

MARJORY STONEMAN DOUGLAS HIGH SCHOOL
PUBLIC SAFETY COMMISSION MEETING

BB&T Center, Chairman's Club
1 Panther Parkway
Sunrise, Florida 33323

June 8, 2018

8:00 a.m. - 4:18 p.m.

COMMISSION MEMBERS/ATTENDEES:

SHERIFF BOB GUALTIERI, Chair

JASON JONES, PSC General Counsel

CHRIS NELSON, Chief of Police - City of Auburndale

BRUCE BARTLETT, Chief Assistant to State Attorney -
Sixth Judicial Circuit

RICHARD SWEARINGEN, Commissioner - Florida

Department of Law Enforcement

MAX SCHACHTER, Parent of Victim

LARRY R. ASHLEY, Sheriff - Okaloosa County

MELISSA LARKIN SKINNER, CEO - Centerstone of Florida

PAM STUART, Commissioner of Education

JUSTIN SENIOR, Secretary - AHCA

CHRISTI DALY, Secretary - Department of Juvenile
Justice

MICHAEL CARROLL, Secretary - DCF

JAMES HARPRING, Undersheriff/GC - Indian River
County

DESMOND BLACKBURN, Superintendent - Brevard County

GRADY JUDD, Sheriff - Polk County

DOUG DODD, Member - Citrus County School Board

LAUREN BOOK, Senator - District 32

RYAN PETTY, Parent of Victim

MARSHA POWERS, Member - Martin County School Board

KEVIN LYSTAD, President - Florida Police Chief
Association

CHRISTINA LINTON, Commission Staff - FDLE

1 LINDA CHAMPION, Deputy Commissioner - Department of
Education

2 JACOB OLIVA, Executive Vice Chancellor - K-12 Public
3 Schools

4 DEAN REGISTER, Director of Professionalism - Florida
Department of Law Enforcement

5 CAPTAIN TIM ENOS, Executive Director - Florida
6 Association of School Resource Officers

7 MAJOR NICHOLE ANDERSON - Broward County Sheriff's
Office

8 JEFF MOQUIN, Chief of Staff to Superintendent -
9 Broward County Public Schools

10 NIKKI ZEN - with SEDNET

11 DR. ANTWON HICKMAN, Executive Director of
Exceptional Student Learning Support - Broward
12 County Public Schools

13 RALPH AIELLO, Director of School Counseling and
BRACE Advisement - Broward County Public Schools

14 DANIEL GOHL, Chief Academic Officer - Broward County
15 Public Schools

16 BETH WILLIAMS

17 DEBORAH KERNS

18 DR. CHARLENE GRESSER

19
20 Also present:

21 TONY MONTALTO, Parent of Victim

LORI ALDAHEFF, Parent of Victim

22 THOMAS JAMES

DYESE ALVAREZ

23 MICHAEL SIRBOLA

KEITH SANTIAGO

24 KRISTINA BRAZIEL

1 (Thereupon, the following meeting was had:)

2 CHAIR: We are ready to go ahead and begin
3 this morning. Now, Commissioners, you all have
4 in front of you a revised schedule for today.
5 We took the three presentations that, you know,
6 we were not able to get to yesterday, and we'll
7 begin with them this morning. And then we'll
8 get into presentations about the school
9 resource officer program, generally, and take
10 it down to the specific level here in Broward
11 County.

12 After lunch, we will have presentations on
13 the ESE system in SEDNET. We heard a little
14 bit about SEDNET yesterday. And the more
15 specifically here in Broward on the school
16 counseling system and ESE here in Broward
17 County. We are going to postpone the
18 presentations on mental health until the July
19 meeting, because we just won't have time to get
20 to those today, and that way we're not
21 fragmenting those presentations.

22 So, I talked to Judge Leifman and the
23 representative from DCF, and they've agreed to
24 come to the July meeting, so we'll postpone the
25 mental health presentations. That will take us

1 to -- and I put an agenda item on here for
2 3:00, or whenever we get to it, before or
3 afterward, for commission members' discussion,
4 as we wrapped up yesterday with any items that
5 you have questions about that you believe we
6 need to follow up on, get additional data on,
7 or you had questions for the presenters.

