if:

- 329 1. The request for modification is in writing; and  
330 2. The modification is determined to be in the best  
331 interest of the student and the school district.

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

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

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

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349 ~~the orderly learning environment.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

402 ~~6. Drawing a picture, or possessing an image, of a firearm~~  
403 ~~or weapon.~~

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

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

425 ~~(h) Notice that violence against any district school board~~  
426 ~~personnel by a student is grounds for in-school suspension, out-~~  
427 ~~of-school suspension, expulsion, or imposition of other~~  
428 ~~disciplinary action by the school and may also result in~~  
429 ~~criminal penalties being imposed.~~

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

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

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

443 ~~(l) Notice that any student who is determined to have~~  
444 ~~brought a firearm or weapon, as defined in chapter 790, to~~  
445 ~~school, to any school function, or onto any school-sponsored~~  
446 ~~transportation, or to have possessed a firearm at school, will~~  
447 ~~be expelled, with or without continuing educational services,~~  
448 ~~from the student's regular school for a period of not less than~~  
449 ~~1 full year and referred to the criminal justice or juvenile~~  
450 ~~justice system. District school boards may assign the student to~~  
451 ~~a disciplinary program or second chance school for the purpose~~  
452 ~~of continuing educational services during the period of~~  
453 ~~expulsion. District school superintendents may consider the 1-~~  
454 ~~year expulsion requirement on a case-by-case basis and request~~  
455 ~~the district school board to modify the requirement by assigning~~  
456 ~~the student to a disciplinary program or second chance school if~~  
457 ~~the request for modification is in writing and it is determined~~  
458 ~~to be in the best interest of the student and the school system.~~

459 ~~(m) Notice that any student who is determined to have made~~  
460 ~~a threat or false report, as defined by ss. 790.162 and 790.163,~~  
461 ~~respectively, involving school or school personnel's property,~~  
462 ~~school transportation, or a school-sponsored activity will be~~  
463 ~~expelled, with or without continuing educational services, from~~  
464 ~~the student's regular school for a period of not less than 1~~



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465 ~~full year and referred for criminal prosecution. District school~~  
466 ~~boards may assign the student to a disciplinary program or~~  
467 ~~second chance school for the purpose of continuing educational~~  
468 ~~services during the period of expulsion. District school~~  
469 ~~superintendents may consider the 1-year expulsion requirement on~~  
470 ~~a case-by-case basis and request the district school board to~~  
471 ~~modify the requirement by assigning the student to a~~  
472 ~~disciplinary program or second chance school if it is determined~~  
473 ~~to be in the best interest of the student and the school system.~~

474 (3) COMMUNITY INVOLVEMENT IN POLICY CREATION ~~STUDENT CRIME~~  
475 ~~WATCH PROGRAM.~~ Each school district shall ensure the meaningful  
476 involvement of parents, students, teachers, and the community in  
477 creating and applying policies regarding student discipline and  
478 school safety ~~By resolution of the district school board,~~  
479 ~~implement a student crime watch program to promote~~  
480 ~~responsibility among students and to assist in the control of~~  
481 ~~criminal behavior within the schools.~~

482 (4) EMERGENCY DRILLS AND; EMERGENCY PROCEDURES. ~~Each school~~  
483 ~~district shall:~~

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

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494 district's emergency response policy.

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

- 499 1. Weapon-use and hostage situations.
- 500 2. Hazardous materials or toxic chemical spills.
- 501 3. Weather emergencies, including hurricanes, tornadoes,  
502 and severe storms.
- 503 4. Exposure as a result of a manmade emergency.

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

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523           (6) SAFETY AND SECURITY BEST PRACTICES.—Each school  
524 district shall use the Safety and Security Best Practices  
525 developed by the Office of Program Policy Analysis and  
526 Government Accountability to conduct a self-assessment of the  
527 school districts' current safety and security practices. Based  
528 on these self-assessment findings, the district school  
529 superintendent shall provide recommendations to the district  
530 school board which identify strategies and activities that the  
531 district school board should implement in order to improve  
532 school safety and security. ~~Annually~~ Each district school board  
533 must annually receive the self-assessment results at a publicly  
534 noticed district school board meeting to provide the public an  
535 opportunity to hear the district school board members discuss  
536 and take action on the report findings. Each district school  
537 superintendent shall report the self-assessment results and  
538 school board action to the commissioner within 30 days after the  
539 district school board meeting.

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

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552 include, but need not be limited to:

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

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

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

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

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

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

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

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

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581 throughout the employee's tenure as a school resource officer.

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

592 (c) A school resource officer may arrest a student only for  
593 a violation of law which constitutes a serious threat to school  
594 safety and only after consultation with the school principal or  
595 the principal's designee, documented attempts at intervention or  
596 in-school consequences, and pursuant to the standards for  
597 intervention and the cooperative agreement as described in ss.  
598 1006.07 and 1006.13, respectively. If a school resource officer  
599 arrests a student in a school-related incident, the officer  
600 shall immediately notify the principal or the principal's  
601 designee. A school resource officer may not arrest or otherwise  
602 refer a student to the criminal justice system or the juvenile  
603 justice system for a petty act of misconduct unless it is  
604 determined that the failure to do so would endanger the physical  
605 safety of other students or staff at the school. Such  
606 determination must be documented in a written report to the  
607 principal or the principal's designee which includes a  
608 description of the behavior at issue and an explanation of why  
609 an arrest or referral was necessary.

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

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

624           (c) A school safety officer may ~~has and shall exercise the~~  
625 ~~power to~~ make arrests for violations of law on district school  
626 board property and ~~to~~ arrest persons, whether on or off such  
627 property, who violate any law on such property under the same  
628 conditions that deputy sheriffs are authorized to make arrests.  
629 A school safety officer may arrest a student only for a  
630 violation of law which constitutes a serious threat to school  
631 safety and only after consultation with the school principal or  
632 the principal's designee, documented attempts at intervention or  
633 in-school consequences, and pursuant to the standards for  
634 intervention and the cooperative agreement as described in ss.  
635 1006.07 and 1006.13, respectively. If a school safety officer  
636 arrests a student in a school-related incident, the officer  
637 shall immediately notify the principal or the principal's  
638 designee. A school safety officer may not arrest or otherwise

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639 refer a student to the criminal justice system or the juvenile  
640 justice system for a petty act of misconduct unless it is  
641 determined that the failure to do so would endanger the physical  
642 safety of other students or staff at the school. Such  
643 determination must be documented in a written report to the  
644 principal or the principal's designee which includes a  
645 description of the behavior at issue and an explanation of why  
646 an arrest or referral was necessary ~~A school safety officer has~~  
647 ~~the authority to carry weapons when performing his or her~~  
648 ~~official duties.~~

649 (d) A district school board may enter into mutual aid  
650 agreements with one or more law enforcement agencies as provided  
651 in chapter 23. A school safety officer's salary may be paid  
652 jointly by the district school board and the law enforcement  
653 agency, as mutually agreed to.

