



FLORIDA DEPARTMENT OF EDUCATION

STATE BOARD OF EDUCATION

F. PHILIP HANDY, *Chairman*

T. WILLARD FAIR, *Vice Chairman*

Members

SALLY BRADSHAW

LINDA J. EADS, ED. D.

CHARLES PATRICK GARCIA

JULIA L. JOHNSON


WILLIAM L. PROCTOR, PH.D.

JIM HORNE
Commissioner of Education



MEMORANDUM

TO: School District Superintendents

FROM:  Commissioner Jim Horne

DATE: February 25, 2003

SUBJECT: Unsafe School Choice Option Policy

We have been working with many stakeholders, including the Florida Association of District School Superintendents, the Partnership for School Safety and Security, the School Emergency Management Planning Interagency Advisory Group, the Safe and Drug-Free Schools (SDFS) Advisory Council, SDFS coordinators, other states, DOE staff, and other school district personnel to form the proposed state policy on the Unsafe Schools Choice Option (USCO), required by the No Child Left Behind Act (Title IX, Part E., Subpart 2, Section 9532). However, prior to finalizing the USCO policy, the Department is seeking additional feedback from all school superintendents.

Generally, the provision has two options under the law--the group (persistently dangerous school) option and the individual (victim) option. The group option pertains to the definition of a persistently dangerous school and students' option if attending a school that is so designated. The individual option applies to any individual student who becomes a victim of a violent crime as defined by state law on his/her school grounds. In Florida, Section 1006.13(5), Florida Statutes (F.S.), prohibits the offender from attending the same school or riding on the same school bus as the victim or victim's sibling(s), with certain qualifications.

District School Superintendents
February 25, 2003

Therefore, in Florida, the victim will have two options: 1) remain at his/her school and have the offender transfer to another school within the district, or 2) transfer to another district school.

Based on the input received thus far, the Department has developed the **proposed** Florida Unsafe Schools Choice Option Policy. Also attached is a Technical Assistance Paper (TAP) as well as the federal Unsafe Schools Choice Option Draft Non-Regulatory Guidance from the U.S. Department of Education. Please review the attached policy, TAP, and federal guidance, and respond with your feedback by **March 21, 2003**, to Lorraine Allen, Office of Safe Schools, at 850-410-1667 or at Lorraine.Allen@fldoe.org.

The Department must have the policy in place and identify persistently dangerous schools, by **July 1, 2003**. Students in schools that are identified as persistently dangerous or students who are victims of serious violent crimes as defined in the policy will have the option to transfer to another safe school in the district (if one is available) beginning with the 2003-2004 school year.

With the input from all stakeholders, we believe that Florida will have a model policy as we continue to strive to make Florida's public schools the safest in the nation. If you should need additional information, please do not hesitate to contact Lorraine Allen.

JH/lha

Attachments (3)

cc: District Safe and Drug-Free Schools Coordinators
District Safe School Coordinators
District Student Services Directors
District MIS Directors
District School Transportation Directors
School Emergency Management Planning Interagency Advisory Group
David Mosrie, Florida Association of District School Superintendents
Betty Coxe
Lisa Saavedra
Lorraine Allen