

**Public Schools**  
**School Safety/Student Discipline**



<p><b>1. What authority and responsibilities do teachers have for the control and discipline of students?</b></p>	<p>Teachers have the authority to take any of the following actions to achieve safety in class and at school:</p> <ul style="list-style-type: none"><li>• Establish classroom rules of conduct and consequences.</li><li>• Remove from class students whose behavior interferes with the teacher's ability to communicate or who are disobedient, disrespectful, violent, abusive, uncontrollable, or disruptive.</li><li>• Request and receive immediate assistance if a student becomes uncontrollable.</li><li>• Recommend an appropriate consequence consistent with the code of student conduct when sending a student to the principal's office.</li><li>• Require the principal to respond by employing the teacher's recommended consequence or a more serious disciplinary action, if the student's disciplinary history warrants it. (The principal shall consult with the teacher prior to taking disciplinary action, if the principal determines that a lesser disciplinary action is appropriate.)</li><li>• Request and receive training and other assistance to improve skills in classroom management, violence prevention, conflict resolution, and related areas.</li><li>• Press charges for a crime committed against the teacher.</li><li>• Press charges if there is a reason to believe that a crime has been committed on school property, during school-sponsored transportation, or during school-sponsored activities.</li><li>• Report if they know or have reason to suspect that any person has committed, or has made a credible threat to commit, a crime of violence on school property.</li><li>• Use corporal punishment according to school district and statutory procedures.</li></ul>
<p><b>2. What duties do public school principals have relating to student discipline and school safety?</b></p>	<p>Principals must:</p> <ul style="list-style-type: none"><li>• Employ appropriate discipline and management techniques consistent with the code of student conduct.</li><li>• Respond to a teacher's recommended disciplinary consequence by employing the consequence or a more serious disciplinary action, if the student's disciplinary history warrants it. (The principal shall consult with the teacher prior to taking disciplinary action, if the principal determines that a lesser disciplinary action is appropriate.)</li></ul>

	<ul style="list-style-type: none"> <li>• Report quarterly to the superintendent and school board each incidence of a teacher's withholding consent for a removed student to return to the teacher's class and the disposition of the incident.</li> <li>• Report, within 24 hours, each suspension and the reason for the suspension to the student's parent, in writing, by United States mail, and to the superintendent.</li> <li>• Make a good-faith effort, prior to suspension, to employ parental assistance or other alternative measures, except in an emergency or in disruptive conditions.</li> <li>• Fulfill responsibilities to students who have been victimized by another student who attends the same school or rides the same school bus (principal's eligibility for performance pay incentive money is linked to this responsibility).</li> <li>• Document all incidents of crime and violence and use standardized reporting forms to report information and verify the accuracy of the information.</li> <li>• Make the necessary provisions to ensure that all school reports are accurate and timely, and provide the necessary training opportunities for staff to accurately report school safety and discipline data.</li> <li>• Include an analysis of suspensions and expulsions in the annual report of school progress.</li> <li>• Approve the use of any corporal punishment in principle before it is used and prepare guidelines for administering such punishment.</li> <li>• Post in a place readily seen by students, a notice stating that a student's locker or other storage area is subject to search, upon reasonable suspicion, for prohibited or illegally-possessioned substances or objects.</li> </ul> <p>Principals may:</p> <ul style="list-style-type: none"> <li>• Suspend a student in accordance with district school board rules, but must make a good-faith effort to immediately inform a student's parent by telephone of a student's suspension and the reasons for the suspension.</li> <li>• Recommend to the district school superintendent the expulsion of any student who has committed a serious breach of conduct, including willful disobedience, open defiance of authority, violence against persons or property, or any other act which substantially disrupts the orderly conduct of the school.</li> <li>• Search a locker or storage area if there is reasonable suspicion that a prohibited or illegally-possessioned substance or object is contained within a student's locker or other storage area.</li> </ul>
<p><b>3. What duties do district</b></p>	<p>The district school board must provide for the proper accounting for all students, for the attendance and control of</p>