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

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

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

- 665 1. Child and adolescent development and psychology;
- 666 2. Teaching students to respond in age-appropriate ways;
- 667 3. Cultural differences and unconscious bias;

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668 4. Restorative justice practices;

669 5. Rights of students with disabilities and appropriate  
670 responses to their behaviors;

671 6. Practices that improve the school climate; and

672 7. The creation of safe environments for lesbian, gay,  
673 bisexual, and transgender students.

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

677 1. Proficiency in verbal, written, and interpersonal skills  
678 that include public speaking;

679 2. Knowledge and experience in matters involving cultural  
680 diversity and sensitivity;

681 3. Training in best practices for working with students as  
682 specified in paragraph (b);

683 4. Commitment to serving as a positive role model for  
684 students;

685 5. Passion for and desire to interact positively with  
686 students; and

687 6. An employment record with no history of excessive force  
688 or racial bias.

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

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

694 (1) It is the intent of the Legislature to promote a safe  
695 and supportive learning environment in schools, to protect  
696 students and staff from conduct that poses a serious threat to



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697 school safety, and to encourage schools to use alternatives to  
698 expulsion or referral to law enforcement agencies by addressing  
699 disruptive behavior through restitution, civil citation, teen  
700 court, neighborhood restorative justice, or similar programs.  
701 The Legislature finds that referrals to the criminal justice  
702 system or the juvenile justice system ~~zero-tolerance policies~~  
703 are not intended to be rigorously applied to petty acts of  
704 misconduct and misdemeanors, including, but not limited to,  
705 minor fights or disturbances. The Legislature finds that ~~zero-~~  
706 ~~tolerance policies~~ on referrals to the criminal justice system  
707 or the juvenile justice system must apply equally to all  
708 students regardless of their economic status, race, or  
709 disability.

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

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

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

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726 (c)~~(b)~~ Defines acts that pose a serious threat to school  
727 safety, including, but not limited to, those acts or behaviors  
728 specified in s. 1006.07(2)(c)2.

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

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

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

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

750 (h) Establishes data-sharing protocols so that each school  
751 district receives, at least twice a year, a report on the number  
752 of school-based arrests of students. All data must be  
753 disaggregated by race, ethnicity, gender, school, offense, and  
754 the name of the law enforcement officer involved, and match the

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755 school district's records on grade, disability, and status as a  
 756 limited English proficient student.

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

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

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

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

776  
 777 A district school board ~~boards~~ may assign the student to a  
 778 disciplinary program for the purpose of continuing educational  
 779 services during the period of expulsion. A district school  
 780 superintendent ~~superintendents~~ may consider the 1-year expulsion  
 781 requirement on a case-by-case basis and request the district  
 782 school board to modify the requirement by assigning the student  
 783 to a disciplinary program or second chance school if the request

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784 for modification is in writing and it is determined to be in the  
785 best interest of the student and the school system. If a student  
786 committing any of the offenses in this subsection is a student  
787 who has a disability, the district school board shall comply  
788 with applicable State Board of Education rules.

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

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

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

811 (c)-(d) Clarify the role of the school principal in ensuring  
812 ~~shall ensure~~ that all school personnel are properly informed of

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813 ~~as to~~ their responsibilities regarding crime reporting, that  
814 appropriate delinquent acts and crimes are properly reported,  
815 and that actions taken in cases with special circumstances are  
816 properly taken and documented.

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

- 824 1. Child and adolescent development and psychology;
- 825 2. Teaching students to respond in age-appropriate ways;
- 826 3. Cultural differences and unconscious bias;
- 827 4. Restorative justice practices;
- 828 5. Rights of students with disabilities and appropriate  
829 responses to their behaviors;
- 830 6. Practices that improve the school climate; and
- 831 7. The creation of safe environments for lesbian, gay,  
832 bisexual, and transgender students.

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

- 836 1. Proficiency in verbal, written, and interpersonal skills  
837 that include public speaking;
- 838 2. Knowledge and experience in matters involving cultural  
839 diversity and sensitivity;
- 840 3. Training in best practices for working with students as  
841 specified in paragraph (d);

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

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

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

848 (f) Require a school district to annually review the cost  
849 and effectiveness of its school safety programs, including the  
850 use of school safety officers, school resource officers, and  
851 other security measures; to report its findings to the  
852 Department of Education by August 1 of each school year; and to  
853 use these findings to reevaluate and improve school safety  
854 programs.

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

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

- 869 1. Chapter 782, relating to homicide;  
870 2. Chapter 784, relating to assault, battery, and culpable

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871 negligence;

872 3. Chapter 787, relating to kidnapping, false imprisonment,  
873 luring or enticing a child, and custody offenses;

874 4. Chapter 794, relating to sexual battery;

875 5. Chapter 800, relating to lewdness and indecent 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

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900 necessary steps are taken to protect the victim ~~of the offense~~.  
901 Any student offender described in paragraph (a), ~~who is not~~  
902 exempt ~~exempted~~ as provided in paragraph (a), ~~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, ~~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



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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

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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

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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, opportunities,  
995 choices, academic standards, and student assessment; and

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

999 1. A recommended immunization schedule in accordance with  
1000 United States Centers for Disease Control and Prevention  
1001 recommendations.

1002 2. Detailed information regarding the causes, symptoms, and  
1003 transmission of meningococcal disease and the availability,  
1004 effectiveness, known contraindications, and appropriate age for  
1005 the administration of any required or recommended vaccine  
1006 against meningococcal disease, in accordance with the  
1007 recommendations of the Advisory Committee on Immunization  
1008 Practices of the United States Centers for Disease Control and  
1009 Prevention.

1010  
1011 The parent guide described in this subsection may be included as  
1012 a part of the standards for intervention under s. 1006.07 ~~code~~  
1013 ~~of student conduct that is required in s. 1006.07(2).~~

1014 Section 7. Paragraph (a) of subsection (7) of section  
1015 1002.33, Florida Statutes, is amended to read:

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1016 1002.33 Charter schools.—

1017 (7) CHARTER.—The terms and conditions for the operation of  
1018 a charter school shall be set forth by the sponsor and the  
1019 applicant in a written contractual agreement, called a charter.  
1020 The sponsor and the governing board of the charter school shall  
1021 use the standard charter contract pursuant to subsection (21),  
1022 which shall incorporate the approved application and any addenda  
1023 approved with the application. Any term or condition of a  
1024 proposed charter contract that differs from the standard charter  
1025 contract adopted by rule of the State Board of Education shall  
1026 be presumed a limitation on charter school flexibility. The  
1027 sponsor may not impose unreasonable rules or regulations that  
1028 violate the intent of giving charter schools greater flexibility  
1029 to meet educational goals. The charter shall be signed by the  
1030 governing board of the charter school and the sponsor, following  
1031 a public hearing to ensure community input.

1032 (a) The charter shall address and criteria for approval of  
1033 the charter shall be based on:

1034 1. The school's mission, the students to be served, and the  
1035 ages and grades to be included.

1036 2. The focus of the curriculum, the instructional methods  
1037 to be used, any distinctive instructional techniques to be  
1038 employed, and identification and acquisition of appropriate  
1039 technologies needed to improve educational and administrative  
1040 performance which include a means for promoting safe, ethical,  
1041 and appropriate uses of technology which comply with legal and  
1042 professional standards.

