

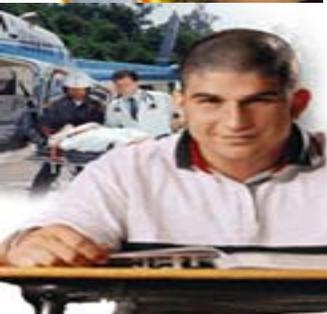
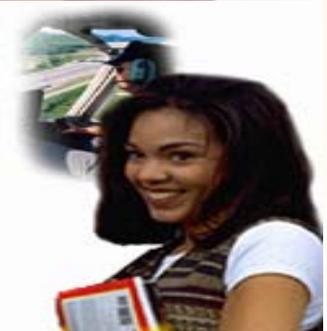
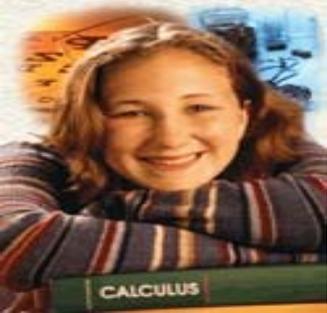
The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

EDUCATION PRE-K - 12
Senator Wise, Chair
Senator Bullard, Vice Chair

MEETING DATE: Wednesday, October 5, 2011
TIME: 10:45 a.m.—12:30 p.m.
PLACE: 301 Senate Office Building

MEMBERS: Senator Wise, Chair; Senator Bullard, Vice Chair; Senators Alexander, Altman, Benacquisto, Bogdanoff, and Montford

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
		Presentation on Reading by the Department of Education	Presented
		Presentation on Reading by Betty Burney, Duval Public Schools	Presented
		Presentation on School District Zero Tolerance Policies by the Florida Association of District School Superintendents, Department of Juvenile Justice and the Southern Poverty Law Center	Presented
		Other Related Meeting Documents	



The Status of Reading Instruction and Support in Florida Schools



Senate Education Committee

1. Background
2. What is reading?
3. 2011 FCAT Results
4. Funding Reading Instruction in Florida
5. Areas in Need of Improvement



Just Read, Florida!

- September 2001
 - Governor Jeb Bush creates Just Read, Florida!
- July 2006
 - Just Read, Florida established
 - Section 1001.215, Florida Statutes



Foundation Policies

- K-12 Reading Plan - tied to FEFP Reading Allocation for Districts
- Third Grade Progression
- Reading Coach Support
- Reading Instruction and Intervention
- Reading Endorsement
- Next Generation Content Area Reading Professional Development (NGCAR-PD)



What is Reading?

“Reading is an active and complex process that involves

- Understanding written text
- Developing and interpreting meaning; and
- Using meaning as appropriate to type of text, purpose, and situation” (NAEP Framework, 2009)

Reading is the single most important educational skill students will learn. As students move up in grade levels text demand significantly increases.



Two important goals for improvement:

1. Increase the percentage of students reading “at grade level” each year at each grade level from kindergarten through tenth grade.
2. Decrease the percentage of students with serious reading difficulties each year at each grade level.

Our most important measure of success in accomplishing these goals is assessing student performance in reading comprehension using an initial screening, mid-year assessment, and outcome measure at the end of each grade level.



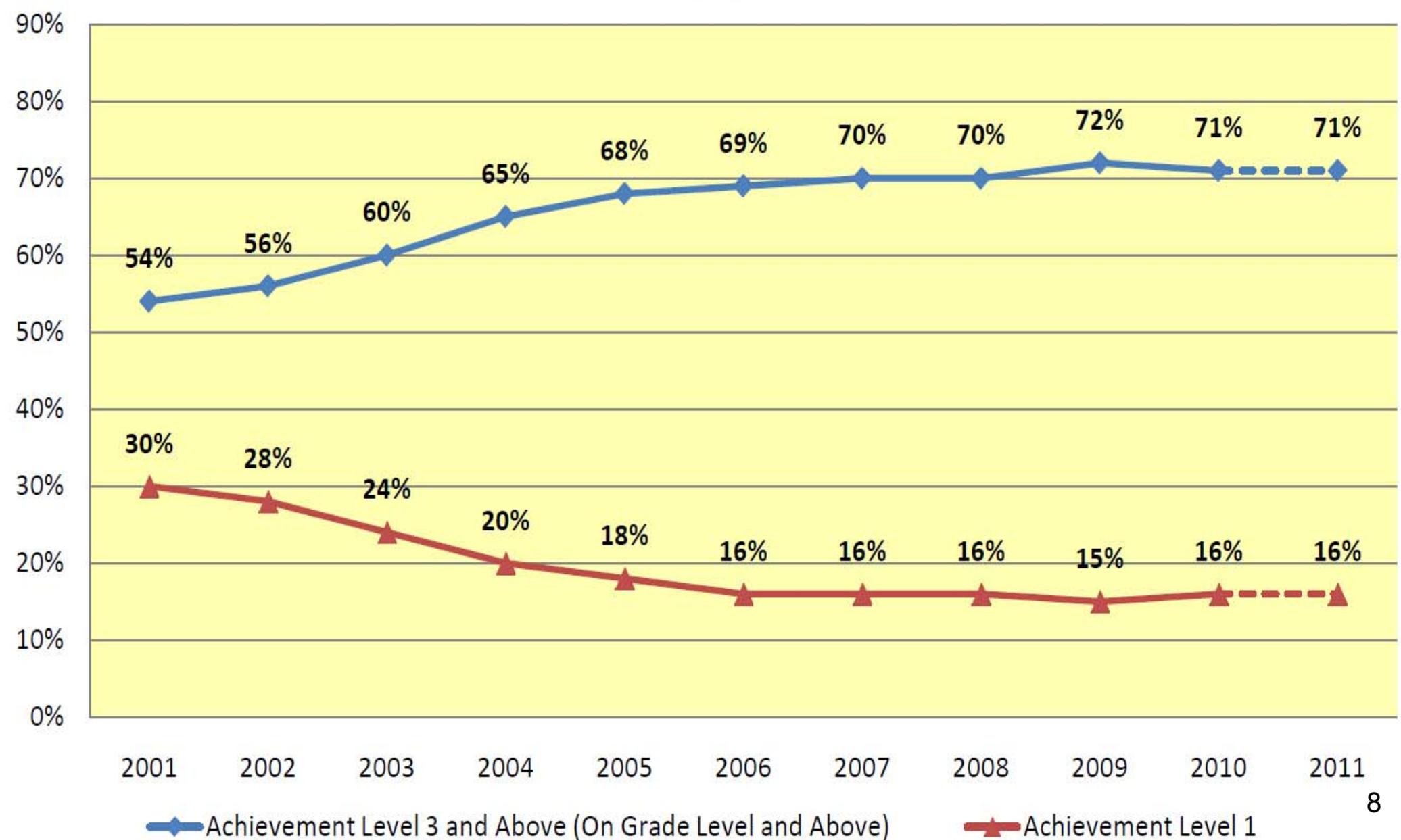
FCAT Results



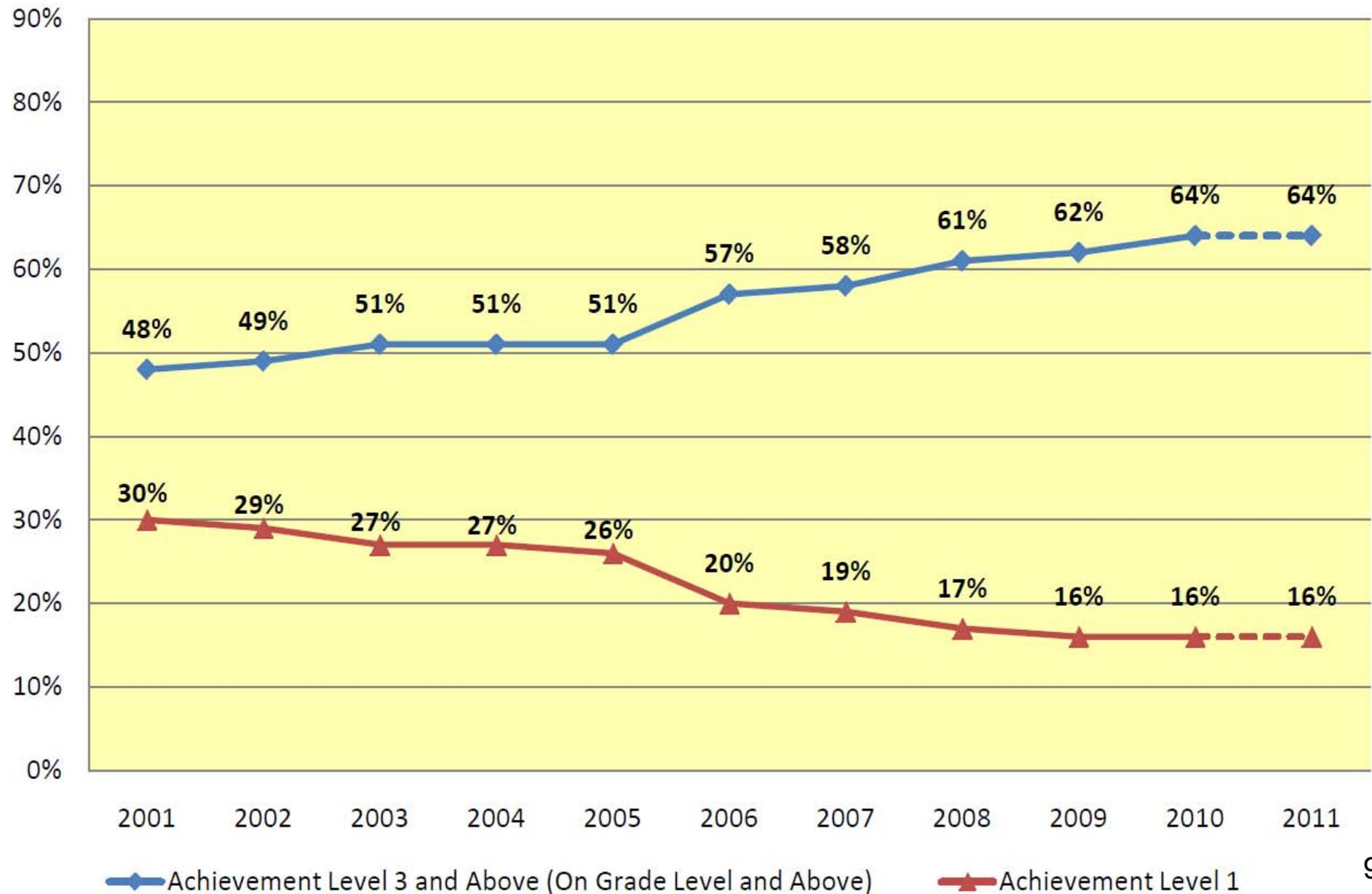
FCAT Reading (2001-2010) and FCAT 2.0 Reading (2011)

By Achievement Level

Grades 3, 4, and 5



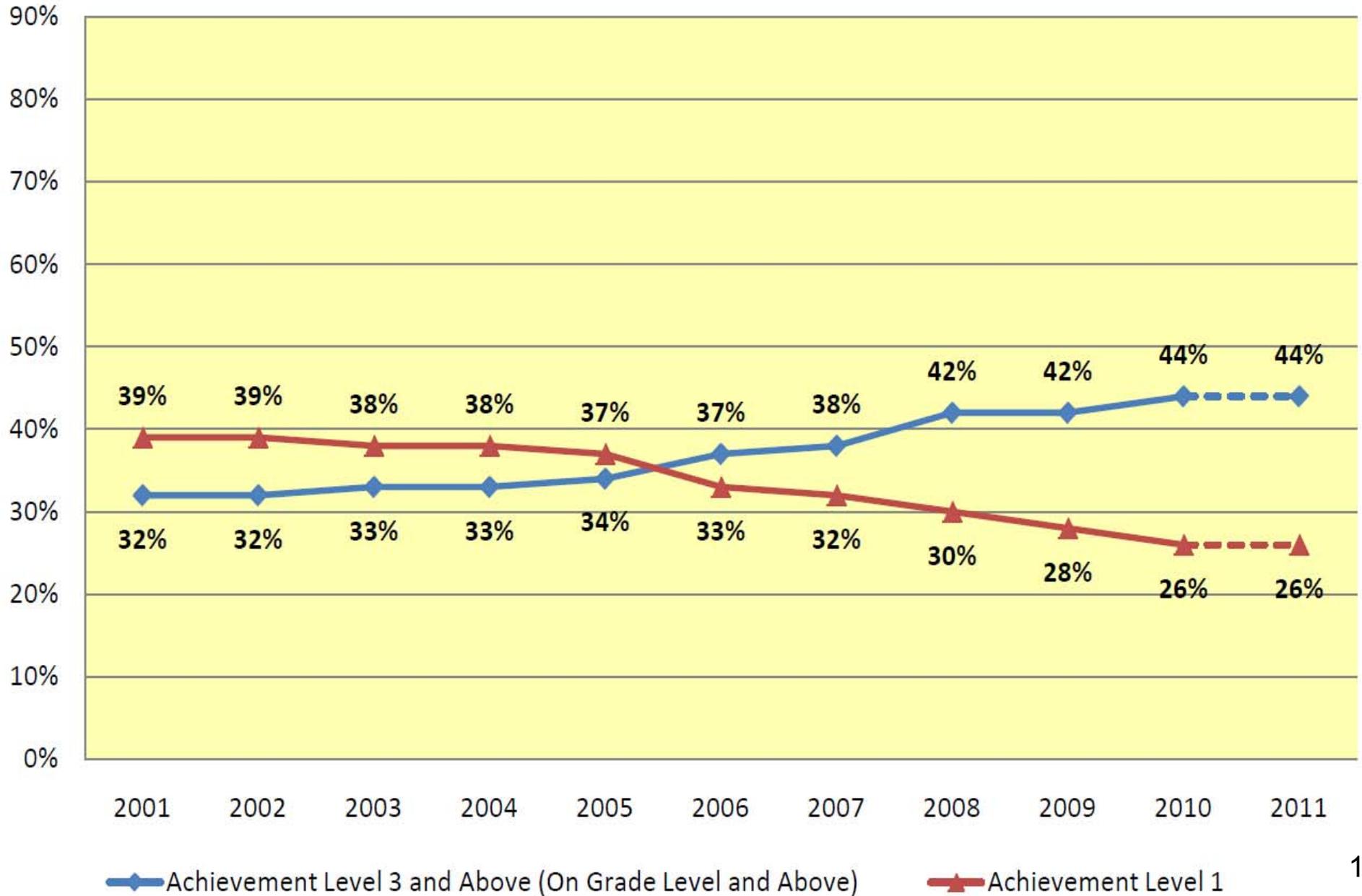
FCAT Reading (2001-2010) and FCAT 2.0 Reading (2011) By Achievement Level Grades 6, 7, and 8



