



Council for Lifelong Learning

School Safety

Fact Sheet

September 2001

1. What is the history of public school safety legislation in Florida?

School safety has been a priority issue of the Legislature for several years. Most recently, legislation has been adopted which addresses issues ranging from teacher authority and enforcement of attendance to zero tolerance policies and school size.

In 1996, the Legislature passed several bills that dealt with school safety. The following provisions were included in 1996 legislation:

- teachers were given greater authority to remove disruptive students from the classroom;
- teachers were authorized to use reasonable force to protect themselves and other students from injury;
- charter schools, which can provide an alternative educational environment for students with disciplinary and learning problems, were authorized; (**See the Charter Schools Fact Sheet.**)
- school boards were authorized to hire school safety officers; and
- a statewide toll-free school safety hotline was created.

In 1997, the Legislature passed a large school safety bill (Ch. 97-234, L.O.F.). This legislation:

- required students up to 18 years of age to notify the school in writing of their intent to drop out of school (In 1998, this law was amended to include parental consent of termination also);
- allowed for driving privileges of habitually truant students to be withheld or revoked;
- provided zero tolerance policies for crime, drugs, alcohol, and weapon possession;
- allowed school districts to require students to recite a daily conduct pledge relating to respect, honesty, and nonviolence;
- strengthened language related to habitual truancy; and
- required the court to order the parent of a habitually truant child to send the child to school.

In 1999, the Legislature passed school safety and truancy reduction measures as part of the A+ Education Plan (Ch. 99-398, L.O.F.). The following school safety issues were included:

- required the superintendent to be responsible for the enforcement of school attendance;
- established the **contact**, **refer**, and **enforce** policy to ensure regular school attendance;
- required dropout prevention and academic intervention programs to include character development education, and students in second chance schools to complete a character education program in order to return to a traditional classroom setting; and
- expanded dropout prevention and academic intervention programs to include eligible students in grades 1 through 3 (in addition to grades 4 through 12).

Chapter 99-284, L.O.F., requires a minor charged with possessing or discharging weapons or firearms on school property to be held in detention after being taken into custody.

Chapter 2000-235, L.O.F., provides for the following:

- creates the Partnership for School Safety and Security responsible for evaluating school safety programs and fostering coordination of best practices among schools;
- adds bomb threats to the zero tolerance policy requiring one year expulsion;
- requires principals to document all safety-related incidents and use standardized reporting forms to verify the accuracy of the information;
- allows teachers to *immediately* remove disruptive students from the classroom while reducing unnecessary and burdensome paperwork requirements;
- requires school boards to adopt policies for emergency management and emergency preparedness procedures;
- requires superintendents and community college presidents to provide the floor plans for their educational facilities to the appropriate law enforcement agency and fire department;
- requires schools not under contract by July 1, 2003, to be constructed to "small school" standards unless operated as a school-within-a-school; and
- allows superintendents to file a truancy petition earlier.

Chapter 2001-125, L.O.F., includes the following school safety provisions:

- prohibits students who are found to have committed certain felony offenses against another student from

	<p>attending the same school or riding on a school bus with the victim or the victim's sibling;</p> <ul style="list-style-type: none"> • links a principal's eligibility for performance pay incentive money to fulfilling his or her responsibilities to students who have been victimized by another student who attends the same school or rides the same school bus; • enhances the existing guidelines for the fair treatment of victims by ensuring that victims are notified of their rights; • requires each school district to conduct a self-assessment of its current safety and security practices; and • requires each school board to review its school district's self-assessment results at a publicly noticed school board meeting. <p>The 2001 Legislature also passed the Barry Grunow Act (Ch. 2001-180, L.O.F.), which provides designated benefits for any Florida teacher or school-based administrator who is killed while engaged in the performance of teaching or school administrator duties. (See the Barry Grunow Act Fact Sheet, the Truancy Fact Sheet, and the Dropout Prevention Fact Sheet.)</p>
<p>2. What disciplinary authority do teachers have?</p>	<p>According to s. 232.27, F.S., teachers and other instructional personnel have the authority to take any of the following actions to ensure safety in class and at school:</p> <ul style="list-style-type: none"> • establish classroom rules of conduct and establish and implement consequences for infractions; • have disobedient, disrespectful, violent, abusive, or disruptive students temporarily removed from the classroom for behavior management intervention; • have violent, abusive, uncontrollable, or disruptive students directed for information or assistance from appropriate school or district personnel; • assist in enforcing school rules; • request and receive immediate assistance if a student becomes uncontrollable; • press charges for a crime committed against the teacher; • use reasonable force to protect the teacher and others from injury; and • use corporal punishment according to the school board policy and procedure. <p>According to s. 232.271, F.S., a teacher may remove from class a student whose behavior the teacher determines interferes</p>