1043 a. The charter shall ensure that reading is a primary focus  
1044 of the curriculum and that resources are provided to identify

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1045 and provide specialized instruction for students who are reading  
1046 below grade level. The curriculum and instructional strategies  
1047 for reading must be consistent with the Next Generation Sunshine  
1048 State Standards and grounded in scientifically based reading  
1049 research.

1050       b. In order to provide students with access to diverse  
1051 instructional delivery models, to facilitate the integration of  
1052 technology within traditional classroom instruction, and to  
1053 provide students with the skills they need to compete in the  
1054 21st century economy, the Legislature encourages instructional  
1055 methods for blended learning courses consisting of both  
1056 traditional classroom and online instructional techniques.  
1057 Charter schools may implement blended learning courses which  
1058 combine traditional classroom instruction and virtual  
1059 instruction. Students in a blended learning course must be full-  
1060 time students of the charter school pursuant to s.  
1061 1011.61(1)(a)1. Instructional personnel certified pursuant to s.  
1062 1012.55 who provide virtual instruction for blended learning  
1063 courses may be employees of the charter school or may be under  
1064 contract to provide instructional services to charter school  
1065 students. At a minimum, such instructional personnel must hold  
1066 an active state or school district adjunct certification under  
1067 s. 1012.57 for the subject area of the blended learning course.  
1068 The funding and performance accountability requirements for  
1069 blended learning courses are the same as those for traditional  
1070 courses.

1071       3. The current incoming baseline standard of student  
1072 academic achievement, the outcomes to be achieved, and the  
1073 method of measurement that will be used. The criteria listed in

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1074 this subparagraph shall include a detailed description of:

1075 a. How the baseline student academic achievement levels and  
1076 prior rates of academic progress will be established.

1077 b. How these baseline rates will be compared to rates of  
1078 academic progress achieved by these same students while  
1079 attending the charter school.

1080 c. To the extent possible, how these rates of progress will  
1081 be evaluated and compared with rates of progress of other  
1082 closely comparable student populations.

1083  
1084 The district school board is required to provide academic  
1085 student performance data to charter schools for each of their  
1086 students coming from the district school system, as well as  
1087 rates of academic progress of comparable student populations in  
1088 the district school system.

1089 4. The methods used to identify the educational strengths  
1090 and needs of students and how well educational goals and  
1091 performance standards are met by students attending the charter  
1092 school. The methods shall provide a means for the charter school  
1093 to ensure accountability to its constituents by analyzing  
1094 student performance data and by evaluating the effectiveness and  
1095 efficiency of its major educational programs. Students in  
1096 charter schools shall, at a minimum, participate in the  
1097 statewide assessment program created under s. 1008.22.

1098 5. In secondary charter schools, a method for determining  
1099 that a student has satisfied the requirements for graduation in  
1100 s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

1101 6. A method for resolving conflicts between the governing  
1102 board of the charter school and the sponsor.

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1103           7. The admissions procedures and dismissal procedures,  
1104 including the school's standards for intervention ~~code of~~  
1105 ~~student conduct~~. Admission or dismissal must not be based on a  
1106 student's academic performance.

1107           8. The ways by which the school will achieve a  
1108 racial/ethnic balance reflective of the community it serves or  
1109 within the racial/ethnic range of other public schools in the  
1110 same school district.

1111           9. The financial and administrative management of the  
1112 school, including a reasonable demonstration of the professional  
1113 experience or competence of those individuals or organizations  
1114 applying to operate the charter school or those hired or  
1115 retained to perform such professional services and the  
1116 description of clearly delineated responsibilities and the  
1117 policies and practices needed to effectively manage the charter  
1118 school. A description of internal audit procedures and  
1119 establishment of controls to ensure that financial resources are  
1120 properly managed must be included. Both public sector and  
1121 private sector professional experience shall be equally valid in  
1122 such a consideration.

1123           10. The asset and liability projections required in the  
1124 application which are incorporated into the charter and shall be  
1125 compared with information provided in the annual report of the  
1126 charter school.

1127           11. A description of procedures that identify various risks  
1128 and provide for a comprehensive approach to reduce the impact of  
1129 losses; plans to ensure the safety and security of students and  
1130 staff; plans to identify, minimize, and protect others from  
1131 violent or disruptive student behavior; and the manner in which

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1132 the school will be insured, including whether or not the school  
1133 will be required to have liability insurance, and, if so, the  
1134 terms and conditions thereof and the amounts of coverage.

1135 12. The term of the charter which shall provide for  
1136 cancellation of the charter if insufficient progress has been  
1137 made in attaining the student achievement objectives of the  
1138 charter and if it is not likely that such objectives can be  
1139 achieved before expiration of the charter. The initial term of a  
1140 charter shall be for 4 or 5 years. In order to facilitate access  
1141 to long-term financial resources for charter school  
1142 construction, charter schools that are operated by a  
1143 municipality or other public entity as provided by law are  
1144 eligible for up to a 15-year charter, subject to approval by the  
1145 district school board. A charter lab school is eligible for a  
1146 charter for a term of up to 15 years. In addition, to facilitate  
1147 access to long-term financial resources for charter school  
1148 construction, charter schools that are operated by a private,  
1149 not-for-profit, s. 501(c)(3) status corporation are eligible for  
1150 up to a 15-year charter, subject to approval by the district  
1151 school board. Such long-term charters remain subject to annual  
1152 review and may be terminated during the term of the charter, but  
1153 only according to the provisions set forth in subsection (8).

1154 13. The facilities to be used and their location. The  
1155 sponsor may not require a charter school to have a certificate  
1156 of occupancy or a temporary certificate of occupancy for such a  
1157 facility earlier than 15 calendar days before the first day of  
1158 school.

1159 14. The qualifications to be required of the teachers and  
1160 the potential strategies used to recruit, hire, train, and



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1161 retain qualified staff to achieve best value.

1162 15. The governance structure of the school, including the  
1163 status of the charter school as a public or private employer as  
1164 required in paragraph (12)(i).

1165 16. A timetable for implementing the charter which  
1166 addresses the implementation of each element thereof and the  
1167 date by which the charter shall be awarded in order to meet this  
1168 timetable.

1169 17. In the case of an existing public school that is being  
1170 converted to charter status, alternative arrangements for  
1171 current students who choose not to attend the charter school and  
1172 for current teachers who choose not to teach in the charter  
1173 school after conversion in accordance with the existing  
1174 collective bargaining agreement or district school board rule in  
1175 the absence of a collective bargaining agreement. However,  
1176 alternative arrangements may ~~shall~~ not be required for current  
1177 teachers who choose not to teach in a charter lab school, except  
1178 as authorized by the employment policies of the state university  
1179 which grants the charter to the lab school.

1180 18. Full disclosure of the identity of all relatives  
1181 employed by the charter school who are related to the charter  
1182 school owner, president, chairperson of the governing board of  
1183 directors, superintendent, governing board member, principal,  
1184 assistant principal, or any other person employed by the charter  
1185 school who has equivalent decisionmaking authority. For the  
1186 purpose of this subparagraph, the term "relative" means father,  
1187 mother, son, daughter, brother, sister, uncle, aunt, first  
1188 cousin, nephew, niece, husband, wife, father-in-law, mother-in-  
1189 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,

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1190 stepfather, stepmother, stepson, stepdaughter, stepbrother,  
1191 stepsister, half brother, or half sister.