FCAT Reading (2001-2010) and FCAT 2.0 Reading (2011)

By Achievement Level

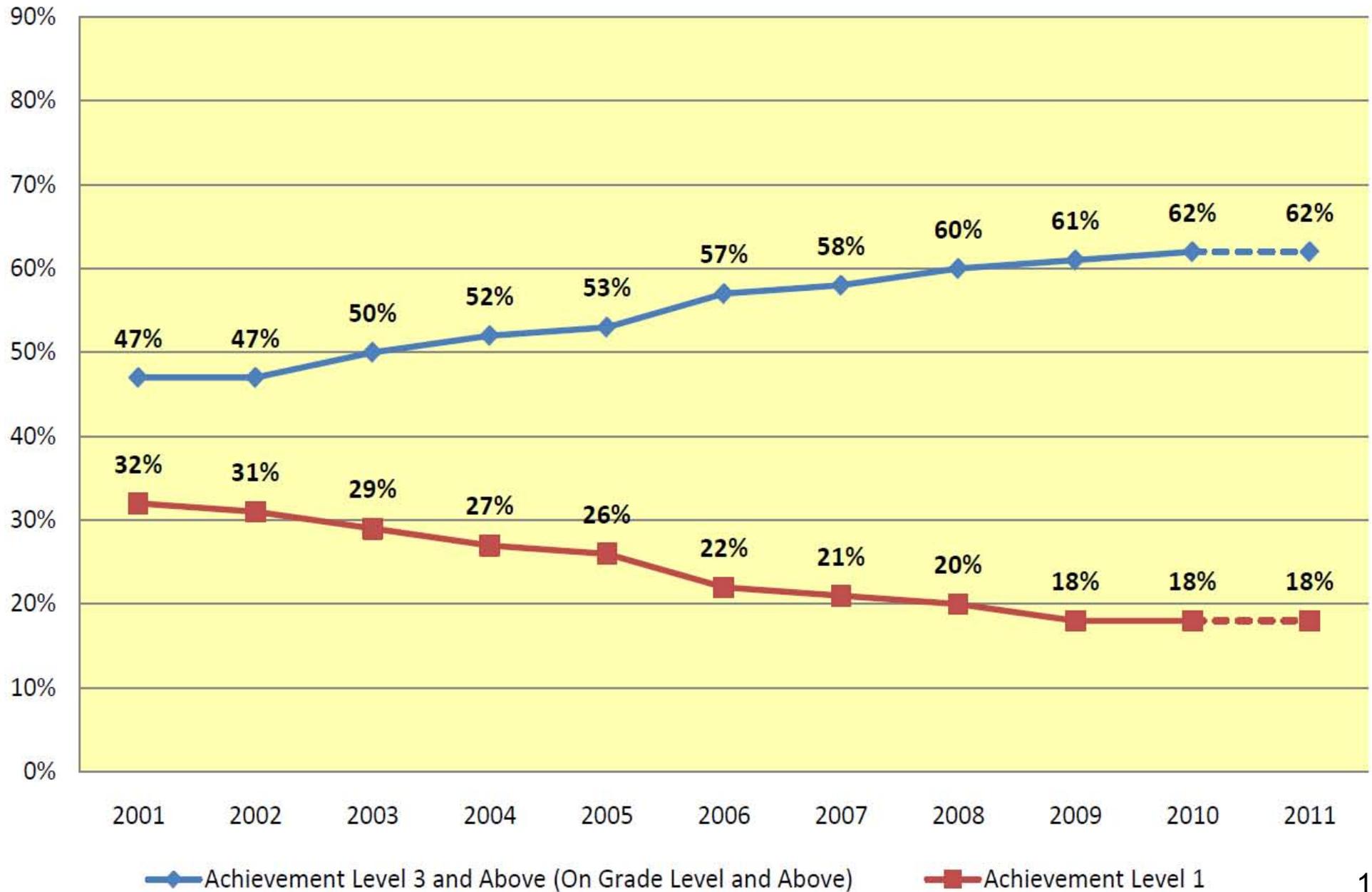
Grades 9 and 10



FCAT Reading (2001-2010) and FCAT 2.0 Reading (2011)

By Achievement Level

Grades 3-10



Raising Achievement and Closing Gaps Between Students at High School

What is the cause of 60% of 10th graders not achieving Level 3 on FCAT Reading?



After more than a decade of deliberate growth in high school, we know how to accelerate reading achievement in the upper grades.

Text complexity is the key to accelerating student achievement in reading.



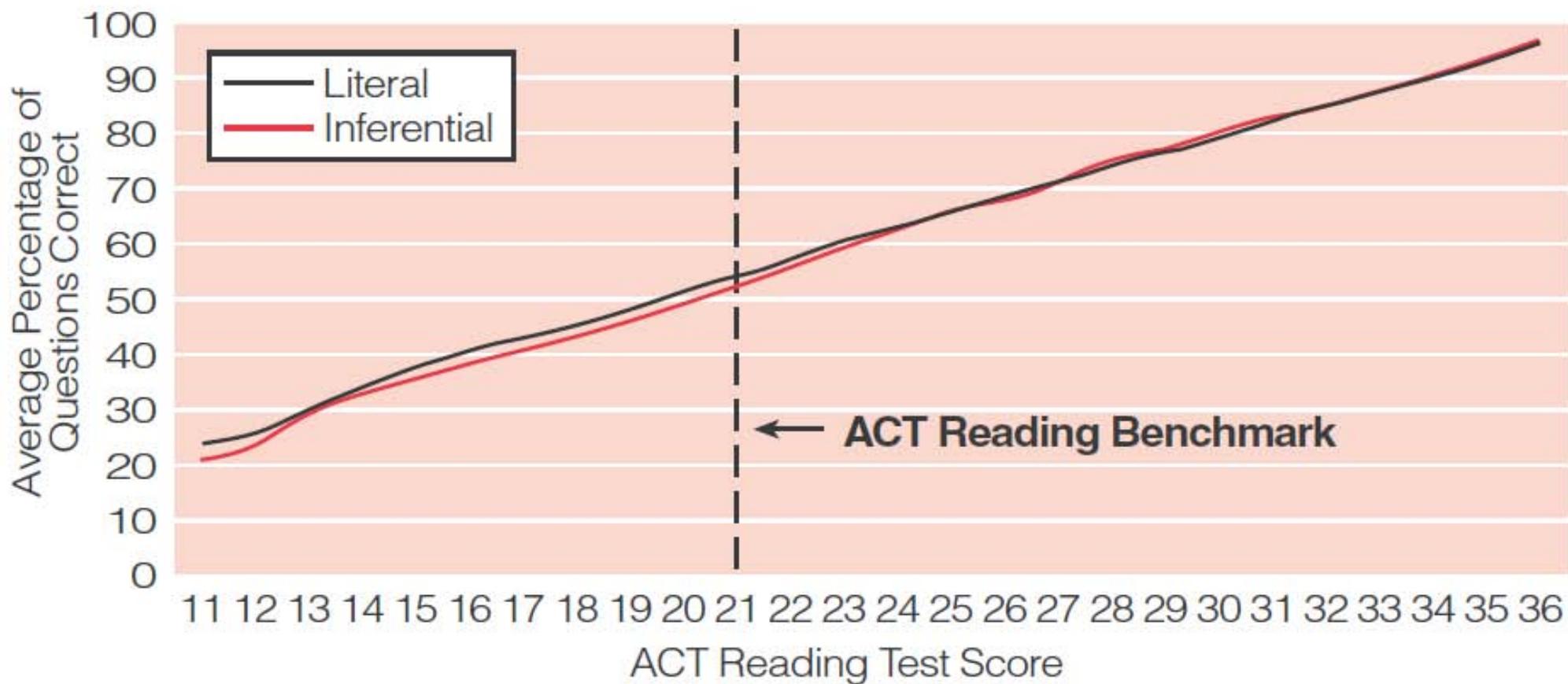
Text Complexity - ACT Study

- Purpose: Determine what distinguished the reading performance of students likely to succeed in college and not.
 - Process:
 - Set benchmark score on the reading test shown to be predictive of success in college (“21” on ACT composite score)
 - Looked at results from a half million students.
 - Divided texts into three levels of complexity: uncomplicated, more challenging, and complex.



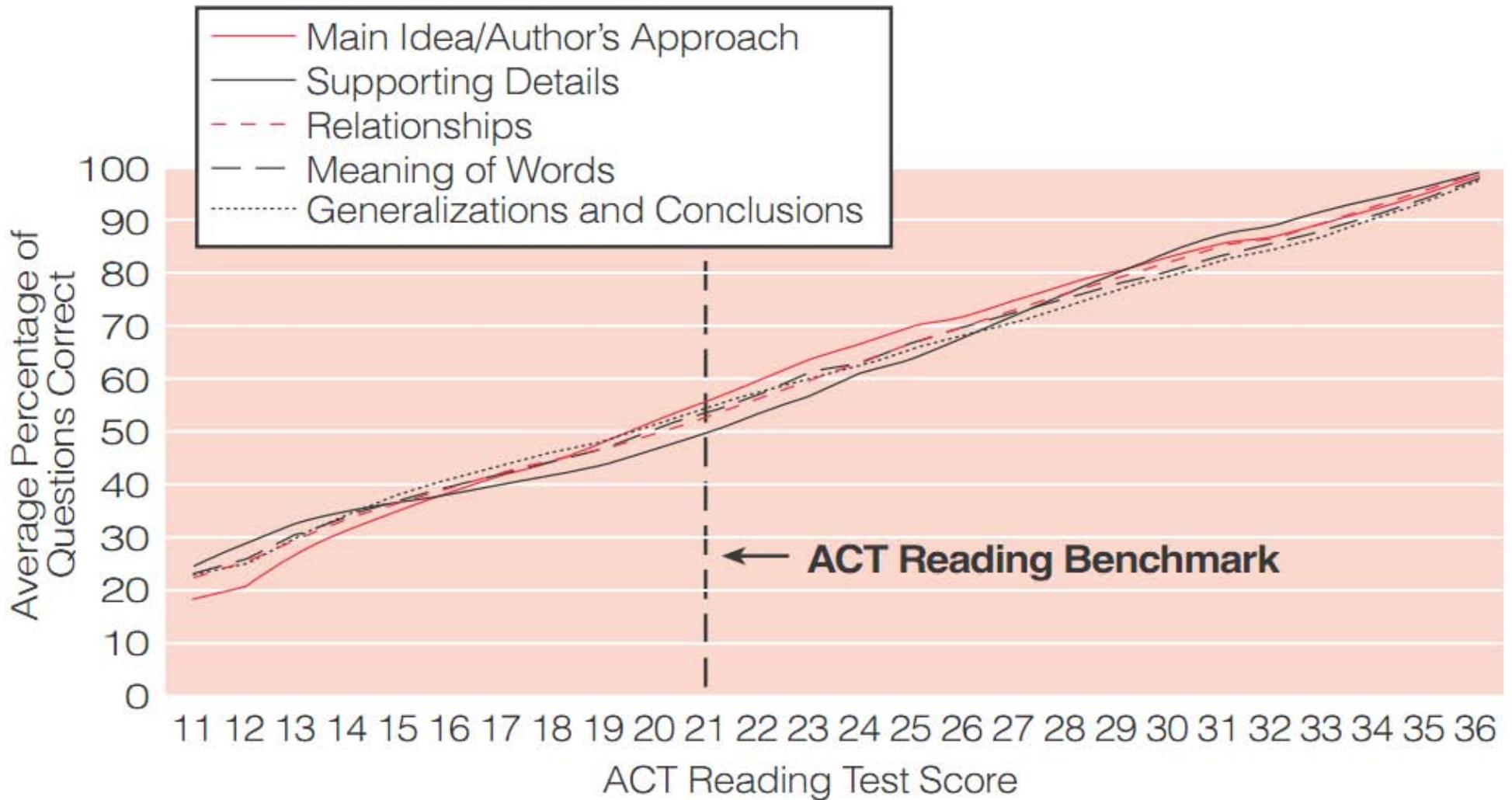
Performance on the ACT Reading Test by Comprehension Level

(Averaged across Seven Forms)



Performance on the ACT Reading Test by Textual Element

(Averaged across Seven Forms)