<p><b>school boards have related to student discipline and school safety?</b></p>	<p>students at school, and for proper attention to the health, safety, and welfare of students. School boards must:</p> <ul style="list-style-type: none"> <li>• Adopt suspension and expulsion rules and decide all cases recommended for expulsion.</li> <li>• Require each student at the time of initial registration for school in the school district to note his or her previous school expulsions, arrests resulting in a charge, and juvenile justice actions.</li> <li>• Adopt a code of student conduct.</li> <li>• Provide or contract for educational services to students in a Department of Juvenile Justice facility.</li> <li>• Prescribe policies and procedures for emergencies and drills including emergency procedures for students who are detained in a detention facility.</li> <li>• Conduct a self-assessment of the district's current safety and security practices using the Office of Program Policy and Government Accountability Best Practices for Safety and Security.</li> <li>• Provide transportation with the maximum regard for safety and adequate protection of health; require a system of progressive discipline for students transported on school buses; and take corrective measures if a student is violent or blatantly unsafe.</li> <li>• Require all school district employees and certain outside contractual personnel to meet level 2 background screening requirements.</li> </ul> <p>School boards may:</p> <ul style="list-style-type: none"> <li>• Prohibit the use of corporal punishment if they adopt a written program of alternative control or discipline.</li> <li>• Implement, by resolution, a student crime watch program.</li> <li>• Require level 2 background screening for volunteers and other individuals not employed by or under contract with the school district.</li> </ul>
<p><b>4. What duties do superintendents have regarding school safety?</b></p>	<p>The district school superintendent must:</p> <ul style="list-style-type: none"> <li>• Recommend to the school board plans for the proper accounting, attendance, and control of students and for the proper attention to the health, safety, and welfare of students.</li> <li>• Annually report to the Department of Education (DOE) each incidence of a teacher's withholding consent for a removed student to return to the teacher's class and the disposition of the incident.</li> <li>• Give written notice to parents when recommending expulsion.</li> <li>• Annually provide safety and security recommendations to the district school board, which identify strategies and activities that the district school board should implement in order to improve school safety and security.</li> <li>• Annually report to the Commissioner of Education the</li> </ul>

	<p>safety and security self-assessment results and school board action within 30 days after the district school board meeting.</p> <ul style="list-style-type: none"> <li>• Provide the floor plans for their educational facilities to the appropriate law enforcement agency and fire department.</li> </ul>
<p><b>5. What is the zero tolerance policy in Florida?</b></p>	<p>Each district school board shall adopt a policy of zero tolerance for crime, substance abuse, and victimization by students.</p> <p>The zero tolerance policy shall require students found to have committed one of the following offenses to be expelled, with or without continuing educational services, for a period of not less than one full year, and to be referred to the criminal justice or juvenile justice system:</p> <ul style="list-style-type: none"> <li>• Bringing a firearm or weapon, as defined in chapter 790, F.S., to school, to any school function, or onto any school-sponsored transportation or possessing a firearm at school.</li> <li>• Making a threat or false report, as defined by ss. 790.162 and 790.163, F.S., respectively, involving school or school personnel's property, school transportation, or a school-sponsored activity.</li> </ul> <p>District school boards may assign the student to a disciplinary program for the purpose of continuing educational services during the period of expulsion.</p> <p>District school boards must adopt rules providing that any student found to have committed crimes upon any elected official or school district employee must be expelled or placed in an alternative school setting or other program, as appropriate.</p>
<p><b>6. How are victims of violent crimes protected?</b></p>	<p>Each district's zero tolerance policy must include policies to protect the victim of any violent crime from further victimization. Students who are found to have committed certain felony offenses against another student are prohibited from attending the same school or riding on a school bus with the victim or the victim's sibling.</p>
<p><b>7. What types of alternative educational environments are provided for students with disciplinary problems?</b></p>	<p>Students may be placed in another classroom, in-school suspension, a dropout prevention and academic intervention program, out-of-school suspension, an alternative to expulsion program, a second chance school, or may attend a charter school. If removed from the classroom by the teacher, the student may not be returned to the teacher's class without the teacher's consent unless it is determined either by the placement committee (established to determine placement of a student when a teacher withholds consent), or the superintendent (if the teacher appealed the placement</p>