1192 19. Implementation of the activities authorized under s.  
1193 1002.331 by the charter school when it satisfies the eligibility  
1194 requirements for a high-performing charter school. A high-  
1195 performing charter school shall notify its sponsor in writing by  
1196 March 1 if it intends to increase enrollment or expand grade  
1197 levels the following school year. The written notice shall  
1198 specify the amount of the enrollment increase and the grade  
1199 levels that will be added, as applicable.

1200 Section 8. Subsection (1) of section 1003.02, Florida  
1201 Statutes, is amended to read:

1202 1003.02 District school board operation and control of  
1203 public K-12 education within the school district.—As provided in  
1204 part II of chapter 1001, district school boards are  
1205 constitutionally and statutorily charged with the operation and  
1206 control of public K-12 education within their school district.  
1207 The district school boards must establish, organize, and operate  
1208 their public K-12 schools and educational programs, employees,  
1209 and facilities. Their responsibilities include staff  
1210 development, public K-12 school student education including  
1211 education for exceptional students and students in juvenile  
1212 justice programs, special programs, adult education programs,  
1213 and career education programs. Additionally, district school  
1214 boards must:

1215 (1) Provide for the proper accounting for all students of  
1216 school age, for the attendance and discipline ~~control~~ of  
1217 students at school, and for proper attention to health, safety,  
1218 and other matters relating to the welfare of students in the

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1219 following areas:

1220 (a) *Admission, classification, promotion, and graduation of*  
1221 *students.*—Adopt rules for admitting, classifying, promoting, and  
1222 graduating students to or from the various schools of the  
1223 district.

1224 (b) *Enforcement of attendance laws.*—Provide for the  
1225 enforcement of all laws and rules relating to the attendance of  
1226 students at school. District school boards are authorized to  
1227 establish policies that allow accumulated unexcused tardies,  
1228 regardless of when they occur during the school day, and early  
1229 departures from school to be recorded as unexcused absences.  
1230 District school boards are also authorized to establish policies  
1231 that require referral to a school's child study team for  
1232 students who have fewer absences than the number required by s.  
1233 1003.26(1)(b).

1234 (c) Discipline ~~Control~~ of students.—

1235 1. Adopt rules for the ~~control~~, attendance, discipline, in-  
1236 school suspension, suspension, and expulsion of students and  
1237 decide all cases recommended for expulsion.

1238 2. Maintain standards for intervention ~~a code of student~~  
1239 ~~conduct~~ as provided in chapter 1006.

1240 (d) *Courses of study and instructional materials.*—

1241 1. Provide adequate instructional materials for all  
1242 students as follows and in accordance with the requirements of  
1243 chapter 1006, in the core courses of mathematics, language arts,  
1244 social studies, science, reading, and literature, except for  
1245 instruction for which the school advisory council approves the  
1246 use of a program that does not include a textbook as a major  
1247 tool of instruction.

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1248           2. Adopt courses of study for use in the schools of the  
1249 district.

1250           3. Provide for proper requisitioning, distribution,  
1251 accounting, storage, care, and use of all instructional  
1252 materials as may be needed, and ensure that instructional  
1253 materials used in the district are consistent with the district  
1254 goals and objectives and the course descriptions approved by the  
1255 State Board of Education, as well as with the state and school  
1256 district performance standards required by law and state board  
1257 rule.

1258           (e) *Transportation.*—Make provision for the transportation  
1259 of students to the public schools or school activities they are  
1260 required or expected to attend, efficiently and economically, in  
1261 accordance with the requirements of chapter 1006, which function  
1262 may be accomplished, in whole or part, by means of an interlocal  
1263 agreement under s. 163.01.

1264           (f) *Facilities and school plant.*—

1265           1. Approve and adopt a districtwide school facilities  
1266 program, in accordance with the requirements of chapter 1013.

1267           2. Approve plans for locating, planning, constructing,  
1268 sanitating, insuring, maintaining, protecting, and condemning  
1269 school property as prescribed in chapter 1013.

1270           3. Approve and adopt a districtwide school building  
1271 program.

1272           4. Select and purchase school sites, playgrounds, and  
1273 recreational areas located at centers at which schools are to be  
1274 constructed, of adequate size to meet the needs of projected  
1275 students to be accommodated.

1276           5. Approve the proposed purchase of any site, playground,

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1277 or recreational area for which school district funds are to be  
1278 used.

1279 6. Expand existing sites.

1280 7. Rent buildings when necessary, which function may be  
1281 accomplished, in whole or part, by means of an interlocal  
1282 agreement under s. 163.01.

1283 8. Enter into leases or lease-purchase arrangements, in  
1284 accordance with the requirements and conditions provided in s.  
1285 1013.15(2).

1286 9. Provide for the proper supervision of construction.

1287 10. Make or contract for additions, alterations, and  
1288 repairs on buildings and other school properties.

1289 11. Ensure that all plans and specifications for buildings  
1290 provide adequately for the safety and well-being of students, as  
1291 well as for economy of construction.

1292 12. Provide adequately for the proper maintenance and  
1293 upkeep of school plants, which function may be accomplished, in  
1294 whole or part, by means of an interlocal agreement under s.  
1295 163.01.

1296 13. Carry insurance on every school building in all school  
1297 plants including contents, boilers, and machinery, except  
1298 buildings of three classrooms or less which are of frame  
1299 construction and located in a tenth class public protection zone  
1300 as defined by the Florida Inspection and Rating Bureau, and on  
1301 all school buses and other property under the control of the  
1302 district school board or title to which is vested in the  
1303 district school board, except as exceptions may be authorized  
1304 under rules of the State Board of Education.

1305 14. Condemn and prohibit the use for public school purposes

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1306 of any building under the control of the district school board.

1307 (g) *School operation.*—

1308 1. Provide for the operation of all public schools as free  
1309 schools for a term of 180 days or the equivalent on an hourly  
1310 basis as specified by rules of the State Board of Education;  
1311 determine district school funds necessary in addition to state  
1312 funds to operate all schools for the minimum term; and arrange  
1313 for the levying of district school taxes necessary to provide  
1314 the amount needed from district sources.

1315 2. Prepare, adopt, and timely submit to the Department of  
1316 Education, as required by law and by rules of the State Board of  
1317 Education, the annual school budget, so as to promote the  
1318 improvement of the district school system.

1319 (h) *Records and reports.*—

1320 1. Keep all necessary records and make all needed and  
1321 required reports, as required by law or by rules of the State  
1322 Board of Education.

1323 2. At regular intervals require reports to be made by  
1324 principals or teachers in all public schools to the parents of  
1325 the students enrolled and in attendance at their schools,  
1326 apprising them of the academic and other progress being made by  
1327 the student and giving other useful information.

1328 (i) *Parental notification of acceleration options.*—At the  
1329 beginning of each school year, notify parents of students in or  
1330 entering high school of the opportunity and benefits of advanced  
1331 placement, International Baccalaureate, Advanced International  
1332 Certificate of Education, dual enrollment, and Florida Virtual  
1333 School courses and options for early graduation under s.