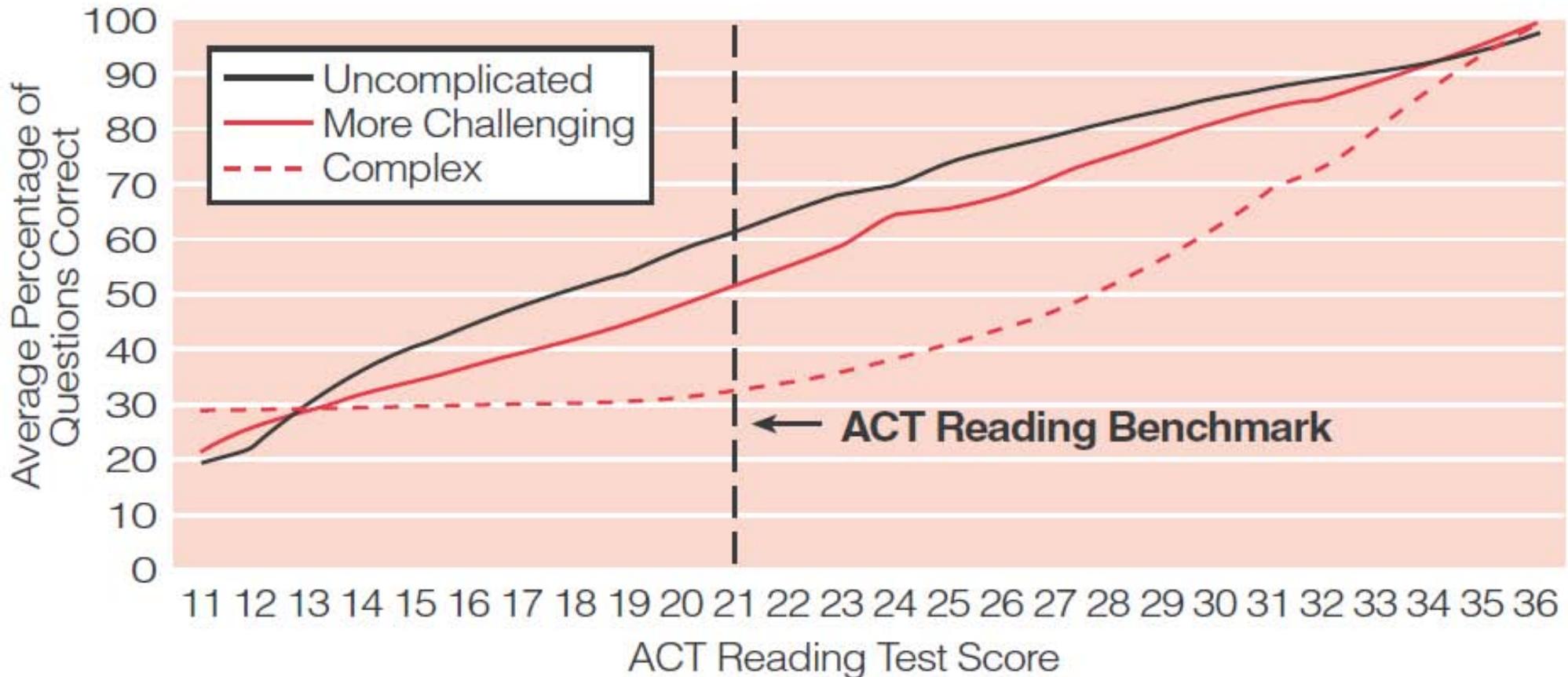
Text Complexity Matters

- Performance on complex texts is the clearest differentiator in reading between students who are more likely to be ready for college and those who are less likely to be ready.
- Texts used in the ACT Reading Test reflect three degrees of complexity: uncomplicated, more challenging, and complex.



Performance on the ACT Reading Test by Degree of Text Complexity

(Averaged across Seven Forms)



In this figure, performance on questions associated with uncomplicated and more challenging texts both above and below the ACT College Readiness Benchmark for Reading follows a pattern similar to those in the previous analyses.

Improvement on each of the two kinds of questions is gradual and fairly uniform.

Recap of ACT Findings

Question type and level (main idea, word meanings, details) is NOT the chief differentiator between student scoring above and below the benchmark.

The degree of text complexity in the passages acted as the “sorters” within ACT. The findings held true for both males and females, all racial groups and was steady regardless of family income level.

What students could read, in terms of its complexity--rather than what they could do with what they read—is greatest predictor of success. FCAT has complex passages and highly cognitive demanding questions.



Text Requirements in Middle and High School

Students who arrive behind in reading or close to grade level are often taught through courses that don't demand much reading.

Many students are engaged in shallow reading, skimming text for answers, focusing only on details and failing to make inferences in order to integrate different parts of the text. Years of reading in this superficial way will cause a student's reading ability to deteriorate.

For many students the decline of text demands in the courses that they take has both an immediate and long term impact on student achievement.

The Percent Of Students Who Have Previously Scored A Level 3 Or Higher On FCAT Reading

2011 FCAT Results

Grade	Of Students Scoring Level 1 on the FCAT Reading, the Percent who have previously scored a Level 3 or higher in Reading	Of Students Scoring Level 2 on the FCAT Reading, the Percent who have previously scored a Level 3 or higher in Reading
4	21	53
5	29	67
6	36	76
7	31	72
8	43	85
9	46	87
10	58	90

Professional Development For Teachers Needs To Keep Pace with The Research

In order to accelerate student achievement in reading, professional development must be focused on three processes:

1. Quality and quantity of text based reading instruction.
2. Instruction that builds deep student understanding of complex texts as they read.
3. The complexity of the texts students read.

What Are We Doing To Accelerate Success?



Just Read, Florida! New Professional Development

The Comprehension Instructional Sequence

- An instructional model based upon research evidence introduced this year to Florida's teachers.
- The model assists teachers of students in grades 6-12 in implementing whole-class examination of difficult texts and build students' specialized knowledge.
- This sequence helps students grasp textual nuances they would not understand on their own.
- It is a "text-dependent" approach, ensuring the close examination of key text details and utilizes complex text.



Teaching Students to Think as They Read

New: Next Generation Content Area Reading Professional Development

- Facilitates the type of instruction needed to yield high outcomes in literacy for all students
- Uses close reading, text based questions, text based discussions, and writing in response to reading to focus students on reading text closely to draw evidence from the text
- Emphasizes reading deeply in multiple disciplines
- Comprehension strategies are taught in an integrated fashion with instructional coherence and direct application.
- Fosters respect for the discipline and content while providing the necessary scaffolds for students to extract the meaning with deep understanding of the content being taught

Just Read, Florida! Funding 2007-2011

Year Appropriated	JRF Legislative Appropriation (Florida Reading Initiative, Online Reading Endorsement Courses, Online Instructional Resources, Florida Center for Reading Research, Onsite State Reading Coordinator Support, Parent Involvement Programs, Summer PD)	FEFP Reading Allocation (District Salaries – reading coaches/teachers, professional development, assessment, programs/materials, summer reading camps)	Federal Reading First K-3 (District Level Support – reading coaches, professional development, classroom libraries, instructional materials, assessment)	Number of Reading Coaches
2007-08	\$17.8 million	\$116.9 million	\$52.2 million	2561
2008-09	\$11.8 million	\$111.5 million	\$20.1 million	2383
2009-10	\$4.6 million	\$101.9 million	No direct funding for districts	2441
2010-11	\$2.3 million	\$101.7 million	\$0	1981
2011-12	\$0	\$97.6 million	\$0	1959
Funding Reduction	\$17.8 million reduction	\$19.3 million reduction	\$52.2 million reduction	602 reductions in coaching positions since 2007

Next Steps to Increase Reading Achievement

1. Intensify our efforts to prevent reading difficulties in the first place.
2. Provide intensive accelerated reading instruction for two-three hours per day for students with serious reading difficulties.
3. Provide more powerful instruction in the content areas so that all students learn to access essential content through text - even students with reading difficulties.
4. Implement a whole-class “text-dependent” approach, ensuring the close examination of key text details and utilizing complex text to build students’ specialized knowledge.

Legislative Budget Request: Building Professional Knowledge Statewide

FLDOE has submitted a \$40,000,000 LBR to hire and train 665 additional reading coaches.

High School – 1 content coach at each Correct II and Intervene school: 228 coaches

Middle School – 1 content coach at each Correct II and Intervene school: 303 coaches

Combination Schools (elementary/middle, middle/high, K-12) – 1 content coach at each Correct II and Intervene school: 126 coaches

Content area reading coaches in middle and high school will be required to provide the Comprehension Instructional Sequence (CIS) to all teachers



Florida's Focus on Professional Development

High Quality Text-Based Instruction
+ Student Engagement With Text
+ Academic Rigor
= College and Career Readiness









“I'M A STAR”

OUR MISSION...

To empower youth with
Knowledge and resources that
enable them to
transcend barriers to success
and to unleash their inner
Greatness!

WHY???

- ✓ American students rank 25th in math and 21st in science compared to students in 30 industrialized countries.
- ✓ America's top math students rank 25th out of 30 countries when compared with top students elsewhere in the world.
- ✓ By the end of 8th grade, U.S. students are two years behind in the math being studied by peers in other
- ✓ Rank in reading skills: 14th among industrialized countries.

Where does t

When it comes to high school graduation rates, the United States is 20th on the list. Germany, Japan, Korea and the U.K. all do better with graduation rates of 90 percent or more. In the United States, it's just 75 percent.

It's not so much that the United States has slowed down in the last half a century, it's more that other countries sped up.

"We need more octane now," said Amy Wilkins of the Education Trust. "The rest of the world is running faster than we are because they looked at what we did and they took what was good about us and added to it."

The United States has fallen to "average" in international education rankings released by the Organization for Economic Co-operation and Development.

America has received scores around 500 on a scale that goes up to 1,000: 487 in math, 500 in reading and 502 in science.

EACH DAY IN AMERICA



- **5 children or teens commit suicide.**
- **8 children or teens are killed by firearms.**
- **32 children or teens die from accidents.**
- **186 children are arrested for violent offenses.**
- **368 children are arrested for drug offenses.**
- **1,204 babies are born to teen mothers.**
- **2,058 children are confirmed as abused or neglected.**
- **2,163 babies are born without health insurance.**
- **2,573 babies are born into poverty.**
- **3,312 high school students drop out.***
- **4,133 children are arrested.**
- **4,717 babies are born to unmarried mothers.**
- **18,493 public school students are suspended**

YOUTH RISK BEHAVIOR STUDY

YOUTH RISK FACTORS	MIDDLE School Duval	Middle School State	High School Duval	High School State
Slightly/very overweight	24.7%	25.3%	12.9%	10.3%
Took diet pills to lose weight	7.1%	3.7%	N/A	N/A
Vomited/took laxatives to lose weight	7.8%	4.2%	8.5%	4.5%
Ate 5 or more fruits and/or vegetables yesterday	11.7%	DNA	N/A	N/A
Ate fruits and vegetables <i>less than</i> five times per day	N/A	N/A	81.8%	78.4%
Ever tried cigarettes	29.4%	19.1%	28.4%	DNA
Smoke first cigarette before 11	7.9%	6.5%	N/A	N/A
Drink alcohol ever	43.8%	31.9%	66.0%	65.0%
Had first drink before age 11	18.5%	13.3%	N/A	N/A
Ever use marijuana	17.9%	10.9%	38.6%	36.4%
Ever use inhalants	16.1%	10.2%	14.3%	10.8%
Rode with drinking driver	35.1%	18.8%	30.8%	27.6%

YOUTH RISK BEHAVIOR STUDY

YOUTH RISK FACTORS	MIDDLE School Duval	Middle School State	High School Duval	High School State
Lifetime cocaine use	N/A	N/A	7.4%	6.9%
Lifetime methamphetamine use	N/A	N/A	6.9%	4.2%
Offered, sold or gave an illegal drug to someone on school property	N/A	N/A	36.8%	21.8%
Drove a car or other vehicle when they had been drinking alcohol	N/A	N/A	11.1%	10.5% National
*About 18% of high school students reported being hit by their boy/girlfriend in the past 12 months				
* Approximately 16% of students reported being bullied at school				

YOUTH RISK BEHAVIOR STUDY

YOUTH RISK FACTORS	MIDDLE School Duval	Middle School State	High School Duval	High School State
Carried weapon for protection	32.2%	18.1%	22.3%	17.3%
Carried weapon for protection at school	9.8%	2.3%	7.8%	4.7%
Been in fight at school	46.3%	18.5%	34.9%	29.8%
Been bullied at school	33.3%	28.6%	N/A	N/A
Have been electronically bullied	17.6%	21.3%	N/A	N/A
Thought about suicide	21.5%	15.2%	N/A	N/A
Made suicide plan	14.5%	8.5%	14.2%	11.6%
Tried to commit suicide	10.3%	5.6%	9.9%	6.5%
Did not go to school because they felt unsafe at school or on their way to or from school	N/A	N/A	14.4%	6.9%
Who were threatened or injured with a weapon	N/A	N/A	13.9%	8.2%

RESEARCHED BASED



**LEADERSHIP AND
SERVICE LEARNING BOOTCAMP**

RESEARCH BASED PROJECT/PROPOSAL:

- Engaged Students are more successful in school by many measures. Students who attend school regularly, concentrate on learning, adhere to the rules of the school, avoid disruptive behaviors, generally get better grades and perform better on standardized tests (Bandura, Barbaranelli, Caprar, & Pastorelli, 1996) (Caraway, Tucker, Reinke, & Hall, 2003, Finn & Rock, 1997)
- Many educators characterize disengagement from schooling as one of the most immediate and persistent problems exhibited by students (Finn, 1989; Finn & Voelki, 1993)
- The problem of disengagement is particularly acute during the middle and high school years (Wigfield, Eccles, Schiefele, Roeser, & Davis-Kean, 2006)
- There is a direct impact of disengagement on truancy and the subsequent impact of truancy on achievement outcomes such as grades and standardized tests
- Students learn best when they perceive their classmates to be supportive, accepting and agreeable

SERVICE LEARNING:

- Research demonstrates that high-quality service learning has positive effects on K-12 students' academic performance and school engagement
- Students who are more civically engaged perform better in reading, mathematics, history and science and are more apt to complete high school. Those who participated in service learning made significantly greater gains in all four subject areas than those who did not participate (Davila and Mora 2007)
- 81% of drop-outs felt that they would have been more apt to stay in school if their school had offered real-world learning opportunities such as service-learning. (Bridgeland 2006)
- Low socio-economic status students who participate in service scored higher in achievement, motivation, grades, bonding to school and attendance than similar students who did not participate in service (Scales 2006)
- In a national evaluation of high-quality middle and high school federally funded Learn and Serve programs, Melchoi (1998) found that at the end of one year, service learning students significantly outperformed comparison students in overall grades, grades in math and science and school engagement.
- When comparing academic performance of students in alternative high schools offering there are fewer suspensions and grades are higher (Laird & Black, 2002)

DEVELOPED SOLUTIONS!!!