	<p>committee's decision) that returning the student to the teacher's class is the best or only available alternative.</p>
<p><b>8. What are school safety officers and school resource officers?</b></p>	<p><b>School Safety Officers</b>  A school safety officer is a law enforcement officer who may be employed by the school board. 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. A school safety officer has the power to arrest persons, whether on or off such property, who violate any law on such property under the same conditions that deputy sheriffs are authorized to make arrests. A school safety officer has the authority to carry weapons when performing his or her official duties. The power and authority of a school safety officer are prescribed by s. 1006.12, F.S.</p> <p><b>School Resource Officers</b>  A school resource officer is a law enforcement officer who is employed by a law enforcement agency. School resource officers abide by district school board policies and consult with and coordinate activities through the school principal. They are responsible to the law enforcement agency in all matters relating to employment, subject to agreements between a district school board and a law enforcement agency. Activities conducted by the school resource officer, which are part of the regular instructional program of the school, are under the principal's direction. The duties of a school resource officer are prescribed by s. 1006.12, F.S.</p>
<p><b>9. Do districts receive funding for school safety programs?</b></p>	<p><b>Safe Schools Appropriation</b>  In the 2007-2008 General Appropriations Act, School Safety was specifically funded at \$77.2 million (Specific Appropriation 86). Each district receives \$75,000 and the remaining funds are allocated by a formula based on the Florida Crime Index and each district's share of the state's total unweighted student enrollment. Proviso language defines Safe Schools activities as:</p> <ul style="list-style-type: none"> <li>• after school programs for middle school students;</li> <li>• improvements to enhance the learning environment including implementation of conflict resolution strategies;</li> <li>• alternative school programs for adjudicated youth;</li> <li>• suicide prevention programs;</li> <li>• other programs to make the school a safe place to learn.</li> </ul> <p>Safe Schools money is distributed to the district, and is then distributed to each school based on need (as determined by the district). Districts have great flexibility in the use of Safe Schools dollars.</p>

<p><b>10. How does Florida keep track of the safety incidents that occur at schools?</b></p>	<p>The School Environmental Safety Incident Reporting System (SESIR) assists schools, districts, and staff of the DOE in assessing major needs 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 must be reported, even if a student was not involved.</p>
<p><b>11. What are the applicable statutes, laws, and rules?</b></p>	<p>Section 790.115, F.S. -- Possessing or discharging weapons or firearms at a school-sponsored event or on school property prohibited; penalties; exceptions.          Section 1001.42, F.S. -- Powers and duties of district school boards.          Section 1001.43, F.S. -- Supplemental powers and duties of district school board.          Section 1001.54, F.S. -- Duties of school principals.          Section 1002.20, F.S. -- K-12 student and parent rights.          Section 1003.01, F.S. -- Definitions.          Section 1003.21, F.S. -- School Attendance.          Section 1003.31, F.S. -- Students subject to control of school.          Section 1003.32, F.S. -- Authority of teacher; responsibility for control of students; district school board and principal duties.          Section 1006.07, F.S. -- District school board duties relating to student discipline and school safety.          Section 1006.08, F.S. -- District school superintendent duties relating to student discipline and school safety.          Section 1006.09, F.S. -- Duties of school principals relating to student discipline and school safety.          Section 1006.10, F.S. -- Authority of school bus drivers and district school boards relating to student discipline and student safety on school buses.          Section 1006.12, F.S. -- School resource officers and school safety officers.          Section 1006.13, F.S. -- Policy of zero tolerance for crime and victimization.          Section 1006.141, F.S. -- Statewide school safety hotline.          Section 1006.22, F.S. -- Safety and health of student being transported.          Section 1012.22, F.S. -- Public schools personnel; powers and duties of the district school boards.          Section 1012.28, F.S. -- Public school personnel; duties of school principals.          Section 1012.75, F.S. -- Liability of teacher or principal; excessive force.</p>

## School Safety

	<p>Section 1013.13, F.S. -- Coordination of school safety.</p> <p>2007-2008 General Appropriations Act, Specific Appropriation 86</p> <p>Rule 6A-1.0404, F.A.C. -- Zero Tolerance for School Related Violent Crime</p>
<b>12. Where can I get additional information?</b>	<p>Florida Department of Education K-12 Office of the Chancellor (850) 245-0416</p> <p>Florida House of Representatives Schools &amp; Learning Council (850) 488-7451</p>





**1. Who is responsible for school attendance and truancy prevention?**

**Parents** -- Each parent of a minor student is responsible for ensuring the student's school attendance. However, a parent of a student is not responsible for the student's nonattendance at school under any of the following circumstances: with permission from the head of the school; without the parent's knowledge; due to the parent's financial inability; due to the student's sickness, injury, or other insurmountable condition. A parent who fails to compel school attendance as required by law is guilty of a second-degree misdemeanor.

**Teachers** -- The student's teacher is responsible for reporting to the school principal that the student is exhibiting a pattern of nonattendance as evidenced by the student having had at least 5 unexcused absences, or absences for which the reasons are unknown, within a calendar month or 10 such absences within a 90-calendar-day period.