1334 1003.4281.

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1335 (j) *Return on investment.*—Notify the parent of a student  
1336 who earns an industry certification that articulates for  
1337 postsecondary credit of the estimated cost savings to the parent  
1338 before the student's high school graduation versus the cost of  
1339 acquiring such certification after high school graduation, which  
1340 would include the tuition and fees associated with available  
1341 postsecondary credits. Also, the student and the parent must be  
1342 informed of any additional industry certifications available to  
1343 the student.

1344 Section 9. Section 1003.32, Florida Statutes, is amended to  
1345 read:

1346 1003.32 Authority of teacher; responsibility for discipline  
1347 ~~control~~ of students; district school board and principal  
1348 duties.—Subject to law and to the rules of the district school  
1349 board, each teacher or other member of the staff of any school  
1350 shall have such authority for the ~~control and~~ discipline of  
1351 students as may be assigned to him or her by the principal or  
1352 the principal's designated representative and shall keep good  
1353 order in the classroom and in other places in which he or she is  
1354 assigned to be in charge of students.

1355 (1) In accordance with this section and within the  
1356 framework of the district school board's standards for  
1357 intervention ~~code of student conduct~~, teachers and other  
1358 instructional personnel shall have the authority to undertake  
1359 any of the following actions in managing student behavior and  
1360 ensuring the safety of all students in their classes and school  
1361 and their opportunity to learn in an orderly and disciplined  
1362 classroom:

1363 (a) Establish classroom rules of conduct.

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1364 (b) Establish and implement consequences, designed to  
1365 change behavior, for infractions of classroom rules.

1366 (c) Have disobedient, disrespectful, violent, abusive,  
1367 uncontrollable, or disruptive students removed from the  
1368 classroom for behavior management intervention.

1369 (d) Have violent, abusive, uncontrollable, or disruptive  
1370 students directed for information or assistance from appropriate  
1371 school or district school board personnel.

1372 (e) Assist in enforcing school rules on school property,  
1373 during school-sponsored transportation, and during school-  
1374 sponsored activities.

1375 (f) Request and receive information as to the disposition  
1376 of any referrals to the administration for violation of  
1377 classroom or school rules.

1378 (g) Request and receive immediate assistance in classroom  
1379 management if a student becomes uncontrollable or in case of  
1380 emergency.

1381 (h) Request and receive training and other assistance to  
1382 improve skills in classroom management, violence prevention,  
1383 conflict resolution, and related areas.

1384 (i) Press charges if there is a reason to believe that a  
1385 crime has been committed on school property, during school-  
1386 sponsored transportation, or during school-sponsored activities.

1387 (j) Use reasonable force, according to standards adopted by  
1388 the State Board of Education, to protect himself or herself or  
1389 others from injury.

1390 (k) Use corporal punishment according to school board  
1391 policy and at least the following procedures, if a teacher feels  
1392 that corporal punishment is necessary:



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1393           1. The use of corporal punishment shall be approved in  
1394 principle by the principal before it is used, but approval is  
1395 not necessary for each specific instance in which it is used.  
1396 The principal shall prepare guidelines for administering such  
1397 punishment which identify the types of punishable offenses, the  
1398 conditions under which the punishment shall be administered, and  
1399 the specific personnel on the school staff authorized to  
1400 administer the punishment.

1401           2. A teacher or principal may administer corporal  
1402 punishment only in the presence of another adult who is informed  
1403 beforehand, and in the student's presence, of the reason for the  
1404 punishment.

1405           3. A teacher or principal who has administered punishment  
1406 shall, upon request, provide the student's parent with a written  
1407 explanation of the reason for the punishment and the name of the  
1408 other adult who was present.

1409           (2) Teachers and other instructional personnel shall:

1410           (a) Set and enforce reasonable classroom rules that treat  
1411 all students equitably.

1412           (b) Seek professional development to improve classroom  
1413 management skills when data show that they are not effective in  
1414 handling minor classroom disruptions.

1415           (c) Maintain an orderly and disciplined classroom with a  
1416 positive and effective learning environment that maximizes  
1417 learning and minimizes disruption.

1418           (d) Work with parents and other school personnel to solve  
1419 discipline problems in their classrooms.

1420           (3) A teacher may send a student to the principal's office  
1421 to maintain effective discipline in the classroom and may

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1422 recommend an appropriate consequence consistent with the  
1423 standards for intervention ~~student code of conduct~~ under s.  
1424 1006.07. The principal shall respond by employing the teacher's  
1425 recommended consequence or a more serious disciplinary action if  
1426 the student's history of disruptive behavior warrants it. If the  
1427 principal determines that a lesser disciplinary action is  
1428 appropriate, the principal should consult with the teacher  
1429 before ~~prior to~~ taking disciplinary action.

1430 (4) A teacher may remove from class a student whose  
1431 behavior the teacher determines interferes with the teacher's  
1432 ability to communicate effectively with the students in the  
1433 class or with the ability of the student's classmates to learn.  
1434 Each district school board, each district school superintendent,  
1435 and each school principal shall support the authority of  
1436 teachers to remove disobedient, violent, abusive,  
1437 uncontrollable, or disruptive students from the classroom.

1438 (5) If a teacher removes a student from class under  
1439 subsection (4), the principal may place the student in another  
1440 appropriate classroom, in in-school suspension, or in a dropout  
1441 prevention and academic intervention program as provided by s.  
1442 1003.53; or the principal may recommend the student for out-of-  
1443 school suspension or expulsion, as appropriate. The student may  
1444 be prohibited from attending or participating in school-  
1445 sponsored or school-related activities. The principal may not  
1446 return the student to that teacher's class without the teacher's  
1447 consent unless the committee established under subsection (6)  
1448 determines that such placement is the best or only available  
1449 alternative. The teacher and the placement review committee must  
1450 render decisions within 5 days of the removal of the student

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1451 from the classroom.

1452 (6) (a) Each school shall establish a placement review  
1453 committee to determine placement of a student when a teacher  
1454 withholds consent to the return of a student to the teacher's  
1455 class. A school principal must notify each teacher in that  
1456 school about the availability, the procedures, and the criteria  
1457 for the placement review committee as outlined in this section.

1458 (b) The principal must report on a quarterly basis to the  
1459 district school superintendent and district school board each  
1460 incidence of a teacher's withholding consent for a removed  
1461 student to return to the teacher's class and the disposition of  
1462 the incident, and the superintendent must annually report these  
1463 data to the department.

1464 (c) The Commissioner of Education shall annually review  
1465 each school district's compliance with this section, and success  
1466 in achieving orderly classrooms, and shall use all appropriate  
1467 enforcement actions up to and including the withholding of  
1468 disbursements from the Educational Enhancement Trust Fund until  
1469 full compliance is verified.

1470 (d) Placement review committee membership must include at  
1471 least the following:

1472 1. Two teachers, one selected by the school's faculty and  
1473 one selected by the teacher who has removed the student.

1474 2. One member from the school's staff who is selected by  
1475 the principal.