8 So what I'd like you to do, if you would,
9 is between now and 12:45, either write down, or
10 you have computers and you want to work on it,
11 so that will give you through lunch, because
12 lunch is going to be from 11:45 to 12:45, is if
13 you're going to e-mail it e-mail it to
14 Assistant Commissioner Pritt, any questions,
15 comments, thoughts, requests you have, and
16 we're going to have somebody take all -- if you
17 want to handwrite them that's fine, just get
18 them to, if you handwrite them get them to
19 Christina, and we're going to have somebody
20 take all that between 12:45 and 3:00 and put it
21 into one document, and then we'll all have that
22 document in front of us when we have this
23 discussion at 3:00.

24 And then if there's anything that we want
25 to add to it, or adjust from all of that, that

1 way we can also eliminate any redundancies in
2 what may be submitted. So that will give you
3 an opportunity to provide all of those comments
4 and thoughts, we'll get it all on one page, and
5 we'll talk about it at 3:00 before we wrap up
6 today.

7 So, if you want to e-mail, e-mail to
8 Assistant Commissioner Pritt. You should all
9 have her e-mail address. She'll get it to the
10 right person. If you handwrite them, and you
11 want to submit anything handwritten, Christina
12 here to my right -- give it to Christina, and
13 she'll get it to the right person.

14 So, we'll begin this morning with a
15 presentation from Linda Champion, who we heard
16 from yesterday, a Deputy Commissioner with DOE,
17 on the security risk assessment requirements,
18 the Florida School Security and Assessment
19 Tool, FSSAT, and also school safety plans. As
20 you'll hear, there's a difference between the
21 assessment instrument and the school safety
22 plan. So, Linda, welcome back.

23 MS. CHAMPION: Provide information on the
24 Safe Passage Act of 2001, the Florida Safe
25 Schools Assessment Tool. It's also an overview

1 of the assessment tool as it was developed in
2 2014/15, and the current requirements under
3 SB7026. The Safe Passage Act became law in
4 2001 following recommendations from the Senate
5 Education's Committee task force on school
6 safety. This task force was created following
7 the shootings that occurred at Columbine and
8 Heritage High Schools. The task force
9 recommended that the legislature direct the
10 Department of Education to develop a school
11 level safety instrument to be used to assess
12 school needs in relation to the state education
13 goal for safety.

14 The assessment was to be based on best
15 management practices for safety that were
16 identified by the Office of Program Policy
17 Analysis and Government Accountability, also
18 known as OPPAGA. The goal of the legislation
19 was for every district to have a clearly
20 directed safety and security program that was
21 effective and cost efficient. The program was
22 to include comprehensive plan and procedure
23 that promoted safety and security for students
24 and staff, ensure that school's facilities and
25 equipment were safe and in good condition, and

1 address the safe transportation of students.

2 In 2013, the Florida legislature
3 appropriated funds to the Department of
4 Education to contract with a security
5 consulting firm for development of an
6 electronic risk assessment tool, and the intent
7 was to provide a tool to help school districts
8 identify threats, vulnerabilities, and
9 appropriate safety controls for the schools
10 that they supervise.

11 The legislation required that the tool had
12 the ability to generate written automated
13 reports for assessment findings for review by
14 the Department, district, and school officials.
15 These reports were to identify the positive
16 school safety measures in place at the time of
17 the assessment, as well as the areas for
18 continued school safety planning and
19 improvement.

20 Using the -- the 2013 appropriation was
21 used by the Department to develop the
22 assessment tool that we currently have, and
23 incorporated the safe passage requirements
24 under Section 1007.7 of the Florida statutes,
25 which required each district to conduct an

1 annual risk assessment of the districts'
2 current safety and security practices, and
3 provided a secure online method for completing
4 both the district assessment and school
5 security assessment, which was optional, the
6 school level assessment was optional. Only the
7 district assessment was required at the time.

8 The assessment addressed planning for
9 emergency and crisis preparedness, security
10 issues such as crime and violence prevention,
11 physical security measures, professional
12 development training needs, and school security
13 and school police staffing, school safety
14 operational practices, and community
15 collaboration.

16 The launch of the tool occurred in April
17 2015. Since then, districts have completed
18 their district assessment reports annually
19 using the assessment tool. The optional
20 school-based risk assessment was made available
21 for use at individual school campuses, and
22 included three categories; school data, school
23 infrastructure, and school security. The
24 districts' assessments create an informed view
25 of the districts' overall safety and security

1 program.