**Principals** -- The school principal is responsible for contacting the parents each time the student has an unexcused absence, or absence for which the reason is unknown. If the reason for the absence is determined to fall within the district's policy for excused absences, the school must provide the student with opportunities to make up missed work. The student may not be penalized unless such work is not made up within a reasonable time. A principal may not suspend a student for truancy.

**Superintendents** --Superintendents are responsible for enforcing attendance and must support enforcement of school attendance by local law enforcement agencies. This responsibility includes recommending policies to the district school board in order to ensure that schools respond in a timely manner to every unexcused absence, or absence for which the reason is unknown, of students enrolled in the schools. District school board policies must require that absences have parental justification, and provide for timely tracking of absences and contacting homes. District school boards may establish attendance policies that allow accumulated unexcused tardies and early departures from school to be recorded as unexcused absences. Superintendents may file truancy petitions in circuit court for habitually truant students.

<p><b>2. What are the major aspects of truancy prevention?</b></p>	<p>The major aspects of truancy prevention include:</p> <ul style="list-style-type: none"> <li>• A child of compulsory school attendance age must regularly attend school.</li> <li>• A teacher must refer any student who demonstrates a pattern of nonattendance to the principal. The principal may refer the student to a child study team for review and appropriate intervention. The child study team should be made up of those individuals who have the skills and responsibility for problem solving and facilitating interventions. The team often includes individuals, such as the teacher, school social worker, school counselor, school psychologist, attendance officer, dropout prevention program staff, health worker, administrator, and child-in-need-of-services (CINS) representative. The composition of the child study team can change as necessary to ensure that the persons having the needed knowledge and skills are present to address the referral problem. Child study team interventions must include frequent attempts at communication between the teacher and family, and evaluation for alternative education programs, and attendance contracts.</li> <li>• If the pattern of nonattendance continues due to the student’s failure to comply with the recommendations of the child study team, a petition may be filed to have the court take jurisdiction over the student as a “habitual truant.” If the pattern of nonattendance continues due to the failure of the parent to compel the child to attend school, criminal prosecution of the parent may result.</li> </ul>
<p><b>3. What is the difference between “truancy” and “habitual truancy”?</b></p>	<p>“Truancy” is the behavior associated with a student’s unexcused absence from school, or absence for which the reason is unknown, when the student is subject to compulsory school attendance. This behavior may lead to a “pattern of nonattendance,” which is evidenced by the student having had at least 5 unexcused absences, or absences for which the reasons are unknown, within a calendar month or 10 such absences within a 90-calendar-day period. Truant behavior triggers the “contact, refer, and enforce” policy.</p> <p>“Habitual truancy” is a legal status determined by the court upon the filing of a petition by the school superintendent. In order for the court to declare a student habitually truant, the court must find that the student is subject to compulsory school attendance; that the student has had 15 unexcused absences within 90 calendar days with or without the knowledge or consent of the student’s parent; and that activities to determine the cause, and to attempt the remediation, of the student’s truant behavior have been completed.</p>
<p><b>4. What is the “contact,</b></p>	<p>The steps that each public school must implement to</p>

<p><b>refer, enforce” policy?</b></p>	<p>enforce regular school attendance are: contact, refer, and enforce.</p> <p><b>Contact</b>—Principals contact the home each time the student has an unexcused absence, or absence for which the reason is unknown, to determine the reason for an absence. If the absence is excused, the school must allow make-up work.</p> <p><b>Refer</b>—If the student has 5 unexcused absences or absences for which the reason is unknown in a calendar month, or 10 such absences in 90 calendar days, the teacher <i>must</i> report a pattern of nonattendance to the principal for referral to the school’s child study team. District school boards may establish policies that require child study team referrals for students who have fewer absences than the number required by law. If the team determines that early patterns of truancy are developing, a meeting with the parents is required. If the initial parent meeting does not resolve the problem, the team implements remedial strategies.</p> <p><b>Enforce</b>—Parents who refuse to participate in the remedial strategies may appeal to the school board. If the board determines the strategies are appropriate and the parent still refuses to participate, the superintendent may seek criminal prosecution of the parent for failing to compel school attendance.</p>
<p><b>5. Are habitual truants subject to loss of driving privileges?</b></p>	<p>Yes. Driving privileges of a habitual truant may be withheld or revoked. Section 1003.27(2)(b), F.S., requires the superintendent of a public school district to provide the Department of Highway Safety and Motor Vehicles with the legal name, sex, date of birth, and social security number of minors who accumulate 15 unexcused absences in a period of 90 calendar days. Section 322.910, F.S., provides that minors failing to satisfy attendance requirements are not eligible for driving privileges.</p>
<p><b>6. What procedures are in place for a student identified as exhibiting a pattern of nonattendance who subsequently enrolls in a home education program?</b></p>	<p>When a student has been identified as exhibiting a pattern of nonattendance, the principal must notify both the district superintendent and the district contact for home education programs. If the parent subsequently enrolls the student in a home education program, the superintendent must refer the parent to a home education review committee.</p> <p>The home education review committee must review the portfolio of the student every 30 days during the district’s regular school terms until the committee is satisfied that the program is in compliance with s. 1002.41, F.S. The first portfolio review must occur within the first 30 calendar days of the establishment of the program.</p>