1476  
1477 The teacher who withheld consent to readmitting the student may  
1478 not serve on the committee. The teacher and the placement review  
1479 committee must render decisions within 5 days after the removal

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1480 of the student from the classroom. If the placement review  
1481 committee's decision is contrary to the decision of the teacher  
1482 to withhold consent to the return of the removed student to the  
1483 teacher's class, the teacher may appeal the committee's decision  
1484 to the district school superintendent.

1485 (7) Any teacher who removes 25 percent of his or her total  
1486 class enrollment shall be required to complete professional  
1487 development to improve classroom management skills.

1488 (8) Each teacher or other member of the staff of any school  
1489 who knows or has reason to suspect that any person has  
1490 committed, or has made a credible threat to commit, a crime of  
1491 violence on school property shall report such knowledge or  
1492 suspicion in accordance with the provisions of s. 1006.13. Each  
1493 district school superintendent and each school principal shall  
1494 fully support good faith reporting in accordance with the  
1495 provisions of this subsection and s. 1006.13. Any person who  
1496 makes a report required by this subsection in good faith shall  
1497 be immune from civil or criminal liability for making the  
1498 report.

1499 (9) When knowledgeable of the likely risk of physical  
1500 violence in the schools, the district school board shall take  
1501 reasonable steps to ensure that teachers, other school staff,  
1502 and students are not at undue risk of violence or harm.

1503 Section 10. Paragraphs (c) and (d) of subsection (1) of  
1504 section 1003.53, Florida Statutes, are amended to read:

1505 1003.53 Dropout prevention and academic intervention.-

1506 (1)

1507 (c) A student shall be identified as being eligible to  
1508 receive services funded through the dropout prevention and

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1509 academic intervention program based upon one of the following  
1510 criteria:

1511 1. The student is academically unsuccessful as evidenced by  
1512 low test scores, retention, failing grades, low grade point  
1513 average, falling behind in earning credits, or not meeting the  
1514 state or district proficiency levels in reading, mathematics, or  
1515 writing.

1516 2. The student has a pattern of excessive absenteeism or  
1517 has been identified as a habitual truant.

1518 3. The student has a history of disruptive behavior in  
1519 school or has committed an offense that warrants out-of-school  
1520 suspension or expulsion from school according to the district  
1521 school board's standards for intervention ~~code of student~~  
1522 ~~conduct~~. For the purposes of this program, "disruptive behavior"  
1523 is behavior that:

1524 a. Interferes with the student's own learning or the  
1525 educational process of others and requires attention and  
1526 assistance beyond that which the traditional program can provide  
1527 or results in frequent conflicts of a disruptive nature while  
1528 the student is under the jurisdiction of the school either in or  
1529 out of the classroom; or

1530 b. Severely threatens the general welfare of students or  
1531 others with whom the student comes into contact.

1532 4. The student is identified by a school's early warning  
1533 system pursuant to s. 1001.42(18)(b).

1534 (d)1. "Second chance schools" means district school board  
1535 programs provided through cooperative agreements between the  
1536 Department of Juvenile Justice, private providers, state or  
1537 local law enforcement agencies, or other state agencies for

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1538 students who have been disruptive or violent or who have  
1539 committed serious offenses. As partnership programs, second  
1540 chance schools are eligible for waivers by the Commissioner of  
1541 Education from State Board of Education rules that prevent the  
1542 provision of appropriate educational services to violent,  
1543 severely disruptive, or delinquent students in small  
1544 nontraditional settings or in court-adjudicated settings.

1545       2. District school boards seeking to enter into a  
1546 partnership with a private entity or public entity to operate a  
1547 second chance school for disruptive students may apply to the  
1548 Department of Education for startup grants. These grants must be  
1549 available for 1 year and must be used to offset the startup  
1550 costs for implementing such programs off public school campuses.  
1551 General operating funds must be generated through the  
1552 appropriate programs of the Florida Education Finance Program.  
1553 Grants approved under this program shall be for the full  
1554 operation of the school by a private nonprofit or for-profit  
1555 provider or the public entity. This program must operate under  
1556 rules adopted by the State Board of Education and be implemented  
1557 to the extent funded by the Legislature.

1558       3. A student enrolled in a sixth, seventh, eighth, ninth,  
1559 or tenth grade class may be assigned to a second chance school  
1560 if the student meets the following criteria:

1561       a. The student is a habitual truant as defined in s.  
1562 1003.01.

1563       b. The student's excessive absences have detrimentally  
1564 affected the student's academic progress and the student may  
1565 have unique needs that a traditional school setting may not  
1566 meet.

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1567 c. The student's high incidences of truancy have been  
1568 directly linked to a lack of motivation.

1569 d. The student has been identified as at risk of dropping  
1570 out of school.

1571 4. A student who is habitually truant may be assigned to a  
1572 second chance school only if the case staffing committee,  
1573 established pursuant to s. 984.12, determines that such  
1574 placement could be beneficial to the student and the criteria  
1575 included in subparagraph 3. are met.

1576 5. A student may be assigned to a second chance school if  
1577 the district school board in which the student resides has a  
1578 second chance school and if the student meets one of the  
1579 following criteria:

1580 a. The student habitually exhibits disruptive behavior in  
1581 violation of the standards for intervention ~~code of student~~  
1582 ~~conduct~~ adopted by the district school board.

1583 b. The student interferes with the student's own learning  
1584 or the educational process of others and requires attention and  
1585 assistance beyond that which the traditional program can  
1586 provide, or, while the student is under the jurisdiction of the  
1587 school either in or out of the classroom, frequent conflicts of  
1588 a disruptive nature occur.

1589 c. The student has committed a serious offense which  
1590 warrants suspension or expulsion from school according to the  
1591 district school board's standards for intervention ~~code of~~  
1592 ~~student conduct~~. For the purposes of this program, "serious  
1593 offense" is behavior which:

1594 (I) Threatens the general welfare of students or others  
1595 with whom the student comes into contact;

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1596 (II) Includes violence;  
 1597 (III) Includes possession of weapons or drugs; or  
 1598 (IV) Is harassment or verbal abuse of school personnel or  
 1599 other students.

1600 6. Prior to assignment of students to second chance  
 1601 schools, district school boards are encouraged to use  
 1602 alternative programs, such as in-school suspension, which  
 1603 provide instruction and counseling leading to improved student  
 1604 behavior, a reduction in the incidence of truancy, and the  
 1605 development of more effective interpersonal skills.

1606 7. Students assigned to second chance schools must be  
 1607 evaluated by the district school board's child study team before  
 1608 placement in a second chance school. The study team shall ensure  
 1609 that students are not eligible for placement in a program for  
 1610 emotionally disturbed children.

1611 8. Students who exhibit academic and social progress and  
 1612 who wish to return to a traditional school shall complete a  
 1613 character development and law education program and demonstrate  
 1614 preparedness to reenter the regular school setting prior to  
 1615 reentering a traditional school.

