

Return completed survey by January 10, 2003, to: Office of Safe Schools Florida Department of Education 325 West Gaines Street, Room 301 Tallahassee, Florida 32399-0400 (850) 410-1667, Suncom 210-1667 Fax: (850) 410-1796, Suncom 210-1796	FLORIDA DEPARTMENT OF EDUCATION DIVISION OF PUBLIC SCHOOLS AND COMMUNITY EDUCATION FEDERAL GUN-FREE SCHOOLS ACT LOCAL EDUCATION AGENCY ACTIVITIES REPORT
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Name and Title of Person Completing This Report:	School District:
Telephone Number of Person Completing This Report:	Fax Number of Person Completing This Report:

The Gun Free Schools Act (GFSA), Part F of Title XIV of the Elementary and Secondary Education Act (ESEA) of 1965, requires that each state have in effect a state law requiring local educational agencies (LEAs) to expel from school, for a period of not less than one year, a student found to have brought a weapon to school. In addition, under the GFSA, LEAs receiving ESEA funds must adopt a policy requiring referral to the criminal justice or juvenile delinquency system of any student who brings a firearm to school.

Each state's law also must allow the chief administering officer of the LEA to modify the expulsion requirement on a case-by-case basis. The GFSA also states that nothing in the GFSA shall be construed to prevent a state from allowing a local educational agency that has expelled a student from such student's regular school setting from providing educational services to that student in an alternative setting.

The GFSA also requires states to provide annual reports to the Secretary of Education concerning implementation of the Act's requirements. The Secretary is required to report to Congress if any state is not in compliance with the GFSA.

PLEASE USE THE ATTACHED FORM TO PROVIDE INFORMATION ON IMPLEMENTATION OF THE GFSA.

NOTE: The language (other than references to school districts) on DOE Pages 2-4 of this form is verbatim to the language on the federal form that FDOE must complete and submit to the federal government.

GENERAL DIRECTIONS FOR COMPLETING THE REPORT
<ol style="list-style-type: none"> 1. The time period covered by this report is the 2001-2002 school year. 2. Please complete this entire form. If questions are left blank, we will not be able to interpret the results and will have to follow up with a phone call. If a response to a question is "0" or "none," be sure to enter "0" or "none." If information is not available, please indicate by using the following abbreviation: MD = Missing Data 3. Please retain a copy of the completed form for your files so that you will have a copy on hand to refer to if we have questions about your responses. 4. Please complete the attached form and mail or fax no later than January 10, 2003, to: <div style="text-align: center;"> Office of Safe Schools Florida Department of Education 325 West Gaines Street, Room 301 Tallahassee, Florida 32399-0400 </div> <p>If questions arise about completing any of the items on the attached form, please do not hesitate to contact the Office of Safe Schools, (850) 410-1667, Suncom 210-1667; Fax: (850) 410-1796, Suncom 210-1796.</p>