PSA'S:

- Suicide Prevention
- Teen Dating Violence
- Bullying and Cyber Bullying

Coloring Books

Activity Books

Bullying Contract



PRESENTATIONS

Duval County School Board

Jacksonville City Council

Duval County Health Dept.

Community At Large

LEADERSHIP AND SERVICE-ROLES FOR 2011-12

- Duval County Public School's implementation of students' projects;
- Duval County Public Schools' partnership with Cohort 1 students to push projects out into the schools (Youth Advisors)
- Duval County Health Department has commissioned the students to design healthy initiatives for Health Zone 1 and for Eugene Butler Middle School and S.P. Livingston in particular
- Partnership with Duval County to serve as the Youth Advisory Council
- Planning a mega healthy initiative in December for the Health Department
- Leaders in respective schools

TESTIMONIALS

- ❖ Darius Jones - 10th Grade Student – Jean Ribault High School
- ❖ Dominique Trowell – 9th Grade Student – Robert E. Lee High School
- ❖ Andre Johnson, Jr. – 10th Grade Student – Andrew Jackson High School

LEVEL 1 STUDENTS AND STUDENTS IN JUVENILE DETENTION FACILITIES

- **Significantly reduce the number of students entering the number of Level 1 students entering the Juvenile Justice System**
- **Significantly reduce the number of Level 1 students and speed up their matriculation and proficiency levels**

Betty Seabrook Burney

**Duval County School Board, Vice Chairman
Education Star Corp., Inc. , CEO**

904.390.2373

burneyb@duvalschools.org

www.educationstarcorp.com

A Presentation to the Senate Education Pre-K-12
Committee

October 5, 2011



ZERO TOLERANCE UPDATE

FLORIDA DEPARTMENT OF JUVENILE JUSTICE

Rick Scott, Governor

Wansley Walters, Secretary

SB 1540 – ZERO TOLERANCE

- Provides legislative intent on the use of zero-tolerance policies;
- Requires district school boards to revise the requirements for zero-tolerance policies to define a petty act of misconduct and an act that poses a serious threat to school safety;
- Requires cooperative agreements to specify guidelines for addressing acts that pose a serious threat to school safety and reporting to law enforcement; and,
- Prohibits zero-tolerance policies from requiring the reporting of petty acts of misconduct and certain misdemeanors to a law enforcement agency
- Provides for an administrative hearing for a student who has been expelled from school.
- Requires any school board that has a policy allowing corporal punishment to review their policy once every 3 years during a school board meeting to get public input.
- Added the words “volunteers and staff” to the list covered under the districts zero tolerance policy as it relates to minimizing the victimization of this population.

WHAT IS A SCHOOL REFERRAL?

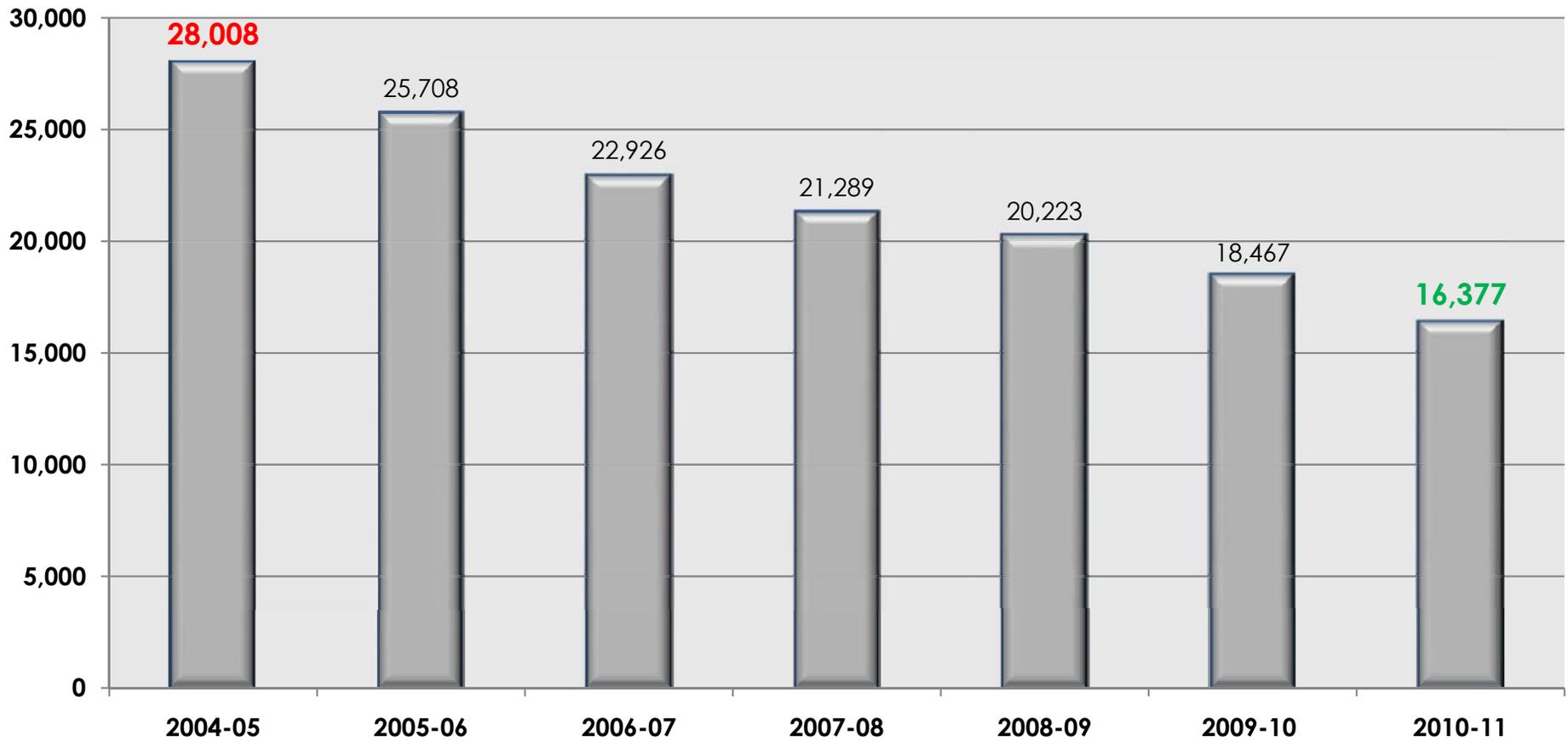
- An arrest is considered school-related if the offense occurred on school grounds, a school bus, a bus stop or at a school sanctioned event (e.g., football game).
- Being arrested at school for delinquency committed elsewhere does not count as “school-related”

WHO ARRESTS KIDS AT SCHOOL?

- Local law enforcement will respond to delinquency based on their individual department policy and that of the local school district.
- Many school districts in Florida have law enforcement entities devoted entirely to school safety.
- These are commonly referred to as “School Resource Officers” (SRO).

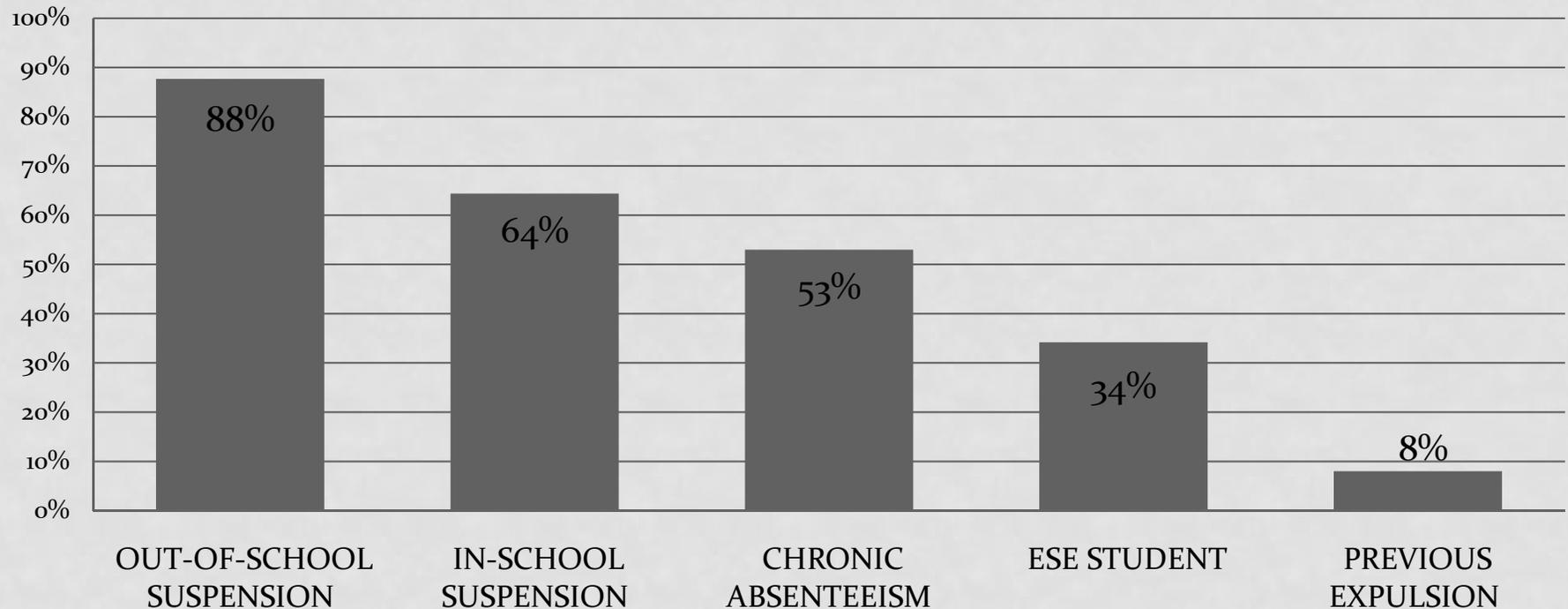
SCHOOL REFERRAL TRENDS

School-Related Referrals Received by DJJ



SCHOOL DISCIPLINE HISTORY

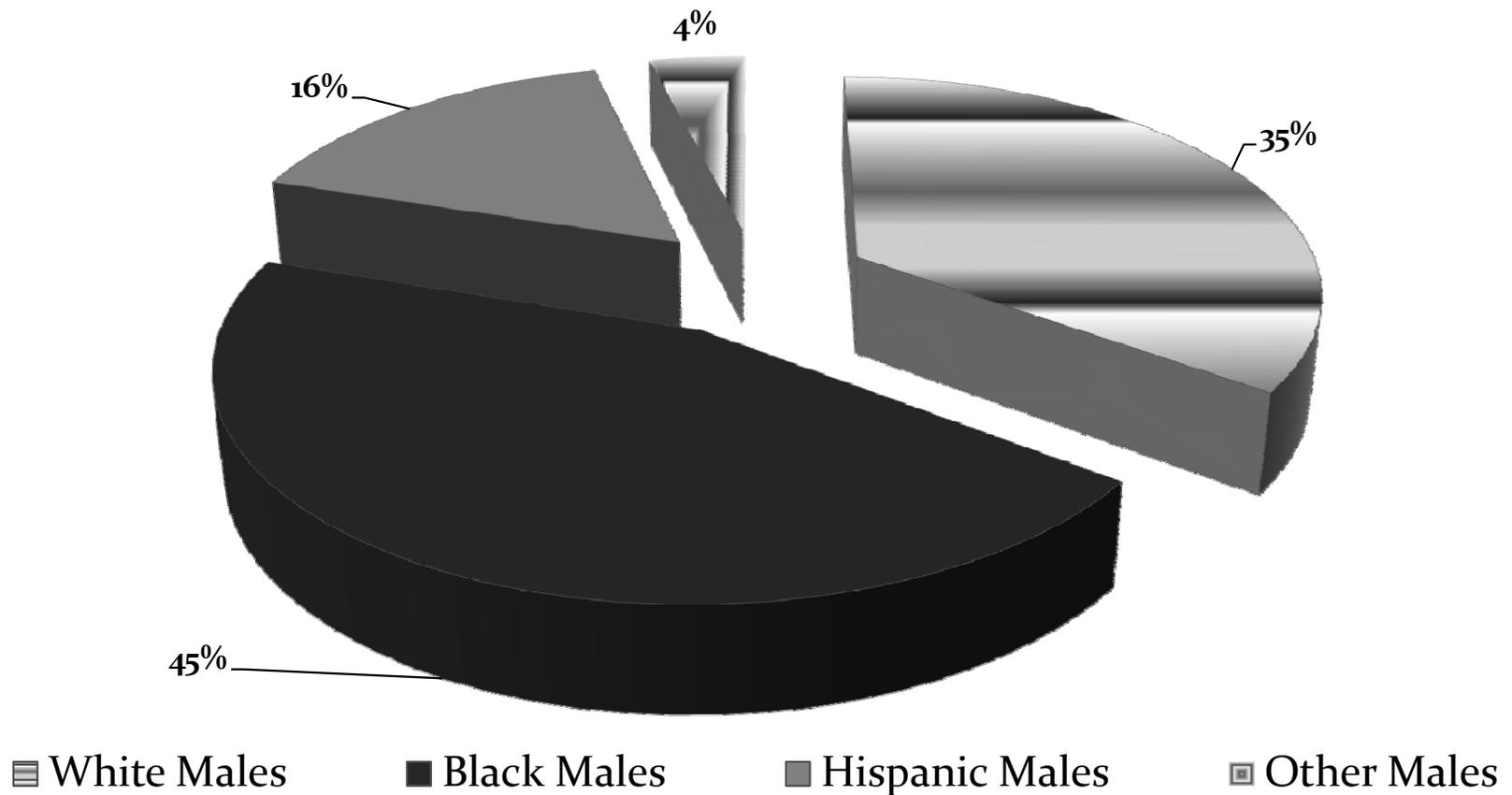
School Referral Students & School Status/History (FY 2009-10)



Source: Department of Education (DOE). Percentages reflect rates for only youth whose school discipline and status data were available (n=9,888 out of 16,784).