	<p>If the parent fails to provide a portfolio to the committee, the committee must notify the superintendent. The superintendent must terminate the home education program and require the parent to enroll the student in another attendance option such as a public or private school or a private tutoring program within three days. Upon termination of a home education program, the parent may not reenroll the student in a home education program for 180 calendar days.</p> <p>Failure of a parent to enroll the student in an attendance option after termination of the home education program constitutes noncompliance with compulsory attendance requirements and may result in criminal prosecution under s. 1003.27(2), F.S.</p>
<p><b>7. Who serves on home education review committees?</b></p>	<p>A home education review committee is composed of the district contact for home education programs and at least two home educators selected by the parent from a list of all home educators who have conducted a home education program for at least three years and have indicated a willingness to serve on the committee.</p>
<p><b>8. How is school attendance tied to the Learnfare Program?</b></p>	<p>The Learnfare Program requires that all school-age children of temporary assistance for needy families (TANF) recipients or eligible teen-age TANF recipients attend school on a regular basis. The TANF recipient with a school-age child is required to have a school conference during each semester. Failure to comply with those requirements may result in the Department of Children and Family Services (DCF) reducing the temporary assistance for the eligible participant.</p>
<p><b>9. What are the applicable statutes and rules?</b></p>	<p>Section 322.091, F.S. -- Driver's license privileges.          Section 414.1251, F.S. -- Learnfare Program.          Section 984.12, F.S. -- Services and treatment to a family in need of services.          Section 984.151, F.S. -- Truancy petition.          Section 1001.53, F.S. -- District school superintendent responsible for enforcement of attendance.          Section 1001.54 -- Duties of school principals.          Section 1003.21, F.S. -- School attendance; exemptions.          Section 1003.24, F.S. -- Parents responsible for attendance of children; attendance policy.          Section 1003.26, F.S. -- Enforcement of school attendance; contact, refer, and enforce policy.          Section 1003.27, F.S. -- Court procedures and penalties; habitual truancy.          Section 1003.28, F.S. -- Truancy remedial activities.          Section 1003.53, F.S. -- Dropout prevention and academic intervention.</p> <p>Chapter 2006-301, L.O.F.</p>
<p><b>10. Where can I get</b></p>	<p>Florida Department of Education</p>

<b>additional information?</b>	Bureau of Exceptional Education and Student Services (850) 245-0475 <a href="http://www.firn.edu/dae/commhome/index.html">http://www.firn.edu/dae/commhome/index.html</a>  Bureau of Family & Community Outreach (850) 245-0847  Florida House of Representatives Schools & Learning Council (850) 488-7451
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**Schools & Learning Council**  
**Learnfare Program**