1616 Section 11. Paragraph (h) of subsection (1) of section  
 1617 1003.57, Florida Statutes, is amended to read:

1618 1003.57 Exceptional students instruction.—

1619 (1)

1620 (h) School personnel may consider any unique circumstances  
 1621 on a case-by-case basis when determining whether a change in  
 1622 placement is appropriate for a student who has a disability and  
 1623 violates a district school board's standards for intervention  
 1624 ~~code of student conduct~~. School personnel may remove and place



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1625 such student in an interim alternative educational setting for  
1626 not more than 45 school days, without regard to whether the  
1627 behavior is determined to be a manifestation of the student's  
1628 disability, if the student:

1629 1. Carries a weapon to or possesses a weapon at school, on  
1630 school premises, or at a school function under the jurisdiction  
1631 of the school district;

1632 2. Knowingly possesses or uses illegal drugs, or sells or  
1633 solicits the sale of a controlled substance, while at school, on  
1634 school premises, or at a school function under the jurisdiction  
1635 of the school district; or

1636 3. Has inflicted serious bodily injury upon another person  
1637 while at school, on school premises, or at a school function  
1638 under the jurisdiction of the school district.

1639 Section 12. Paragraph (c) of subsection (1) and subsection  
1640 (4) of section 1006.09, Florida Statutes, are amended to read:

1641 1006.09 Duties of school principal relating to student  
1642 discipline and school safety.—

1643 (1)

1644 (c) The principal or the principal's designee may recommend  
1645 to the district school superintendent the expulsion of any  
1646 student who has committed a serious breach of conduct,  
1647 including, but not limited to, willful disobedience, open  
1648 defiance of authority of a member of his or her staff, violence  
1649 against persons or property, or any other act which  
1650 substantially disrupts the orderly conduct of the school. A  
1651 recommendation of expulsion or assignment to a second chance  
1652 school may also be made for any student found to have  
1653 intentionally made false accusations that jeopardize the

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1654 professional reputation, employment, or professional  
1655 certification of a teacher or other member of the school staff,  
1656 according to the district school board's standards for  
1657 intervention ~~board code of student conduct~~. Any recommendation  
1658 of expulsion must ~~shall~~ include a detailed report by the  
1659 principal or the principal's designated representative on the  
1660 alternative measures taken prior to the recommendation of  
1661 expulsion.

1662 (4) When a student has been the victim of a violent crime  
1663 perpetrated by another student who attends the same school, the  
1664 school principal shall make full and effective use of the  
1665 provisions of subsection (2) and s. 1006.13(7) ~~s. 1006.13(6)~~. A  
1666 school principal who fails to comply with this subsection is  
1667 ~~shall be~~ ineligible for any portion of the performance pay or  
1668 the differentiated pay under s. 1012.22. However, if any party  
1669 responsible for notification fails to properly notify the  
1670 school, the school principal is ~~shall be~~ eligible for the  
1671 performance pay or differentiated pay.

1672 Section 13. Subsection (2) of section 1006.10, Florida  
1673 Statutes, is amended to read:

1674 1006.10 Authority of school bus drivers and district school  
1675 boards relating to student discipline and student safety on  
1676 school buses.—

1677 (2) The district school board shall require a system of  
1678 progressive discipline of transported students for actions which  
1679 are prohibited by the standards for intervention ~~code of student~~  
1680 ~~conduct~~. Disciplinary actions, including suspension of students  
1681 from riding on district school board owned or contracted school  
1682 buses, shall be subject to district school board policies and

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1683 procedures and may be imposed by the principal or the  
1684 principal's designee. The principal or the principal's designee  
1685 may delegate any disciplinary authority to school bus drivers  
1686 except for suspension of students from riding the bus.

1687 Section 14. Paragraph (n) of subsection (4) of section  
1688 1006.147, Florida Statutes, is amended to read:

1689 1006.147 Bullying and harassment prohibited.—

1690 (4) Each school district shall adopt and review at least  
1691 every 3 years a policy prohibiting bullying and harassment of a  
1692 student or employee of a public K-12 educational institution.  
1693 Each school district's policy shall be in substantial conformity  
1694 with the Department of Education's model policy. The school  
1695 district bullying and harassment policy shall afford all  
1696 students the same protection regardless of their status under  
1697 the law. The school district may establish separate  
1698 discrimination policies that include categories of students. The  
1699 school district shall involve students, parents, teachers,  
1700 administrators, school staff, school volunteers, community  
1701 representatives, and local law enforcement agencies in the  
1702 process of adopting and reviewing the policy. The school  
1703 district policy must be implemented by each school principal in  
1704 a manner that is ongoing throughout the school year and  
1705 integrated with the school's curriculum, bullying prevention and  
1706 intervention program, discipline policies, and other violence  
1707 prevention efforts. The school district policy must contain, at  
1708 a minimum, the following components:

1709 (n) A procedure for publicizing the policy, which must  
1710 include its publication in the standards for intervention code  
1711 ~~of student conduct required~~ under s. 1006.07 ~~s. 1006.07(2)~~ and

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1712 in all employee handbooks.

1713 Section 15. Paragraph (a) of subsection (3) of section  
1714 1006.15, Florida Statutes, is amended to read:

1715 1006.15 Student standards for participation in  
1716 interscholastic and intrascholastic extracurricular student  
1717 activities; regulation.—

1718 (3)(a) As used in this section and s. 1006.20, the term  
1719 “eligible to participate” includes, but is not limited to, a  
1720 student participating in tryouts, off-season conditioning,  
1721 summer workouts, preseason conditioning, in-season practice, or  
1722 contests. The term does not mean that a student must be placed  
1723 on any specific team for interscholastic or intrascholastic  
1724 extracurricular activities. To be eligible to participate in  
1725 interscholastic extracurricular student activities, a student  
1726 must:

1727 1. Maintain a grade point average of 2.0 or above on a 4.0  
1728 scale, or its equivalent, in the previous semester or a  
1729 cumulative grade point average of 2.0 or above on a 4.0 scale,  
1730 or its equivalent, in the courses required by s. 1002.3105(5) or  
1731 s. 1003.4282.

1732 2. Execute and fulfill the requirements of an academic  
1733 performance contract between the student, the district school  
1734 board, the appropriate governing association, and the student’s  
1735 parents, if the student’s cumulative grade point average falls  
1736 below 2.0, or its equivalent, on a 4.0 scale in the courses  
1737 required by s. 1002.3105(5) or s. 1003.4282. At a minimum, the  
1738 contract must require that the student attend summer school, or  
1739 its graded equivalent, between grades 9 and 10 or grades 10 and  
1740 11, as necessary.

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1741 3. Have a cumulative grade point average of 2.0 or above on  
1742 a 4.0 scale, or its equivalent, in the courses required by s.  
1743 1002.3105(5) or s. 1003.4282 during his or her junior or senior  
1744 year.

1745 4. Maintain satisfactory conduct, including adherence to  
1746 the school's appropriate dress code and other standards for  
1747 intervention under s. 1006.07 ~~codes of student conduct policies~~  
1748 ~~described in s. 1006.07(2)~~. If a student is convicted of, or is  
1749 found to have committed, a felony or a delinquent act that would  
1750 have been a felony if committed by an adult, regardless of  
1751 whether adjudication is withheld, the student's participation in  
1752 interscholastic extracurricular activities is contingent upon  
1753 established and published district school board policy.