SCHOOL REFERRAL DEMOGRAPHICS (MALES)

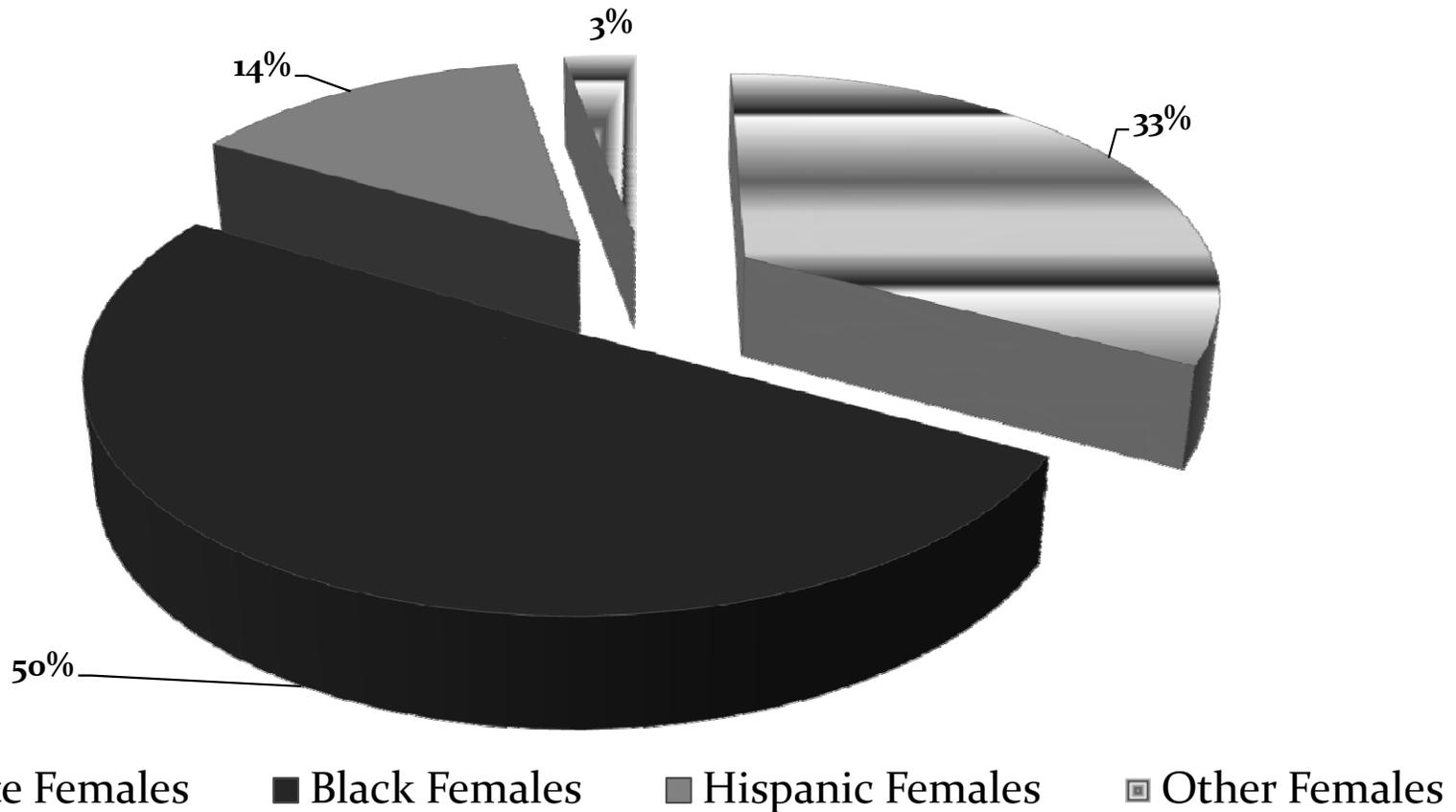
School Referral Demographics(Males)



Source: Florida Department of Juvenile Justice (DJJ), Juvenile Justice Information System (JJIS).

SCHOOL REFERRAL DEMOGRAPHICS (FEMALES)

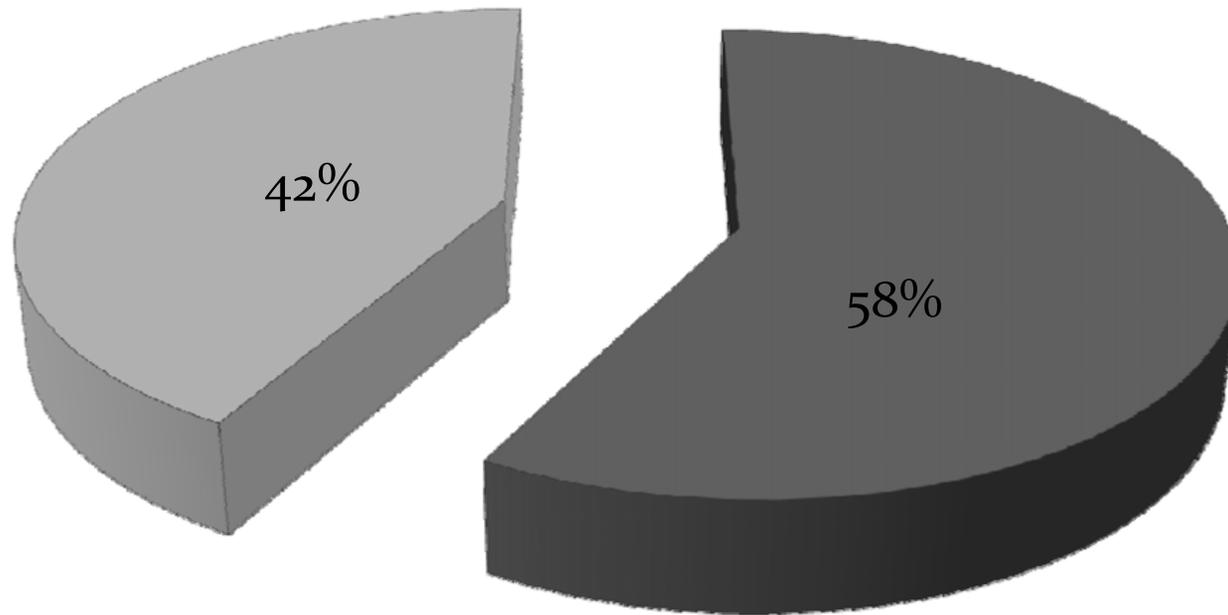
School Referral Demographics (Females)



Source: Florida Department of Juvenile Justice (DJJ), Juvenile Justice Information System (JJIS).

SCHOOLS AS A GATEWAY TO DJJ

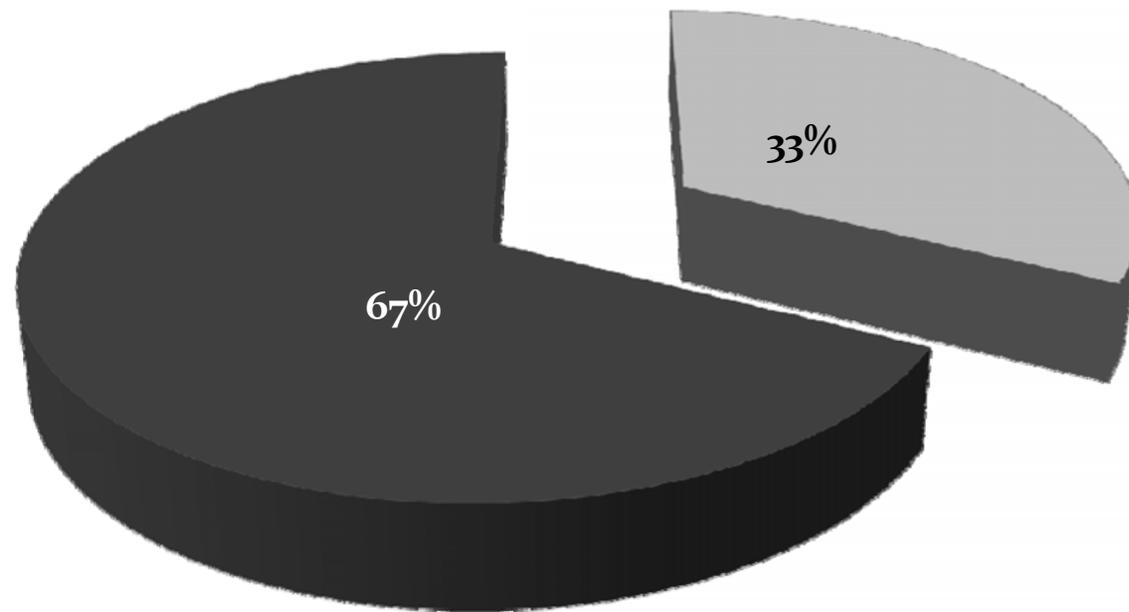
School-Related First Time Delinquency (FY 2010-11)



■ First-Time Delinquency ■ Repeat Offender

WHAT KIND OF OFFENSES ARE WE SEEING?

**School Offense Categories
Fiscal Year 2010-11**

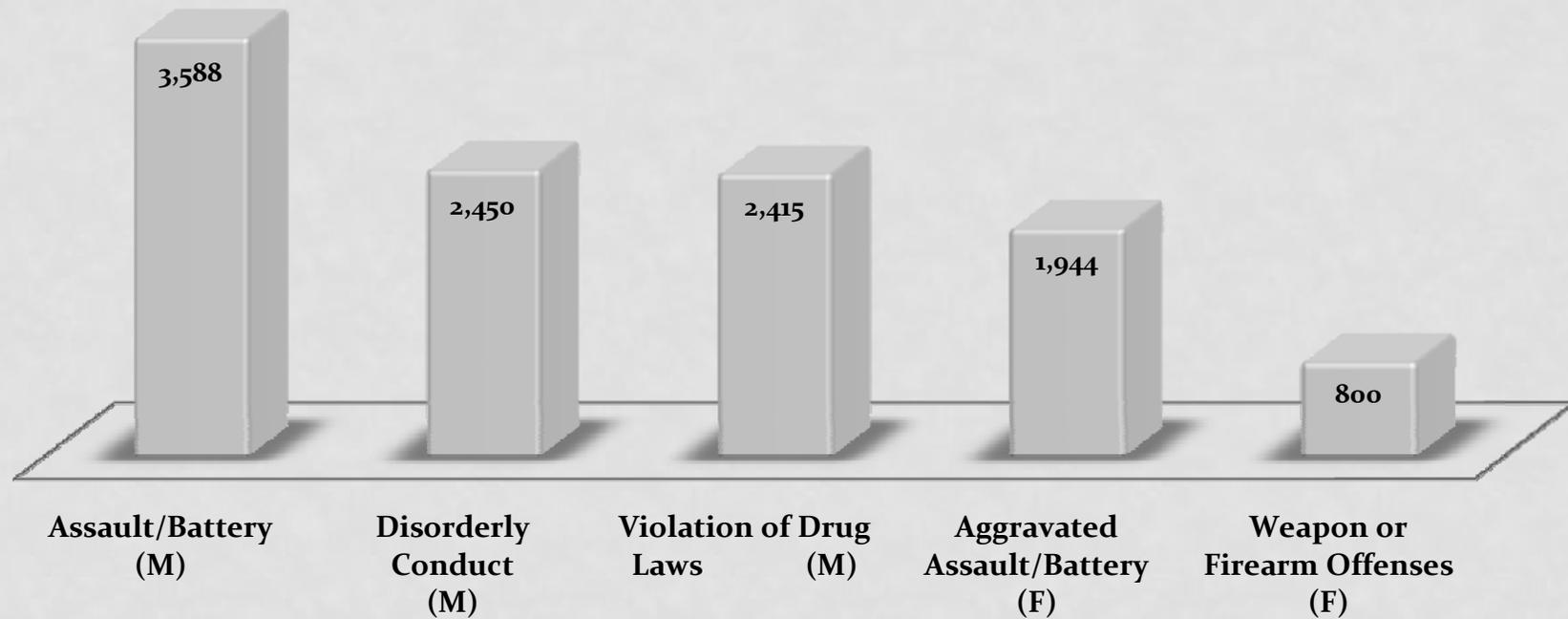


■ Felonies

■ Misdemeanors

WHAT ARE THE MOST COMMON OFFENSES

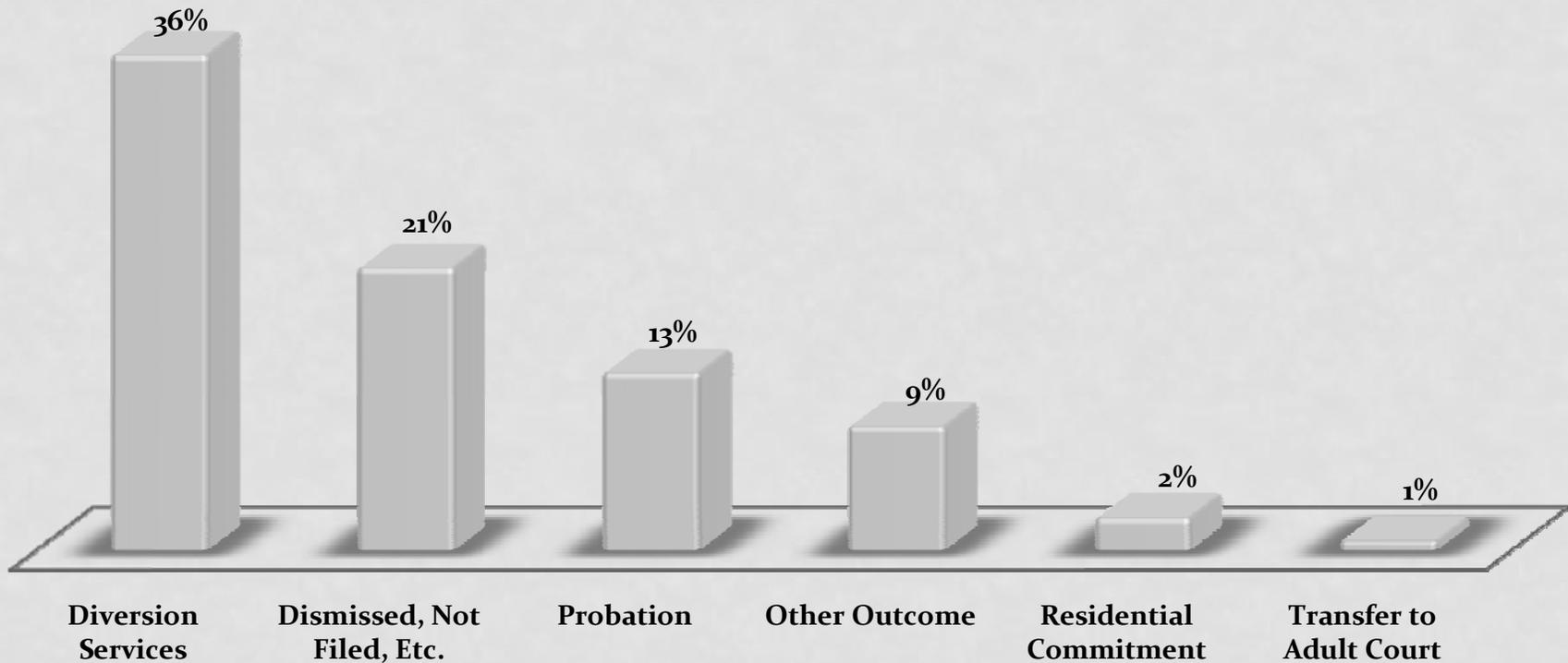
Most Common School-Related Delinquency Referrals Fiscal Year 2010-11



