

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K -12

BILL: CS/SB 786

INTRODUCER: Education Pre-K - 12 Committee and Senator Powell

SUBJECT: Youth Conflict Resolution and Peer Mediation Pilot Program

DATE: February 6, 2024 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Sabitsch	Bouck	ED	Fav/CS
2.			AED	
3.			FP	

Please see Section IX. for Additional Information:
COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 786 establishes the Youth Conflict Resolution and Peer Mediation Pilot Program. Specifically the bill:

- Establishes a single year pilot program for middle and high schools selected by the Commissioner of Education (Commissioner).
- Requires selected schools to implement a conflict resolution curriculum selected by the Commissioner and provides reporting requirements as well as a pre- and post-program survey.
- Requires the Commissioner to select a nonprofit to administer the pilot program and provides requirements for the selected nonprofit.

The bill takes effect on July 1, 2024.

II. Present Situation:

Violence in Schools

National Perspective

According to data published in January 2023 for the 2021-2022 school year from the School Survey on Crime and Safety managed by the National Center for Education Statistics:¹

- During the 2021-2022 school year, about 857,500 violent incidents and 479,500 nonviolent incidents were recorded by U.S. public schools.
- Three percent of all public schools reported that at least one hate crime occurred at school during the 2021-2022 school year.
- About 71 percent of high/secondary schools reported at least one incident of distribution, possession, or use of illegal drugs.
- Bullying at school at least once a week was reported by 28 percent of middle schools, compared to 15 percent of high/secondary schools and 10 percent of elementary schools.
- Cyberbullying at school or away from school at least once a week was reported by 37 percent of middle schools and 25 percent of high/secondary schools, compared to 6 percent of elementary schools.²

Florida Perspective

The Office of Safe Schools (Office), within the Department of Education (DOE) serves as a central repository for best practices, training standards and compliance oversight in all matters regarding school safety and security in Florida. The mission of the office is to support districts in providing a safe learning environment for students and educators. The primary goals of the office are prevention, intervention, and emergency preparedness planning.³

The Florida legislature established the Office in 2018 following the school shooting at Marjory Stoneman Douglas High School in Parkland, Florida and paired with subsequent school safety laws provides the following:

- Safe-school officers at each public school including charter schools.⁴
- FortifyFL, which provides a mobile suspicious activity reporting tool to relay information anonymously concerning unsafe, potentially harmful, dangerous, violent, or criminal activities, or the threat of these activities, to appropriate public safety agencies and school officials.⁵
- The Florida Safe Schools Assessment Tool (FSSAT).⁶
- School teams that are trained in a common behavioral threat management operational process.⁷

¹ U.S. Department of Education, Institute of Education Sciences, *Crime, Violence, Discipline and Safety in U.S. Public Schools*, (2023), available at <https://nces.ed.gov/pubs2024/2024043.pdf>.

² U.S. Department of Education, Institute of Education Sciences, *Crime, Violence, Discipline and Safety in U.S. Public Schools*, (2023), available at <https://nces.ed.gov/pubs2024/2024043.pdf>.

³ FDOE, Office of Safe Schools, *What We Do*, <https://www.fldoe.org/safe-schools/#whatwedo> (last visited Jan. 31, 2024).

⁴ Section 1006.12, F.S.

⁵ Section 943.082, F.S.

⁶ Section 1006.1493, F.S.

⁷ Section 1006.07(7), F.S.

- Implementation of a mobile panic alert system in every school that supports coordination among first responder agencies.⁸
- Requirement for every law enforcement agency to create and maintain an active assailant response policy.⁹
- Promotion of firearm detection canines in Florida schools through the Florida Safe Schools Canine Program.¹⁰

Florida's School Environmental Safety Incident Reporting (SESIR) grew out of the public's concern over student safety in the school environment. In 1995-1996, in response to this concern, the SESIR system was initiated to enable schools to track incidents and analyze patterns of violent, criminal or disruptive activity. The intent is to provide complete and objective data from which to design interventions to improve the learning environment. SESIR operates at the school, district, and state levels.¹¹ The SESIR collects data on 26 types of incidents of crime, violence, and disruptive behaviors that occur on school grounds, on school transportation, and at off-campus, school-sponsored events, during any 24-hour period, 365 days per year. Incidents are reported by schools to the districts which, in turn, provide the data to the DOE.

A review of 2022-2023 SESIR data found that there were over 90,000 reported instances of actions by students that impacted school safety for that school year. Just under 65,000 of those instances were reported by schools that served both middle school and high school students and of those over 35,000 of the incidents were reported by schools that only serve middle school students. These data indicate that incidents involving middle school students make up the majority of school safety related incidents that occur in secondary schools.¹²

Florida provides funding to address school safety. From the 2023-2024 General Appropriations Act (GAA), specific funding of \$250 million¹³ was allocated for Safe School activities with \$250,000 allocated to each school district and the remaining funds allocated to school districts in accordance with requirements for the funding of the operation of schools.¹⁴ Further funding of \$845,000¹⁵ was provided to the DOE for use of the Florida Safe Schools Assessment Tool at all public school sites. For school districts considered "fiscally constrained," \$4 million was provided in grants to support the Florida Safe Schools Canine Program.¹⁶

Florida law provides for the control of students by school principals, teachers, other instructional staff, or bus drivers during the time when:¹⁷

- She or he is being transported to or from school at public expense.
- She or he is attending school.