1754 Section 16. Paragraph (b) of subsection (5) of section  
1755 1007.271, Florida Statutes, is amended to read:

1756 1007.271 Dual enrollment programs.—

1757 (5)

1758 (b) Each president, or designee, of a postsecondary  
1759 institution offering a college credit dual enrollment course  
1760 must:

1761 1. Provide a copy of the institution's current faculty or  
1762 adjunct faculty handbook to all faculty members teaching a dual  
1763 enrollment course.

1764 2. Provide to all faculty members teaching a dual  
1765 enrollment course a copy of the institution's current student  
1766 handbook, which may include, but is not limited to, information  
1767 on registration policies, the standards for intervention ~~student~~  
1768 ~~code of conduct~~, grading policies, and critical dates.

1769 3. Designate an individual or individuals to observe all

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1770 faculty members teaching a dual enrollment course, regardless of  
1771 the location of instruction.

1772 4. Use the same criteria to evaluate faculty members  
1773 teaching a dual enrollment course as the criteria used to  
1774 evaluate all other faculty members.

1775 5. Provide course plans and objectives to all faculty  
1776 members teaching a dual enrollment course.

1777 Section 17. Paragraph (b) of subsection (4) of section  
1778 1012.98, Florida Statutes, is amended to read:

1779 1012.98 School Community Professional Development Act.—

1780 (4) The Department of Education, school districts, schools,  
1781 Florida College System institutions, and state universities  
1782 share the responsibilities described in this section. These  
1783 responsibilities include the following:

1784 (b) Each school district shall develop a professional  
1785 development system as specified in subsection (3). The system  
1786 shall be developed in consultation with teachers, teacher-  
1787 educators of Florida College System institutions and state  
1788 universities, business and community representatives, and local  
1789 education foundations, consortia, and professional  
1790 organizations. The professional development system must:

1791 1. Be approved by the department. All substantial revisions  
1792 to the system shall be submitted to the department for review  
1793 for continued approval.

1794 2. Be based on analyses of student achievement data and  
1795 instructional strategies and methods that support rigorous,  
1796 relevant, and challenging curricula for all students. Schools  
1797 and districts, in developing and refining the professional  
1798 development system, shall also review and monitor school

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1799 discipline data; school environment surveys; assessments of  
1800 parental satisfaction; performance appraisal data of teachers,  
1801 managers, and administrative personnel; and other performance  
1802 indicators to identify school and student needs that can be met  
1803 by improved professional performance.

1804 3. Provide inservice activities coupled with followup  
1805 support appropriate to accomplish district-level and school-  
1806 level improvement goals and standards. The inservice activities  
1807 for instructional personnel shall focus on analysis of student  
1808 achievement data, ongoing formal and informal assessments of  
1809 student achievement, identification and use of enhanced and  
1810 differentiated instructional strategies that emphasize rigor,  
1811 relevance, and reading in the content areas, enhancement of  
1812 subject content expertise, integrated use of classroom  
1813 technology that enhances teaching and learning, classroom  
1814 management, parent involvement, and school safety.

1815 4. Provide inservice activities and support targeted to the  
1816 individual needs of new teachers participating in the  
1817 professional development certification and education competency  
1818 program under s. 1012.56(8)(a).

1819 5. Include a master plan for inservice activities, pursuant  
1820 to rules of the State Board of Education, for all district  
1821 employees from all fund sources. The master plan shall be  
1822 updated annually by September 1, must be based on input from  
1823 teachers and district and school instructional leaders, and must  
1824 use the latest available student achievement data and research  
1825 to enhance rigor and relevance in the classroom. Each district  
1826 inservice plan must be aligned to and support the school-based  
1827 inservice plans and school improvement plans pursuant to s.

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1828 1001.42(18). Each district inservice plan must provide a  
1829 description of the training that middle grades instructional  
1830 personnel and school administrators receive on the district's  
1831 standards for intervention ~~code of student conduct~~ adopted  
1832 pursuant to s. 1006.07; integrated digital instruction and  
1833 competency-based instruction and CAPE Digital Tool certificates  
1834 and CAPE industry certifications; classroom management; student  
1835 behavior and interaction; extended learning opportunities for  
1836 students; and instructional leadership. District plans must be  
1837 approved by the district school board annually in order to  
1838 ensure compliance with subsection (1) and to allow for  
1839 dissemination of research-based best practices to other  
1840 districts. District school boards must submit verification of  
1841 their approval to the Commissioner of Education no later than  
1842 October 1, annually. Each school principal may establish and  
1843 maintain an individual professional development plan for each  
1844 instructional employee assigned to the school as a seamless  
1845 component to the school improvement plans developed pursuant to  
1846 s. 1001.42(18). An individual professional development plan must  
1847 be related to specific performance data for the students to whom  
1848 the teacher is assigned, define the inservice objectives and  
1849 specific measurable improvements expected in student performance  
1850 as a result of the inservice activity, and include an evaluation  
1851 component that determines the effectiveness of the professional  
1852 development plan.

1853 6. Include inservice activities for school administrative  
1854 personnel that address updated skills necessary for  
1855 instructional leadership and effective school management  
1856 pursuant to s. 1012.986.



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1857           7. Provide for systematic consultation with regional and  
1858 state personnel designated to provide technical assistance and  
1859 evaluation of local professional development programs.

1860           8. Provide for delivery of professional development by  
1861 distance learning and other technology-based delivery systems to  
1862 reach more educators at lower costs.

1863           9. Provide for the continuous evaluation of the quality and  
1864 effectiveness of professional development programs in order to  
1865 eliminate ineffective programs and strategies and to expand  
1866 effective ones. Evaluations must consider the impact of such  
1867 activities on the performance of participating educators and  
1868 their students' achievement and behavior.

1869           10. For middle grades, emphasize:

1870           a. Interdisciplinary planning, collaboration, and  
1871 instruction.

1872           b. Alignment of curriculum and instructional materials to  
1873 the state academic standards adopted pursuant to s. 1003.41.

1874           c. Use of small learning communities; problem-solving,  
1875 inquiry-driven research and analytical approaches for students;  
1876 strategies and tools based on student needs; competency-based  
1877 instruction; integrated digital instruction; and project-based  
1878 instruction.

1879  
1880 Each school that includes any of grades 6, 7, or 8 must include  
1881 in its school improvement plan, required under s. 1001.42(18), a  
1882 description of the specific strategies used by the school to  
1883 implement each item listed in this subparagraph.

1884           11. Provide training to reading coaches, classroom  
1885 teachers, and school administrators in effective methods of

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1886 identifying characteristics of conditions such as dyslexia and  
1887 other causes of diminished phonological processing skills;  
1888 incorporating instructional techniques into the general  
1889 education setting which are proven to improve reading  
1890 performance for all students; and using predictive and other  
1891 data to make instructional decisions based on individual student  
1892 needs. The training must help teachers integrate phonemic  
1893 awareness; phonics, word study, and spelling; reading fluency;  
1894 vocabulary, including academic vocabulary; and text  
1895 comprehension strategies into an explicit, systematic, and  
1896 sequential approach to reading instruction, including  
1897 multisensory intervention strategies. Each district must provide  
1898 all elementary grades instructional personnel access to training  
1899 sufficient to meet the requirements of s. 1012.585(3)(f).

1900 Section 18. This act shall take effect July 1, 2018.