2 What you see here are the seven general
3 areas of district safety and security that were
4 addressed in the 2015 version of the assessment
5 tool. They were based on the school safety
6 goals that were incorporated into those best
7 practices. And you'll note -- I think there
8 was a question yesterday about CPTED
9 principles, and those are actually addressed in
10 the portion of the facilities section that you
11 see, is the next to the last bullet in that
12 slide.

13 As the Chair mentioned yesterday in his
14 overview of SB7026, this law was signed by
15 Governor Rick Scott on March 9, 2018. It
16 requires school districts to complete a school
17 security risk assessment at each school
18 district and public-school site in the state
19 using the Florida State Schools Assessment Tool
20 for this purpose. The Act further required
21 that the tool be made available to charter
22 schools, and it required the Department of
23 Education procure services of a security
24 consultant to conduct a third-party review of
25 the assessment tool.

1 This slide basically shows the required
2 assessment tool components that were specified
3 in 7026, and these are actually again the same
4 components that existed in the proviso language
5 in 2013 that accompanied the funding for the
6 assessment tool. The assessment tool includes
7 seven different applications, and you see those
8 listed here. In order to complete the
9 assessment personnel must enter data that
10 enables the app to provide the reports that are
11 useful to authorized users, those being school
12 and district personnel, law enforcement,
13 emergency first responders, and county and
14 emergency management. All of these
15 applications, as you can see, are
16 interconnected, and details for each
17 application can be tied to a specific district
18 and school.

19 Additionally, this law requires that
20 school districts designate a school safety
21 specialists with certain responsibilities
22 related to the assessment tool. They have to
23 coordinate with the appropriate public safety
24 agencies to conduct a campus tour once every
25 three years, provide recommendations related to

1 school safety, and ensure that the
2 recommendations are properly considered. The
3 specialist has to ensure that the school level
4 security risk assessment is conducted at each
5 public school using the tool; and based on the
6 assessment findings, the specialist is required
7 to provide recommendations to the district
8 school board, which identifies strategies and
9 activities that the board should implement in
10 order to improve school safety and security.

11 These finding's recommendations as you
12 were told yesterday, must be heard by the
13 district school board at a publicly noticed
14 meeting, and gives the public the opportunity
15 to hear the members discuss and take action on
16 recommendations. The school safety specialist
17 must report the findings and school board
18 action to the Office of Safe Schools within
19 thirty days after the district school board
20 meeting.

21 Each district completes one district level
22 assessment report. The individual school
23 security risk assessments help inform the
24 overall district status and report. Districts
25 can generate an aggregate report from the

1 assessment tool of the results of the school
2 security risk assessments and use it as a basis
3 for the overall district level security
4 assessment report. The district's assessment
5 not only looks at security measures implemented
6 at each school campus but also serves as a
7 comprehensive review of the district's safety
8 and security program. The district's
9 assessment provides recommendations to improve
10 school safety, including strategies and actions
11 the district should take to implement the
12 recommendations, as well as fiscal impacts to
13 the district, and timelines for implementation.

14 SB7026 clearly defines the
15 responsibilities for the Department of
16 Education in implementing the school security
17 assessments. The Department must maintain and
18 update the assessment tool and provide
19 professional development to school district
20 personnel. The Department also -- we have been
21 providing training on an ongoing basis through,
22 mostly through webinars. Those started on May
23 8th -- and actually I think we have one more
24 that is a make-up session -- providing
25 technical assistance and guidance on safety and

1 security, as well as providing recommendations
2 to address findings identified in the district
3 level assessment report, reviewing district
4 level reports for timeliness and completion of
5 all the required components, and beginning
6 December 1, the Department must report annually
7 to the Governor, the President of the Senate,
8 and Speaker of the House. The report will
9 describe the status of the assessment tools,
10 implementation across districts and schools,
11 and include a summary of the positive school
12 safety measures in place at the time of the
13 assessment, as well as recommendations for
14 policy changes or funding needed to facilitate
15 continued school safety planning, improvement,
16 and response at the state, district, or school
17 levels.