⁸ Section 1006.07(4), F.S.

⁹ Section 943.6873, F.S.

¹⁰ Section 1006.121, F.S.

¹¹ FDOE, Office of Safe Schools, About SESIR - School Environmental Safety Incident Reporting, <https://www.fldoe.org/safe-schools/sesir-discipline-data/about.stml> (last visited Jan. 31, 2024)

¹² Senate staff analysis of Florida Department of Education, *SESIR Data Statewide and by School District (2022-2023)*, available at: <https://www.fldoe.org/safe-schools/discipline-data.stml>.

¹³ Specific Appropriation 80, ch. 2023-239, Laws of Fla.

¹⁴ Section 1011.62, F.S. Specific Appropriation 96, ch. 2023-239, Laws of Fla.

¹⁵ Specific Appropriation 96, ch. 2023-239, Laws of Fla.

¹⁶ *Id.*

¹⁷ Section 1003.31(1), F.S.

- She or he is on the school premises participating with authorization in a school-sponsored activity.
- Before and after the student is on the premises for attendance at school or for authorized participation in a school-sponsored activity.¹⁸

Each district school board, each district school superintendent, and each school principal is required to fully support the authority of teachers¹⁹ and school bus drivers to remove disobedient, disrespectful, violent, abusive, uncontrollable, or disruptive students from the classroom and the school buses. When appropriate and available, the school district is required to place such students in an alternative educational setting.

Each district school board has the right to expel, or to take disciplinary action against a student who is found to have committed an offense on school property at any time if:

- The student is found to have committed a delinquent act which would be a felony if committed by an adult.
- The student has had adjudication withheld for a delinquent act which, if committed by an adult, would be a felony.
- The student has been found guilty of a felony.²⁰

Students enrolled in a school may be required to take a daily conduct pledge that addresses basic respect and responsibility for actions and words, pledging not to do drugs or respond to peer pressure, and a pledging to be nonviolent towards teachers and other students.²¹

III. Effect of Proposed Changes:

The bill establishes the Youth Conflict Resolution and Peer Mediation Pilot Program (pilot program) beginning in the 2025-2026 school year for one year, subject to legislative appropriation. The purpose of the pilot program is to reduce juvenile violence by equipping students with essential skills for peaceful conflict resolution.

The bill requires Florida middle and high schools to apply in order to participate in the pilot program in a format and by a date prescribed by the Department of Education (DOE). The Commissioner to Education (Commissioner) must select five schools to participate in the pilot program with an emphasis on selecting schools with a high rate of juvenile violence.

The Commissioner must select a nonprofit organization to oversee the pilot program implementation and analyze the resulting data, and also select a conflict resolution curriculum for use in the pilot program.

The pilot program requires each participating school to:

- Implement the selected conflict resolution curriculum, while not undermining the school's existing disciplinary framework.

¹⁸ Section 1003.31(1), F.S.

¹⁹ Section 1003.32, F.S.

²⁰ Section 1003.31(3), F.S.

²¹ Section 1003.31(4), F.S.

- Provide data and information requested by the nonprofit that oversees the pilot program.
- Complete a pre- and post-program survey.

The bill requires that the selected nonprofit must:

- Oversee the pilot program.
- Provide participating schools with guidance on implementing the conflict resolution curriculum into the school's existing curriculum.
- Collect relevant data on the rate of juvenile violence in the selected schools from before and after implementation of the pilot and create a pre- and post-program survey to be completed by school administrators and teachers.
- Provide periodic updates to the DOE regarding implementation of the pilot program.

The bill requires that after the completion of the pilot program, the nonprofit must provide a report to the Governor, the President of the Senate, the Speaker of the House, and the DOE. The report must include the following:

- The number of students enrolled in the participating schools.
- The rates of juvenile violence before and after the pilot program at the selected schools.
- The results of the pre- and post-survey.
- Recommendations for inclusion of the selected conflict resolution curriculum into the curriculum of middle schools across the state.

The bill provides the State Board of Education with rulemaking authority to administer the pilot program.

The bill takes effect on July 1, 2024.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Youth Conflict Resolution and Peer Mediation Pilot program is subject to legislative appropriation. However, such appropriation must be for the 2025-2026 school year, which is the effective year of the pilot program.

VI. Technical Deficiencies:

None.

VII. Related Issues:

While the bill authorizes participation by middle and high schools in the pilot program, the report prepared by the nonprofit organization overseeing the pilot is required to include implementation of the selected curriculum only in middle schools.

VIII. Statutes Affected:

This bill creates an undesignated section of Florida Law.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:****CS by Education Pre-K – 12 Committee on February 6, 2024:**

The committee substitute modifies the pilot program to:

- Include high schools in addition to middle schools.
- Replace a requirement that the pilot program use the International Research and Exchange Board's (IREX) Conflict Resolution and Peer Mediation Toolkit to instead require a conflict resolution curriculum selected by the Commissioner of Education.
- Add a pre- and post-survey.

B. Amendments:

None.