	<p>with the teacher's ability to communicate.</p> <p>A student who is removed from the classroom for reasons listed above may be placed in another classroom, in in-school suspension, in a dropout prevention program, in out-of-school suspension, or expelled. Teachers may also request training in classroom management, violence prevention, conflict resolution, etc.</p>
<p>3. How does the toll-free safety hotline work?</p>	<p>Section 230.23185, F.S., authorizes DOE, in conjunction with the Florida Sheriff's Association to set up a toll-free safety hotline to allow students or staff to anonymously report any activity that would affect the well-being and safety of the school population. If a complaint is received, the school is notified. If the complaint concerns an actionable offense, the school is notified within a time frame that allows an effective response.</p>
<p>4. What are school safety officers and school resource officers?</p>	<p>School Safety Officers A school safety officer is a law enforcement officer who may be employed by the <i>school board</i>. A school district may commission one or more school safety officers for the protection and safety of school personnel, property, and students within the school district. The power and authority of a school safety officer are prescribed by s. 230.23175, F.S.</p> <p>School Resource Officers A school resource officer is a law enforcement officer who is employed by a <i>law enforcement agency</i>. The duties of a school resource officer, if employed by a district, are prescribed by s. 230.2318, F.S. School resource officers are paid by funds from the Safe Schools allocation. The local school board determines whether a school needs a resource officer and whether to expend Safe Schools funds for such a need.</p>
<p>5. Do districts receive funding for school safety programs?</p>	<p>Safe Schools Appropriation In the 2001-2002 GAA, School Safety was specifically funded at \$75.4 million (Specific Appropriation 118). These funds are allocated by a formula based on the Florida Crime Index and based on each district's share of the state's total weighted student enrollment. Proviso language defines Safe Schools activities as: (1) after school programs for middle school students, (2) improvements to enhance the learning environment, including implementation of conflict resolution strategies, (3) alternative school programs for adjudicated youth, and (4) other programs to make the school a safe place to learn. Safe Schools money is distributed to the district, and is then distributed to each school based on need (as</p>

	<p>determined by the district). Districts have great flexibility in the use of Safe Schools dollars.</p>
<p>6. What are second chance schools?</p>	<p>Second chance schools are school district programs provided through cooperative agreements between the Department of Juvenile Justice, private providers, state or local law enforcement agencies, or other state agencies for students who have been disruptive or violent or who have committed serious offenses.</p>
<p>7. How does Florida keep track of the safety incidents which occur at schools?</p>	<p>The <i>School Environmental Safety Incident Reporting System (SESIR)</i> was established statewide in the 1995-96 School Year to assist schools, districts, and staff of the DOE in assessing major need areas and the extent and nature of problems in school safety. The SESIR system requires schools to report serious safety incidents of 21 types that occur on school grounds, on school transportation, or off-campus at school-sponsored events when a student is involved. Definitions of incident types are based on those used for the Florida Department of Law Enforcement Uniform Crime Reporting System. Incidents that occur any day of the year and any hour of the day or night are to be reported, even if a student was not involved. With the assistance of eight pilot districts, the system was designed to meet statewide reporting needs and to give districts as much flexibility as possible to develop systems that meet local reporting needs. The SESIR system fulfills the reporting requirement of Goal 5 of Florida's System for School Improvement and Accountability: achieving a safe learning environment.</p> <p>Chapter 2000-235, L.O.F, requires the DOE to establish by October 1, 2000, a mechanism to improve the reliability and accuracy of SESIR reports.</p>
<p>8. What is the Partnership for School Safety and Security?</p>	<p>Section 229.8347, F.S., establishes the Partnership for School Safety and Security (Partnership). The Partnership is an independent, nonpartisan body assigned to DOE for administrative purposes. The 11 member Partnership is responsible for evaluating school safety programs, creating an electronic clearinghouse of best practices, assessing the implementation of best practices, training staff, and fostering coordination among schools.</p>

<p>9. What are the applicable statutes and rules?</p>	<p>Section 232.17, F.S. -- "Contact, Refer, Enforce" Section 232.25, F.S. -- Daily Conduct Pledge Section 232.19(1)(b), F.S. -- Driver's License Section 230.2316, F.S. -- Dropout Prevention and Academic Intervention Programs: Sections 39.01 and 232.19, F.S. -- Habitual Truancy Section 229.8347, F.S. -- Partnership for School Safety and Security Sections 229.592 and 232.26, F.S. -- Principal's Authority Section 232.01(1)(c), F.S. -- School Attendance Section 229.591(3)(e), F.S. -- School Advisory Council Section 230.2318, F.S. -- School Resource Officers Section 230.23175, F.S. -- School Safety Officers Section 230.2316(3)(d)1., F.S. -- Second Chance Schools Sections 232.17 and 232.19, F.S. -- Superintendent's Authority Sections 232.27 and 232.271, F.S. -- Teacher's Authority Section 230.23185, F.S. -- Toll-free Safety Hotline Section 230.235, F.S. -- Zero Tolerance</p> <p>Rule 6A-1.0404, F.A.C. -- Zero Tolerance for School Related Crimes</p>
<p>10. Where can I get additional information?</p>	<p>Florida Department of Education Division of Public Schools (850) 488-2601 www.firn.edu/doe</p> <p>The Florida House of Representatives Committee on Education Innovation (850) 488-7451</p>