(M) = Misdemeanor (F) = Felony

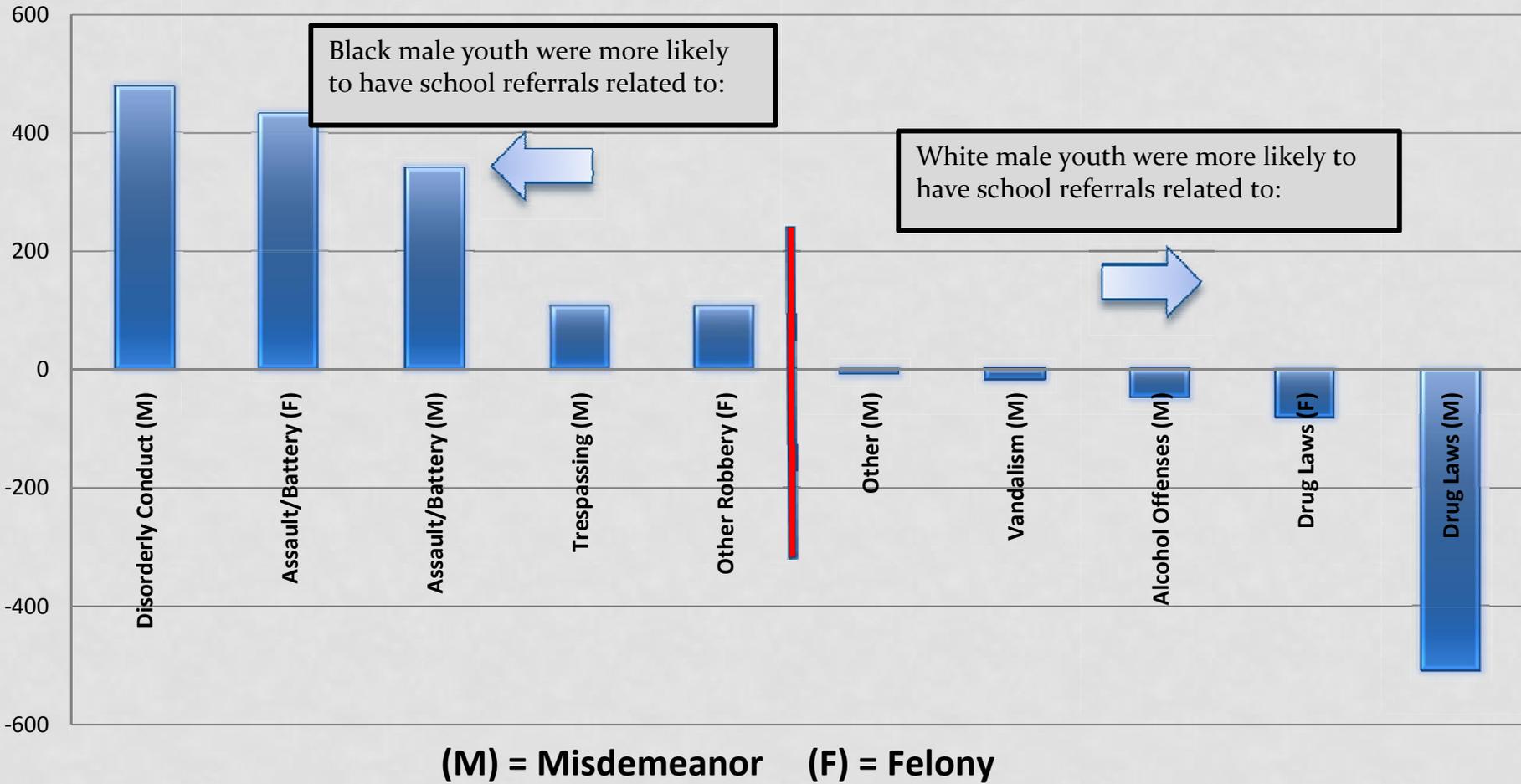
WHAT HAPPENS TO THESE KIDS?

School Referral Case Dispositions Fiscal Year 2010-11



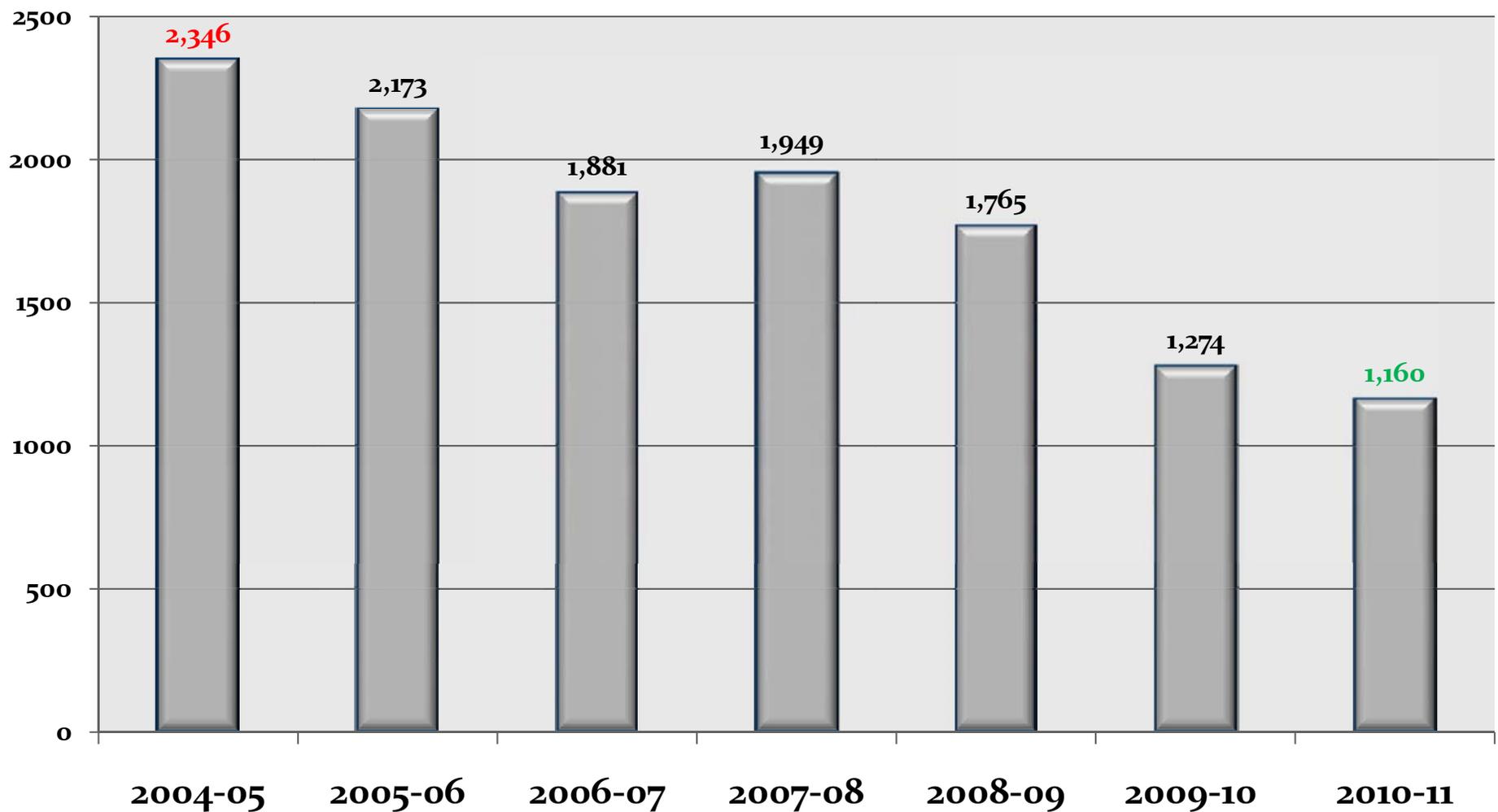
RACIAL DIFFERENCES IN OFFENSE PATTERNS

**Black Male vs. White Male School Offense GAP Analysis
Fiscal Year 2010-11**



HILLSBOROUGH COUNTY - AN EXAMPLE OF IMPROVEMENT

School-Related Referrals from Hillsborough County



School Referral Rates Relative to Student Populations

Fiscal Year 2010-11

Small School Districts ¹		Medium School Districts ²		Large School Districts ³	
<i>Referral Rate</i>		<i>Referral Rate</i>		<i>Referral Rate</i>	
Low - Average ⁴	High ⁵	Low - Average ⁴	High ⁵	Low - Average ⁴	High ⁵
LIBERTY	WALTON	SANTA ROSA	MARION	DADE	PINELLAS
FRANKLIN	CALHOUN	OKALOOSA	BAY	DUVAL	POLK
DIXIE	GILCHRIST	SARASOTA	OSCEOLA	TAYLOR	VOLUSIA
NASSAU	UNION	CLAY	LAKE	PALM BEACH	
HOLMES	GADSDEN	HERNANDO	LEON	LEE	
WASHINGTON	LEVY	COLLIER	ESCAMBIA	BROWARD	
HAMILTON	FLAGLER	ST. JOHNS	MANATEE	BREVARD	
GULF	INDIAN RIVER		ST. LUCIE	PASCO	
DESOTO	MARTIN		ALACHUA	SEMINOLE	
HARDEE	JACKSON			HILLSBOROUGH	
GLADES	HENDRY			ORANGE	
SUMTER	JEFFERSON				
CITRUS	BAKER				
BRADFORD	SUWANNEE				
CHARLOTTE	MADISON				
COLUMBIA	HIGHLANDS				
MONROE	OKEECHOBEE				
LAFAYETTE	PUTNAM				
WAKULLA					

¹ Districts with 10,000 or less middle & high school students

² Districts with 10,001 - 29,999 middle & high school students

³ Districts with 30,000 or more middle & high school students

⁴ Districts whose referral rate was less than or equal to 12 for every 1,000 students

⁵ Districts whose referral rate was 13 or more for every 1,000 students

Sources: Student Population Data are derived from Florida Department of Education (DOE), 2010-11 Survey 2 Data; Population of public school students (excludes lab) in grades 6-12 during the 2010-11 school year. School-related delinquency referral data are derived from the Florida Department of Juvenile Justice (DJJ), Juvenile Justice Information System (JJIS).

OPPORTUNITIES FOR IMPROVEMENT

- Enhance alternatives to arrest
 - Civil citation
 - Neighborhood Accountability Boards
 - Teen Court
 - Etc.
- Review progressive response plans in each school district.