**Fact Sheet**

January 2008

<p><b>1. What is the Learnfare Program?</b></p>	<p>The Learnfare Program (Learnfare) was established in 1993 as part of the Welfare Reform Act and requires the Department of Children and Families (DCF) to reduce the temporary cash assistance (TCA) for recipients who fail to comply with the program's requirements.</p>
<p><b>2. What are the program's two requirements?</b></p>	<p>The program requires:</p> <ul style="list-style-type: none"> <li>• That each recipient with a school-aged child attend a conference with a school official once each semester.</li> <li>• that a recipient's school-aged child, or a teenage recipient, remain in school and not become a "habitual truant" or dropout.</li> </ul>
<p><b>3. What is the sanction for noncompliance with these two requirements?</b></p>	<p>The Learnfare Program requires a reduction in the TCA if a recipient fails to comply with the program's requirements. The reduced portion is that amount allotted to the truant or dropout student, or the amount allotted to the parent if he or she is not participating in the required conferences.</p>
<p><b>4. When is the temporary cash assistance reinstated?</b></p>	<ul style="list-style-type: none"> <li>• For a student who has been identified as a habitual truant, the TCA must be reinstated after a subsequent grading period in which the student's attendance has substantially improved.</li> <li>• For a student who has been identified as a dropout, the TCA must be reinstated after the student enrolls in a public school, receives a high school diploma or its equivalency, enrolls in preparation for the General Educational Development Tests, or enrolls in other educational activities approved by the district school board.</li> <li>• For a parent or guardian who has failed to attend a conference, the TCA is reinstated after the participant attends the conference with the appropriate school official and that conference is documented by the school and reported to DCF.</li> </ul>
<p><b>5. What is a habitual truant?</b></p>	<p>A habitual truant is defined by statute as a student who has accumulated 15 unexcused absences within 90 calendar days.</p>
<p><b>6. What if a parent disagrees with the sanction?</b></p>	<p>The Learnfare Program provides that the parent or teenage participant can file an appeal within 10 days of being notified of the sanction, and no sanction will be imposed until that appeal is resolved.</p>
<p><b>7. With whom can the parent have the required conference?</b></p>	<p>Since the purpose of the conference is to discuss the student's academic and attendance progress, it should be someone who has that information, such as a teacher, guidance counselor, or principal. DOE rules require each school board to adopt a policy, which addresses the criteria</p>

## Learnfare Program

	for determining who is an “appropriate school official.”
<b>8. What is considered a school conference?</b>	The conference can be either face-to-face or a telephonic conversation.
<b>9. How are the conferences set up and verified?</b>	The TCA recipient is responsible for setting up the conference. After the conference, the recipient is responsible for filling out the School Conference Verification Form provided by DCF and returning it to the public assistance specialist.
<b>10. Who needs to participate in these conferences?</b>	Because the purpose of the conference is to enhance parental involvement, every TCA recipient with a school-aged child, not just those whose child has been identified as a habitual truant or dropout, must participate in the conferences.
<b>11. How does the school know that it has Learnfare participants?</b>	<p>In 2001, the Legislature required DCF to develop an electronic data transfer system to streamline the flow of information between the school districts and DCF. The electronic data transfer system must include at least the following information: the number of students and families reported by school districts as out of compliance, the number of students and families sanctioned as a result, and the number of students and families reinstated after becoming compliant. The information compiled must be submitted in the form of an annual report to the presiding officers of the Legislature by March 1 of each year.</p> <p>For the period July 1, 2006 – June 30, 2007:            Department of Children and Families received 1,625 reports of noncompliance through the data exchange program. As a result, 1,490 students and family members were sanctioned. Of those, 219 were reinstated after compliance.</p>
<b>12. What are the applicable statutes?</b>	Section 414.1251, F.S. -- Learnfare Program. Section 1003.01(8), F.S. -- Definition of habitual truant. Section 1003.01(9), F.S. -- Definition of dropout.
<b>13. Where can I get additional information?</b>	Florida Department of Education Bureau of Exceptional Education and Student Services (850) 245-0475; <a href="http://www.fldoe.org">www.fldoe.org</a>  Florida Department of Children & Families Office of Economic Self-Sufficiency (866) 762-2237  Florida House of Representatives Schools & Learning Council (850) 488-7451