FEDERAL GUN-FREE SCHOOLS ACT LOCAL EDUCATION AGENCY ACTIVITIES REPORT

ABBREVIATIONS AND DEFINITIONS

LEA	Local educational agency
GFSA	Gun-Free Schools Act
IDEA	Individuals with Disabilities Education Act
ESEA	Elementary and Secondary Education Act
Elementary school	A school classified as elementary by state and local practice and composed of any span of grades not above grade 6. Combined elementary/junior high schools are considered junior high schools and combined elementary and secondary schools (e.g., K-12 buildings) are classified as high schools for this report.
Junior high school	A separately organized and administered school intermediate between elementary and senior high schools, which might also be called a middle school, usually includes grades 7, 8, and 9; grade 7 and 8; or grades 6, 7, and 8. Combined elementary/junior high schools are considered junior high schools for this report; junior/senior high school combinations are defined as senior high schools.
Senior high school	A school offering the final years of school work necessary for graduation, usually including grades 10, 11, and 12; or grades 9, 10, 11, and 12. Combined junior and senior high schools are classified as high schools for this form; combined elementary and secondary schools (e.g., K-12 buildings) are classified as high schools.
Other firearms	<p>Firearms other than handguns, rifles or shotguns as defined in 18 USC 921. According to Section 921, the following are included within the definition:</p> <p>(Note: This definition does not apply to items such as toy guns, cap guns, bb guns, and pellet guns.)</p> <ul style="list-style-type: none"> • any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; • the frame or receiver of any weapon described above; • any firearm muffler or firearm silencer; • any destructive device, which includes: <ul style="list-style-type: none"> (a) any explosive, incendiary, or poison gas <ul style="list-style-type: none"> (1) Bomb; (2) Grenade; (3) Rocket having a propellant charge of more than four ounces; (4) Missile having an explosive or incendiary charge of more than one-quarter ounce; (5) Mine; or (6) Similar device (b) any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter (c) any combination or parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled.

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1. Please indicate the number of students in your school district who were found to have brought a firearm to school. Include all infractions. **[Any student found to have brought a firearm (meeting the definition at 18 U.S.C. 921) to school should be reported as an infraction, even if the expulsion is shortened or no penalty is imposed. Any incidents in which a student covered by the provisions of IDEA brings a firearm to school should also be included, even if it is determined that the incident is a manifestation of the student's disability. Modifications of the one-year expulsion requirement should also be reported in item #2 of this report.]**

School Level	Number of Students Found to Have Brought a Handgun	Number of Students Found to Have Brought a Rifle/Shotgun	Number of Students Found to Have Brought Other Firearms	Total
Elementary School				
Junior High School				
High School				
Total				

2. How many of the incidences reported in item #1 were shortened to a term of less than one year by the district school superintendent under the case-by-case modification provision of Section 14601(b)(1) of the Gun-Free Schools Act, Title XIV of P.L. 103-382? **[Include in your response only cases where the expulsion was shortened or no penalty was imposed. Do not include modifications other than those that shortened the term of the expulsion to less than one year.]**

Number of Modifications:	
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3. How many of the modifications reported in item #2 were for students who are not students with disabilities as defined in Section 602(a)(1) of the Individuals with Disabilities Education Act (IDEA)?

Number of Modifications in Item #2 NOT Disabled:	
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[The GFSA explicitly states that the Act must be construed in a manner consistent with the Individuals with Disabilities Education Act (IDEA). Compliance with the GFSA can be achieved consistent with the IDEA as long as discipline of such students is determined on a case-by-case basis under the GFSA provision that permits modification of the expulsion requirement on a case-by-case basis. A student with a disability who brings a firearm to school may be removed from school for ten school days or less, and in accordance with State law, placed in an interim alternative educational setting that is determined by the student's individualized education program team, for up to 45 calendar days. If the student's parents initiate due process proceedings under the IDEA, the student must remain in that interim alternative educational setting during authorized review proceedings, unless the parents and school district can agree on a different placement. Before an expulsion can occur, the IDEA requires a determination by a group of persons knowledgeable about the student on whether the bringing of a firearm to school was a manifestation of the student's disability. A student with a disability may be expelled only if this group of persons determines that the bringing of a firearm to school was not a manifestation of the student's disability, and the school follows applicable IDEA procedural safeguards before the expulsion occurs. Under IDEA, students with disabilities who are expelled in accordance with these conditions must continue to receive educational services during the expulsion period. Under section 602(a)(1) of the IDEA, the term "children with disabilities" is defined as:

children—

(i) with mental retardation, hearing impairments including deafness, speech, or language impairments, visual impairments, including blindness, serious emotional disturbance, orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities; and

(ii) who, by reason thereof, need special education and related services.]

4. How many of the incidences reported in item #1 resulted in a referral of the students to an alternative school or program?

Number of Students in Item #1 Referred to an Alternative Placement:	
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Superintendent's Signature

Date

School District