**Rethinking Zero Tolerance:
How to Create Positive Outcomes for
Children while Ensuring School Safety**

**Florida's New
Zero Tolerance Law**

David Utter, Southern Poverty Law Center



The Good News

According to the DJJ, delinquency referrals for school-related offenses ***declined by 41%*** over the past six years:

28,008 referrals in FY 2004-05

16,377 referrals in FY 2010-11



The Bad News

During FY 2004-05, **63%** of school-related referrals were for misdemeanors

During FY 2010-11: **67%** of school-related referrals were for misdemeanors



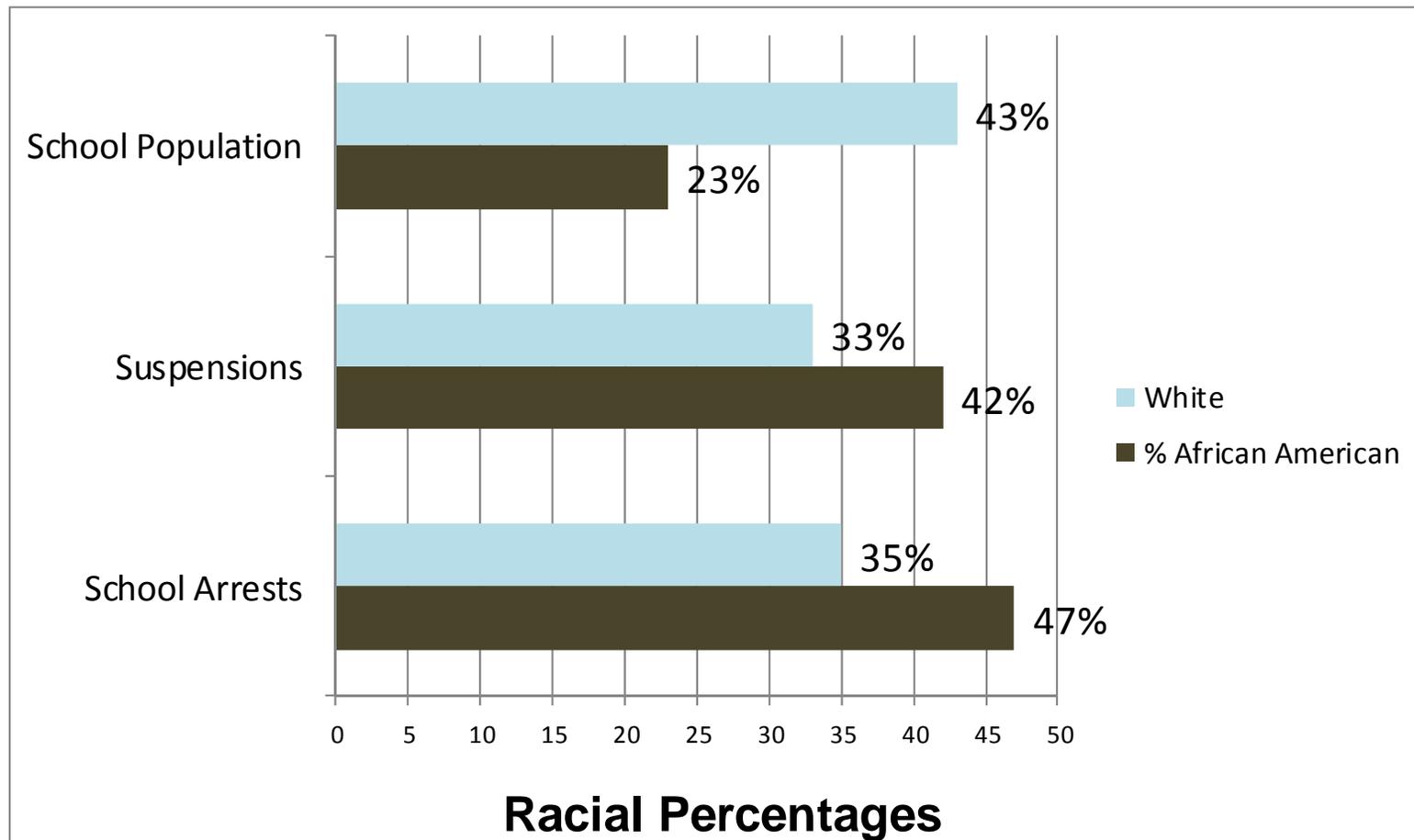
The Ugly News

Even though African-Americans only make up approximately **22%** of the youth aged 10-17 in Florida,

During FY 2004-05: Black youth accounted for **47%** of all school-related referrals

And in FY 2009-10, Black youth still accounted for **47%** of all school-related referrals.

The Demographics of School Discipline



2008 DJJ Blueprint Commission

--16% of all delinquency referrals come from schools

--66% for misdemeanors

--Most common=disorderly conduct and misdemeanor assault (fighting)

Recommendation: Eliminate the referral of youth for misdemeanor offenses



REPORT OF THE BLUEPRINT COMMISSION

**BLUEPRINT
COMMISSION**
FLORIDA DEPARTMENT OF JUVENILE JUSTICE



2009 Amendments to the Zero Tolerance Statute

Section 1006.13, Florida Statutes, is amended to read: 1006.13 Policy of zero tolerance for crime and victimization.—

It is the intent of the Legislature to promote a safe and supportive learning environment in schools, to protect students and staff from conduct that poses a **serious threat to school safety**, and to **encourage schools to use alternatives** to expulsion or referral to law enforcement agencies by addressing disruptive behavior through restitution, civil citation, teen court, neighborhood restorative justice, or similar programs.

The Legislature finds that zero-tolerance policies are **not intended to be rigorously applied to petty acts of misconduct and misdemeanors**, including, but not limited to, minor fights or disturbances.

The Legislature finds that zero-tolerance policies **must apply equally** to all students regardless of their economic status, race, or disability.

Reducing Arrests and Expulsions

1006.13(2)(1) Each district school board shall adopt a policy of zero tolerance that:

- (a) Defines criteria for reporting to a law enforcement agency any act that occurs whenever or wherever students are within the jurisdiction of the district school board.
- (b) Defines acts that pose a **serious threat to school safety**.
- (c) Defines **petty acts of misconduct**.

Serious Threat to School Safety

(3) Zero-tolerance policies must require students found to have committed one of the following offenses to be expelled, with or without continuing educational services, from the student's regular school for a period of not less than 1 full year, and to be referred to the criminal justice or juvenile justice system.

(a) **Bringing a firearm or weapon**, as defined in chapter 790, **to school, to any school function, or onto any school-sponsored transportation or possessing a firearm at school.**

(b) **Making a threat or false report**, as defined by ss. 790.162 and 790.163, respectively, involving school or school personnel's property, school transportation, or a school-sponsored activity.

What is a Weapon?

According to Chapter 790 of the Fla. Statutes a "weapon means any dirk, knife, metallic knuckles, slungshot, billie, tear gas gun, chemical weapon or device, or other deadly weapon **except** a firearm or **a common pocketknife, plastic knife, or blunt-bladed table knife.**"

What is a Threat?

Ch. 790.162 Threat . . .

It is unlawful for any person to threaten to **throw, project, place, or discharge any destructive device with intent to do bodily harm** to any person or with intent to do damage to any property of any person, . . .

What is a False Report?

Chapter 790.163 False report about planting bomb, explosive, or weapon of mass destruction . . .

(1) It is unlawful for any person to make a false report, with intent to deceive, mislead, or otherwise misinform any person, concerning the placing or planting of any **bomb, dynamite, other deadly explosive, or weapon of mass destruction** . . .

Guaranteeing individualized consideration of circumstances for each incident

Section 1006.13

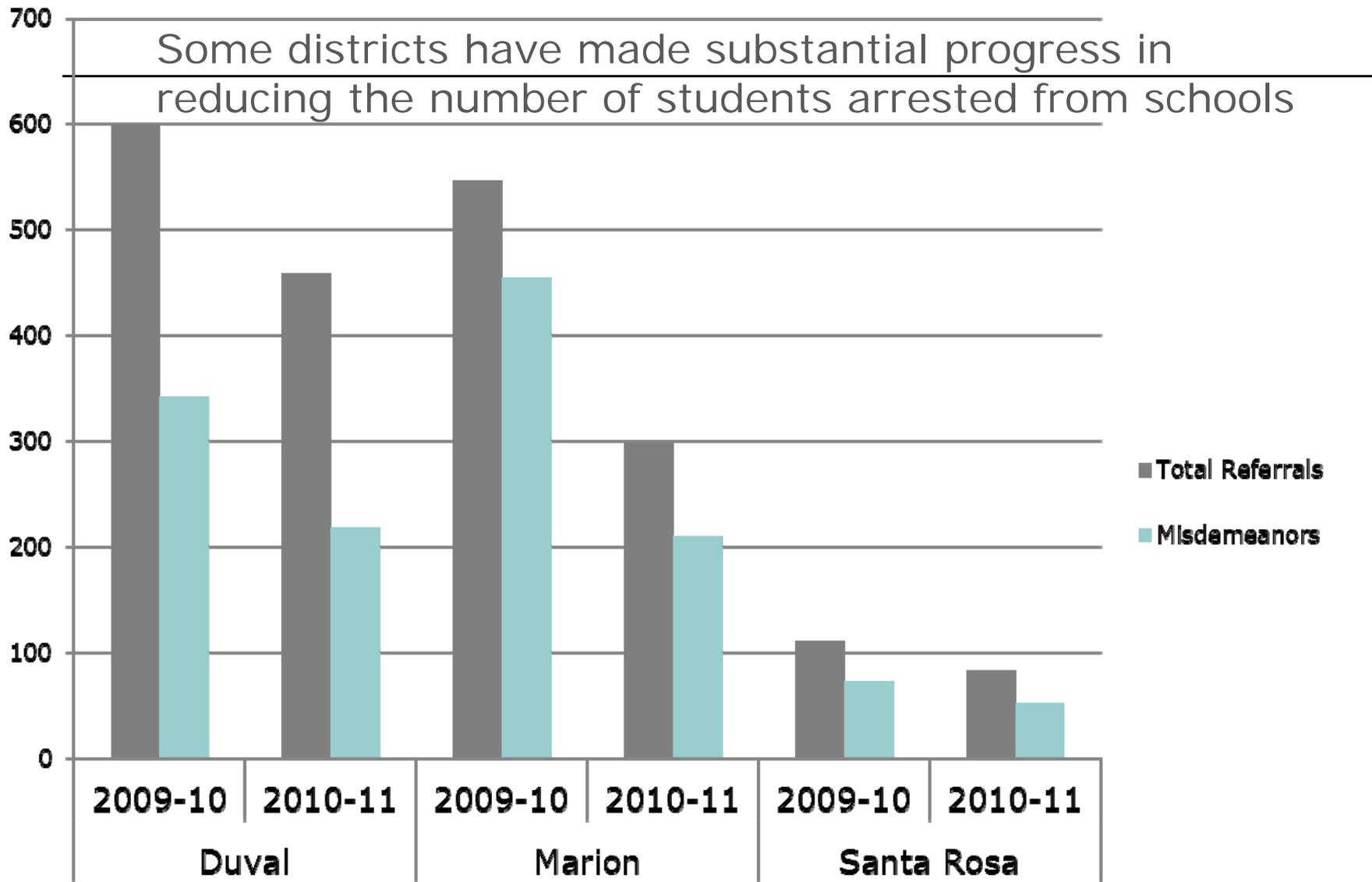
(7) Any disciplinary or prosecutorial action taken against a student who violates a zero-tolerance policy must be **based on the particular circumstances of the student's misconduct.**

What Must Be Reported to Law Enforcement

Section 1006.13

- ❑ (4)(a) Each district school board shall enter into agreements with the county sheriff's office and local police department specifying guidelines for ensuring that **acts that pose a serious threat to school safety**, whether committed by a student or adult, are reported to **a law enforcement agency**.
- ❑ **(b) The** agreements **must** include the role of school resource officers, if applicable, in handling reported incidents, circumstances in which school officials may handle incidents without filing a report **with a law enforcement agency**, and a procedure for ensuring that school personnel properly report appropriate delinquent acts and crimes.
- ❑ **(c) Zero-tolerance policies do not require the reporting of petty acts of misconduct and misdemeanors to a law enforcement agency, including, but not limited to, disorderly conduct, disrupting a school function, simple assault or battery, affray, theft of less than \$300, trespassing, and vandalism of less than \$1,000.**

Tracking Implementation

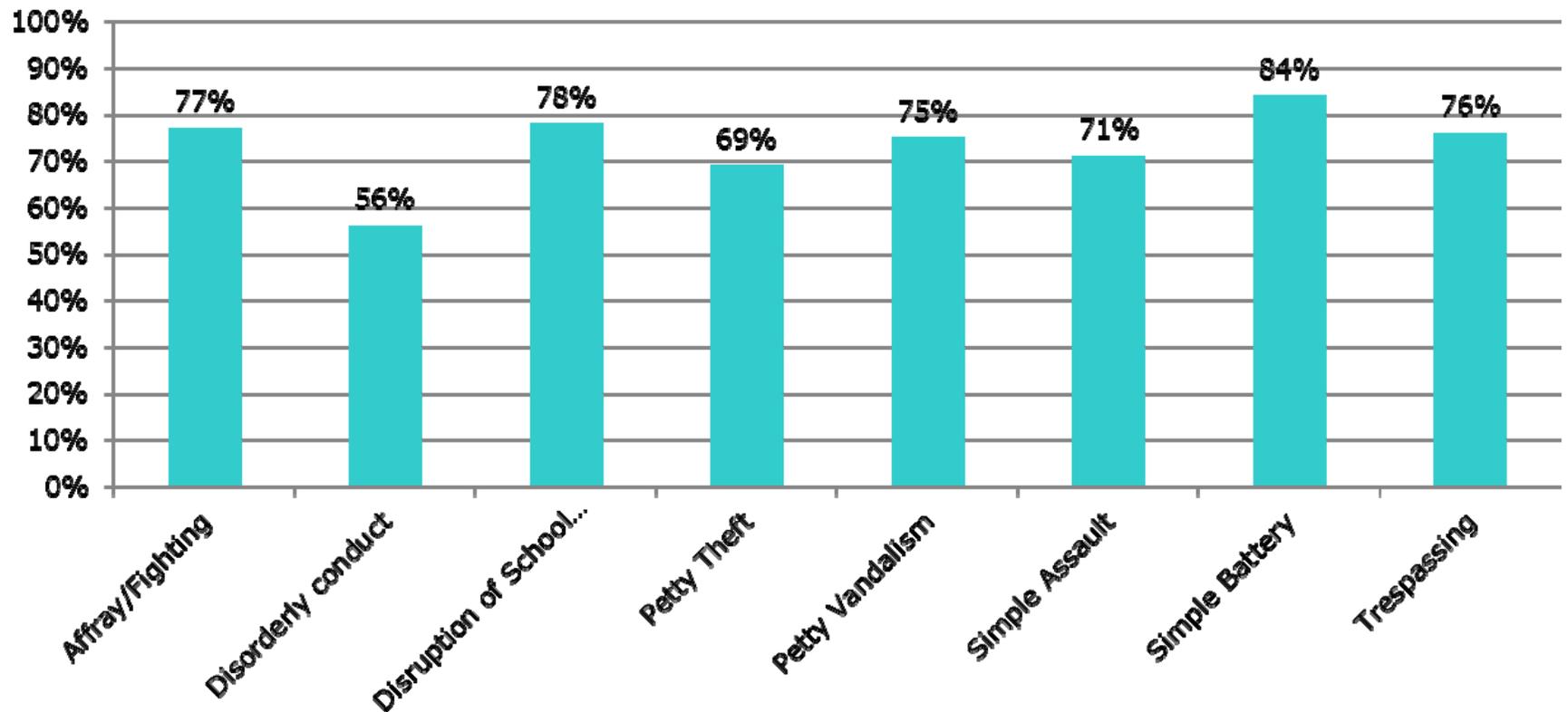




But some districts arrested more students, not less -

- In 23 of Florida's 67 school districts more students were arrested in 2010-11 than in the previous year.
- In over 40% of the districts, the number of students arrested at school for misdemeanors either increased or stayed the same as in 2009-10.