**Schools & Learning Council**  
**Dropout Prevention/Academic Intervention**

**Fact Sheet**

January 2008

<p><b>1. What are dropout prevention and academic intervention programs?</b></p>	<p>Dropout prevention and academic intervention programs are designed for students in grades 1 through 12 who do not perform well in traditional educational programs. The programs must use alternative teaching methodologies, curricula, learning activities, and diagnostic and assessment procedures, and must also provide character and legal education, along with curricula and related services.</p>
<p><b>2. What are parental rights prior to placement of a student into a program?</b></p>	<p>The school principal must provide written notice by certified mail, return receipt requested, to the student's parent prior to a student's placement in a dropout prevention and academic intervention program. The parent must sign an acknowledgment of the notice of placement and return it to the principal within three days after receipt of the notice. The parent is entitled to an administrative review of any action by school personnel relating to such placement.</p>
<p><b>3. How is eligibility determined for dropout prevention and academic intervention?</b></p>	<p>The student must be identified as meeting one of the following criteria:</p> <ul style="list-style-type: none"><li>• Academically unsuccessful as evidenced by low test scores; retention; failing grades; low grade point average; falling behind in earning credits; or not meeting the state or district proficiency levels in reading, mathematics, or writing.</li><li>• Pattern of excessive absenteeism or habitually truant. <b>(Refer to the Truancy Fact Sheet).</b></li><li>• History of disruptive behavior in school or committing an offense that warrants out-of-school suspension or expulsion.</li></ul> <p>Student participation in the program is generally voluntary; however, districts may assign students to a program for disruptive students.</p>
<p><b>4. What is "disruptive behavior?"</b></p>	<p>"Disruptive behavior" is behavior that interferes with the student's own learning or the educational process of others; requires attention and assistance beyond that which the traditional program can provide or that results in frequent conflicts of a disruptive nature while the student is under the jurisdiction of the school either in or out of the classroom; or severely threatens the general welfare of students or others with whom the student comes into contact.</p>
<p><b>5. What are "second chance schools?"</b></p>	<p>"Second chance schools" are programs provided through cooperative agreements between the school districts and the Department of Juvenile Justice (DJJ), private providers, state or local law enforcement agencies, or other agencies for students who are disruptive, violent, or have committed</p>



## Dropout Prevention/Academic Intervention

	serious offenses.
<p><b>6. What is required before schools refer students to a second chance school?</b></p>	<p>To be eligible for a second chance school, a student must meet one of the following criteria:</p> <ul style="list-style-type: none"> <li>• Be in grades 6 to 10, be a habitual truant whose excessive absences are linked to lack of motivation that has affected academic progress, and be at risk of dropping out of school.</li> <li>• Be a habitual truant whose case staffing committee determines that it would be beneficial to the student.</li> <li>• Exhibit disruptive behavior in violation of the school board’s code of student conduct.</li> <li>• Interfere with his or her own learning or that of others and require more assistance than the regular program can provide.</li> <li>• Commit a serious offense warranting suspension or expulsion. A “serious offense” is behavior which threatens the welfare of others, including violence, possession of weapons or drugs, or harassment or verbal abuse of others.</li> </ul> <p>Schools are encouraged to use alternative programs, such as in-school suspensions, before assigning students to second chance schools. The school’s local child study team must evaluate the student before placement in a second chance school. Students are not eligible for second chance schools if they are eligible for placement in a program for emotionally disturbed children.</p>
<p><b>7. How do students reenter a traditional school after being in a second chance school?</b></p>	<p>Students seeking to reenter traditional schools must complete a character development and legal education program and demonstrate preparedness to reenter the regular school.</p>
<p><b>8. Are there funds available for starting second chance schools?</b></p>	<p>At this time there are no special funds set aside for starting second chance schools. However, districts can use funds they receive through the Florida Education Finance Program (FEFP) or the Supplemental Academic Instruction (SAI) Fund to start a program. In the 2007-2008 General Appropriations Act (GAA), the Legislature appropriated \$8 million (Specific Appropriation 99) to enable school districts, school district partners, or regional education consortia to apply for funding for education programs that serve disruptive and low performing students in grades 6-12.</p>
<p><b>9. How are dropout prevention and academic intervention programs funded?</b></p>	<p>Districts receive funding through the FEFP and the SAI allocation. The Legislature appropriated \$736.4 million for the SAI Fund in the 2006-2007 GAA (Specific Appropriation 86). <b>(Refer to Florida Education Finance Program Fact Sheet and Supplemental Academic Instruction Fact Sheet.)</b></p>