Percentage of Districts that Allow Students to be Referred to Law Enforcement for Minor Offenses 2009-10



Source: ACLU of Florida, Advancement Project, Florida State Conference of the NAACP, "Still Haven't Shut Off the School-to-Prison Pipeline: Evaluating the Impact of Florida's New Zero-Tolerance Law," p. 9 (2011)

What happens to a child arrested at school?

Even if the student goes no deeper into the juvenile justice system, the impact of an arrest are severe and lasting:

- The child will be photographed and fingerprinted.
- The child may be suspended or expelled from school.
- Life long limitation for college and career, applying for college and jobs, even housing.



What is Needed to Keep Children and Schools Safe?

Incidents that do not pose a serious threat to school safety may not be referred to the juvenile justice system.

Zero Tolerance should be limited to:

- ❑ Capitol felonies;
- ❑ Life felonies;
- ❑ 1st degree felonies;
- ❑ 2nd and 3rd degree felonies involving a firearm, weapon or use of fire or explosives;
- ❑ Bringing a firearm or other deadly weapon to school, any school function, or on school sponsored transportation;
- ❑ Possessing a firearm at school;

And...

- ❑ Making a false report or threat related to explosives or weapons of mass destruction and involving school or school personnel's property, school transportation, or a school sponsored activity;
- ❑ Aggravated battery;
- ❑ Aggravated battery against school personnel; and
- ❑ Dealing or delivering in controlled substances.



Schools Must Report to the DoE

Schools should be required to establish sensible policies to implement the law and report those policies and their impact annually to the Dept. of Education.



Florida's New Zero Tolerance Law

David Utter

david.utter@splcenter.org

Creating Model District Policies under Florida's New Zero Tolerance Law

Useful websites:

- Advancement Project, Stop the Schoolhouse to Jailhouse Track:
www.stopschoolstojails.org
- Dignity in Schools Campaign:
www.dignityinschools.org
- Southern Poverty Law Center and Teaching Tolerance:
www.splcenter.org



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Budget - Subcommittee on Finance and Tax,
Chair
Budget
Budget - Subcommittee on Transportation, Tourism,
and Economic Development Appropriations
Communications, Energy, and Public Utilities
Education Pre-K - 12
Governmental Oversight and Accountability
Regulated Industries

JOINT COMMITTEE:

Administrative Procedures, *Alternating Chair*

SENATOR ELLYN SETNOR BOGDANOFF

25th District

October 5, 2011

Chairman Wise
Senate PreK-12 Committee

Dear Chairman Wise:

This letter serves as a request for an excused absence from the October 5, 2011 Committee meeting of your PreK-12 Committee. If you have any questions, feel free to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ellyn".

Senator Ellyn Bogdanoff
District 25

A handwritten signature in cursive script, appearing to read "Stephen Wise".

REPLY TO:

- 312 Clematis Street, Suite 403, West Palm Beach, FL 33401 (561) 650-6833
- 1845 Cordova Road, Suite 202, Fort Lauderdale, Florida 33316 (954) 467-4205
- 212 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5100

Senate's Website: www.flsenate.gov

MIKE HARIDOPOLOS
President of the Senate

MICHAEL S. "MIKE" BENNETT
President Pro Tempore



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Budget, *Chair*
Rules, *Vice Chair*
Agriculture
Banking and Insurance
Budget - Subcommittee on Finance and Tax
Budget - Subcommittee on Transportation, Tourism,
and Economic Development Appropriations
Education Pre-K - 12
Rules - Subcommittee on Ethics and Elections

JOINT COMMITTEE:

Legislative Budget Commission, *Chair*

SENATOR JD ALEXANDER

17th District

October 4, 2011

Senator Stephen R. Wise, Chair
Committee on Education Pre-K-12
312 Senate Office Building
404 S. Monroe Street
Tallahassee, FL 32399

Dear Senator Wise,

I respectfully request permission to be absent from the Committee on Education Pre-K-12, tomorrow, October 5, 2011. I will not be able to attend this meeting.

Thank you for your approval in this request.

Sincerely,

A handwritten signature in black ink, appearing to read "JD Alexander".

JD Alexander
Senator, District 17

Xc: Lowell Matthews

A handwritten signature in black ink, appearing to read "Stephen R. Wise".

REPLY TO:

- 201 Central Avenue West, Suite 115, City Hall Complex, Lake Wales, Florida 33853 (863) 679-4847
- 412 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5044

Senate's Website: www.flsenate.gov

MIKE HARIDOPOLOS
President of the Senate

MICHAEL S. "MIKE" BENNETT
President Pro Tempore

Spoke

THE FLORIDA SENATE

COMMITTEE APPEARANCE RECORD

(Submit to Committee Chair or Administrative Assistant)

10/5/11

Date

N/A

Bill Number

Name Gerard Robinson

Phone 245-0507

Address 325 W. Gaines St -

E-mail Gerard.Robinson@fldoe.org

Street

Tallahassee

FL

32312

Job Title Commissioner

City

State

Zip

Speaking: For Against Information

Appearing at request of Chair

Subject Reading

Representing DOE

Lobbyist registered with Legislature: Yes No

Pursuant to s. 11.061, Florida Statutes, state, state university, or community college employees are required to file the first copy of this form with the Committee, unless appearance has been requested by the Chair as a witness or for informational purposes.

If designated employee: Time: from _____ .m. to _____ .m.

THE FLORIDA SENATE

Spoke

COMMITTEE APPEARANCE RECORD

(Submit to Committee Chair or Administrative Assistant)

10/5/11
Date

N/A
Bill Number

Name Stuart Greenburg
Address 325 W. Gaines St.
Tallahassee FL 32312
City State Zip

Phone 245-0507
E-mail Stuart.Greenburg@fldoe.org
Job Title Director of Just Read and Office of Early Reading
Appearing at request of Chair

Speaking: For Against Information
Subject Reading
Representing DOE

Lobbyist registered with Legislature: Yes No

Pursuant to s. 11.061, Florida Statutes, state, state university, or community college employees are required to file the first copy of this form with the Committee, unless appearance has been requested by the Chair as a witness or for informational purposes.

If designated employee: Time: from _____ .m. to _____ .m.

Spok

THE FLORIDA SENATE

COMMITTEE APPEARANCE RECORD

(Submit to Committee Chair or Administrative Assistant)

10-5-11
Date

Bill Number

Name Darius Jones

Phone 904-437-544

Address 1122 West 9th St

E-mail

Street

Jacksonville

Florida

32209

Job Title

City

State

Zip

Speaking: For Against Information

Appearing at request of Chair

Subject In A Star Program

Representing

Lobbyist registered with Legislature: Yes No

Pursuant to s. 11.061, Florida Statutes, state, state university, or community college employees are required to file the first copy of this form with the Committee, unless appearance has been requested by the Chair as a witness or for informational purposes.

If designated employee: Time: from _____ .m. to _____ .m.

Spoke

THE FLORIDA SENATE

COMMITTEE APPEARANCE RECORD

(Submit to Committee Chair or Administrative Assistant)

10/5/11
Date

Bill Number

Name DARIC LEO P. BROWN

Phone _____

Address 1629 W 21st St
Street

E-mail _____

MIAMI FL 33102
City State Zip

Job Title _____

Speaking: For Against Information

Appearing at request of Chair

Subject LEO J. STOR

Representing Mrs. Betty Russell

Lobbyist registered with Legislature: Yes No

Pursuant to s. 11.061, Florida Statutes, state, state university, or community college employees are required to file the first copy of this form with the Committee, unless appearance has been requested by the Chair as a witness or for informational purposes.

If designated employee: Time: from _____ .m. to _____ .m.

Spoke

THE FLORIDA SENATE

COMMITTEE APPEARANCE RECORD

(Submit to Committee Chair or Administrative Assistant)

10-5-11
Date

Bill Number

Name Andre Johnson

Phone 904-318-4638

Address 1620 north pearl st

E-mail andrea1594@yahoo.com

Street Jacksonville FL 32209
City State Zip

Job Title

Speaking: For Against Information

Appearing at request of Chair

Subject I'm a star

Representing Betty burmy

Lobbyist registered with Legislature: Yes No

Pursuant to s. 11.061, Florida Statutes, state, state university, or community college employees are required to file the first copy of this form with the Committee, unless appearance has been requested by the Chair as a witness or for informational purposes.
If designated employee: Time: from _____ .m. to _____ .m.

Spoke

COMMITTEE APPEARANCE RECORD

(Submit to Committee Chair or Administrative Assistant)

Oct. 5, 2011
Date

Bill Number

Name Mark Greenwald

Phone 850-410-1097

Address 2737 Centerview Dr.
Street

E-mail mark.greenwald@djs.state.fl.us

Tallahassee FL 32399
City State Zip

Job Title Research & Data

Speaking: For Against Information

Appearing at request of Chair

Subject Zero Tolerance

Representing DJS

Lobbyist registered with Legislature: Yes No

Pursuant to s. 11.061, Florida Statutes, state, state university, or community college employees are required to file the first copy of this form with the Committee, unless appearance has been requested by the Chair as a witness or for informational purposes.
If designated employee: Time: from _____ .m. to _____ .m.

Iske

THE FLORIDA SENATE
COMMITTEE APPEARANCE RECORD

(Submit to Committee Chair or Administrative Assistant)

10/5/11
Date

Bill Number

Name David Utter
Address 4770 Biscayne Blvd.
Street
Miami FL 33137
City State Zip

Phone 334/296-0727
E-mail david.utter at splcenter.org
Job Title Policy & Legis. Director

Speaking: For Against Information Appearing at request of Chair

Subject Zero Tolerance

Representing Southern Poverty Law Center

Lobbyist registered with Legislature: Yes No

Pursuant to s. 11.061, Florida Statutes, state, state university, or community college employees are required to file the first copy of this form with the Committee, unless appearance has been requested by the Chair as a witness or for informational purposes.
If designated employee: Time: from _____ .m. to _____ .m.

THE FLORIDA SENATE
COMMITTEE APPEARANCE RECORD

Spoke

(Submit to Committee Chair or Administrative Assistant)

10/5/11

Date

Bill Number

Name Charz Arnett

Phone (262) 567-2351

Address 626 N. Augusta Ave.

E-mail arnett@advancementproject.org

Street

Baltimore

Maryland

21229

City

State

Zip

Job Title Staff Attorney

Speaking: For Against Information

Appearing at request of Chair

Subject Zero tolerance / Civil Citations

Representing Advancement Project

Lobbyist registered with Legislature: Yes No

Pursuant to s. 11.061, *Florida Statutes*, state, state university, or community college employees are required to file the first copy of this form with the Committee, unless appearance has been requested by the Chair as a witness or for informational purposes.

If designated employee: Time: from _____ .m. to _____ .m.

Spoke

THE FLORIDA SENATE

COMMITTEE APPEARANCE RECORD

(Submit to Committee Chair or Administrative Assistant)

10/5/11
Date

Bill Number

Name Christy Daly

Phone 410-1902

Address 2737 Centerview Dr.

E-mail christy.daly@

Street Tall FL 32394
City State Zip

Job Title DJJ Staff Fl. Chief of Staff

Speaking: For Against Information

Appearing at request of Chair

Subject DJJ Zero Tolerance

Representing DJJ

Lobbyist registered with Legislature: Yes No

Pursuant to s. 11.061, Florida Statutes, state, state university, or community college employees are required to file the first copy of this form with the Committee, unless appearance has been requested by the Chair as a witness or for informational purposes.

If designated employee: Time: from _____ .m. to _____ .m.

Spoke

THE FLORIDA SENATE

COMMITTEE APPEARANCE RECORD

(Submit to Committee Chair or Administrative Assistant)

10/4/11
Date

Bill Number

Name William V. Husefelt, Supt.

Phone 267-4101

Address 1311 BATH ST
Street

E-mail husefelt@bay.k12.fl.us

City P.C. State FL Zip 33401

Job Title Superintendent

Speaking: For Against Information

Appearing at request of Chair

Subject Zero Tobacco

Representing Bay County District Schools / FADSS

Lobbyist registered with Legislature: Yes No

Pursuant to s. 11.061, Florida Statutes, state, state university, or community college employees are required to file the first copy of this form with the Committee, unless appearance has been requested by the Chair as a witness or for informational purposes.
If designated employee: Time: from _____ .m. to _____ .m.

didn't speak

THE FLORIDA SENATE

COMMITTEE APPEARANCE RECORD

(Submit to Committee Chair or Administrative Assistant)

10-5-11

Date

Bill Number

Barcode

Name Debarrah Brodsky

Phone 222-5052

Address 106 W. Bronough St.

E-mail dbrodsky@floridatxwatch.org

Tallahassee FL 32301

Job Title Director

Speaking: For Against Information

Appearing at request of Chair

Subject civil citation/misdemeanor arrests on school site

Representing Florida TaxWatch Center for Smart Justice

Lobbyist registered with Legislature: Yes No

Pursuant to s. 11.061, Florida Statutes, state, state university, or community college employees are required to file the first copy of this form with the Committee, unless appearance has been requested by the Chair as a witness or for informational purposes.

If designated employee: Time: from _____ .m. to _____ .m.

THE FLORIDA SENATE

didn't speak

COMMITTEE APPEARANCE RECORD

(Submit to Committee Chair or Administrative Assistant)

10/5/11
Date

Bill Number

Name Joy Frank

Phone 850-877-5749

Address 208 S. Monroe

E-mail _____

Street
Tallahassee FL 3230
City State Zip

Job Title _____

Speaking: For Against Information

Appearing at request of Chair

Subject Zero Tol.

Representing FAPSS

Lobbyist registered with Legislature: Yes No

Pursuant to s. 11.061, Florida Statutes, state, state university, or community college employees are required to file the first copy of this form with the Committee, unless appearance has been requested by the Chair as a witness or for informational purposes.
If designated employee: Time: from _____ .m. to _____ .m.