## Dropout Prevention/Academic Intervention

<p><b>10. How many students are served in Dropout Prevention Programs?</b></p>	<p>In 2006-2007 there were 156,644 students served in Dropout Prevention Programs.</p> <table border="1" data-bbox="678 348 1472 659"> <thead> <tr> <th style="text-align: center;">Program</th> <th style="text-align: center;">Students Served</th> </tr> </thead> <tbody> <tr> <td>Education Alternatives</td> <td style="text-align: right;">56,227</td> </tr> <tr> <td>Dropout Retrieval</td> <td style="text-align: right;">794</td> </tr> <tr> <td>Disciplinary Programs</td> <td style="text-align: right;">44,599</td> </tr> <tr> <td>Alternatives to Expulsion</td> <td style="text-align: right;">3,043</td> </tr> <tr> <td>Teen Parent Programs</td> <td style="text-align: right;">5,527</td> </tr> <tr> <td>Department of Juvenile Justice</td> <td style="text-align: right;">46,454</td> </tr> <tr> <td><b>Total</b></td> <td style="text-align: right;"><b>156,644</b></td> </tr> </tbody> </table> <p>(A student may participate in more than one Dropout Prevention Program.)</p>	Program	Students Served	Education Alternatives	56,227	Dropout Retrieval	794	Disciplinary Programs	44,599	Alternatives to Expulsion	3,043	Teen Parent Programs	5,527	Department of Juvenile Justice	46,454	<b>Total</b>	<b>156,644</b>
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<p><b>11. What are the applicable statutes and rules?</b></p>	<p>Section 1001.42(16)(c), F.S. -- Supplemental academic instruction.            Section 1003.51, F.S. -- Other public educational services.            Section 1003.52, F.S. -- Educational services in DJJ programs.            Section 1003.53, F.S. -- Dropout Prevention and Academic Intervention Act.            Section 1003.53(1), F.S. -- Second chance schools.            Section 1003.54, F.S. -- Teenage Parent Programs.            Section 1011.62, F.S. -- Funds for operation of schools.</p> <p>Rule 6A-6.0523 through 6A-6.0528, F.A.C. -- Types of Programs and Dropout Prevention Plans.            Rule 6A-6.05292, F.A.C. -- Common Objective Criteria and Evaluation of Dropout Prevention.</p> <p>2007-2008 General Appropriations Act, Specific Appropriation 99 and Specific Appropriation 86.</p>																
<p><b>12. Where can I get additional information?</b></p>	<p>Florida Department of Education            Bureau of Student Assistance            (850) 245-0415</p> <p>Florida House of Representatives            Schools &amp; Learning Council            (850) 488-7451</p>																



**Schools & Learning Council**  
**Character Education**

**Fact Sheet**

January 2008

<p><b>1. Is character education required in Florida public schools?</b></p>	<p>Yes. A character-development program similar to Character First or Character Counts must be taught in all public schools and must be secular in nature. Beginning in the 2004-2005 school year, the character development program is required for all public school students in grades kindergarten through 12, and it must stress the qualities of patriotism, responsibility, citizenship, kindness; respect for authority, life, liberty, and personal property; honesty; charity; self-control; racial, ethnic, and religious tolerance; and cooperation.</p>
<p><b>2. How are character education curricula adopted?</b></p>	<p>Each district school board must develop or adopt a curriculum for the character-development program and then submit its curriculum to the Department of Education for approval.</p>
<p><b>3. Are there any other public school programs related to character education?</b></p>	<p>Yes. Every district school board must provide and every public school teacher must teach all courses required for high school graduation. Required instruction in public schools related to character education includes the following:</p> <ul style="list-style-type: none"><li>• The history and content of the Declaration of Independence.</li><li>• The history, meaning, significance, and effect of the provisions of the Constitution.</li><li>• The arguments in support of adopting our republican form of government.</li><li>• Flag education, including proper flag display and flag salute.</li><li>• The elements of civil government.</li><li>• The history of the United States.</li><li>• The history of the Holocaust (1933-1945).</li><li>• The history of African Americans.</li><li>• The elementary principles of agriculture.</li><li>• The true effects of all alcoholic and intoxicating liquors and beverages and narcotics upon the human body and mind.</li><li>• Kindness to animals.</li><li>• The history of the state.</li><li>• The conservation of natural resources.</li><li>• Comprehensive health education.</li><li>• The study of Hispanic contributions to the United States.</li><li>• The study of women’s contributions to the United</li></ul>

## Character Education

	<p>States.</p> <ul style="list-style-type: none"> <li>• The nature and importance of free enterprise to the United States economy.</li> </ul> <p>The 2002 Legislature designated the last week of September as “Celebrate Freedom Week” in Florida’s public schools. Celebrate Freedom Week must include at least 3 hours of appropriate instruction in each social studies class, which must include an in-depth study of the intent, meaning, and importance of the Declaration of Independence. During that week, students are also required to recite a portion of the Declaration of Independence in order to reaffirm the American ideals of individual liberty.</p>
<p><b>4. What are the applicable statutes?</b></p>	<p>Section 1003.42(2), F.S. -- Required character education. Section 1003.421, F.S. -- Recitation of the Declaration of Independence.</p>
<p><b>5. Where can I get additional information?</b></p>	<p>Department of Education Bureau of Instruction and Innovation (850) 245-9868</p> <p>Florida House of Representatives Schools &amp; Learning Council (850) 488-7451</p>