18 There is additional information available
19 through our website for the Office of Safe
20 Schools, and also specific questions regarding
21 the tool can be addressed to the FSSAT website
22 that you see there, that link. Mr. Chair, with
23 that, I've completed my presentation. I'll be
24 glad to answer questions.

25 CHAIR: Commissioners? Senator Book.

1 SEN. BOOK: Thank you, Mr. Chair. Okay, a
2 few things. One, where can we find the tool,
3 or is it not like public? And is it the same
4 tool today that it was when it was created?

5 MS. CHAMPION: So, Mr. Chair?

6 CHAIR: Yes, go ahead. You're fine, go
7 ahead.

8 MS. CHAMPION: So, to answer your last
9 question first, we have, each year, continued
10 to improve and enhance the tool. It hasn't
11 deviated from the components and the principles
12 that we've discussed here, but we have since
13 2015, we included school districts in the
14 review, and working with consultants to
15 determine that we have the information that
16 they need. And we have each year had the
17 Department of Emergency Management and other
18 law enforcement areas look at the tool to
19 provide any updates or guidance that they would
20 have. We've tried to incorporate that. And
21 this past year we actually had the Department
22 of Homeland Security do a review of it.

23 SEN. BOOK: Okay, so is --

24 MS. CHAMPION: And then to -- excuse me.
25 To answer your first question, it is not

1 available to the public. There has to be
2 registered users, and those are designated by
3 each school district.

4 SEN. BOOK: I think it's important for the
5 commission possibly, Mr. Chair, and the
6 commissioners to see the tool, just so that we
7 can understand what are the things that are
8 being assessed possibly to -- if this is kind
9 of where we're going, just to understand kind
10 of what we're looking at. Also, too, you make,
11 or kind of outlined it requires that the
12 assessment tool be available for use by charter
13 schools. Was that not the case before 7026?

14 MS. CHAMPION: Mr. Chair? Previously, if
15 a charter school had requested that they be
16 allowed to use the assessment tool that would
17 have happened, but charter schools weren't
18 contacted to be told they were required to do
19 that. There was no requirement related to
20 them.

21 SEN. BOOK: Okay, thank you.

22 MS. CHAMPION: Again, knowing that the
23 district level assessment was what was
24 originally required, and not the school level
25 assessment.

1 SEN. BOOK: Thank you.

2 CHAIR: So, I just want to clarify, is
3 that 2015 the tool is developed. The tool was
4 used district wide, optional school level.
5 It's been updated and tweaked. But, the tool
6 that is being rolled out, and the districts
7 told to use, is required now on an individual
8 school level for what has to be submitted by
9 August 1st has not been revised, and no
10 criteria have been added to it to make it
11 school level specific for these school level
12 assessments that are now required. So, there
13 hasn't been a major tweak or review of it at
14 this point for what will be done and required
15 by August; is that correct?

16 MS. CHAMPION: Not exactly. There are --
17 again, the school level assessments were always
18 available. They were launched in 2015, so
19 those, just like the district assessment have
20 been tweaked and updated, and that is what
21 districts are using now to complete their
22 assessments by August 1st.

23 CHAIR: So, is the option, previously
24 optional school level assessment a different
25 tool, if you will, or a different set of

1 criteria in metrics than the district level
2 assessment?

3 MS. CHAMPION: Those are basically the
4 same components, again they're just identified
5 at the school level, and then you can generate
6 an aggregate report, but also there is district
7 level information that's provided, too. And to
8 the previous question, it could be very
9 helpful, if you would like to see the tool and
10 the way it operates, we can arrange for that
11 for sure.

12 CHAIR: And there's printouts. There's
13 paper copies of it as well. I've seen it.
14 We'll get it. It's something we'll include,
15 we'll get it out to everybody. I've seen it,
16 so it is available. I have some other
17 questions, but I'll do it at the end. I think
18 Mr. Schachter was next.

19 MR. SCHACHTER: Thank you for your
20 testimony. You know, obviously, we want to
21 make sure schools do not have a false level of
22 security. I've never seen the tool, so can
23 you -- can you let us know, you know, with
24 these -- with the massacre at Stoneman Douglas,
25 and also at Santa Fe, the assailant has gone to

1 the classroom, and that's where the, you know,
2 the casualties have happened. We've got to
3 protect the classrooms. Every classroom needs
4 to be a protected space. In the tool, does it
5 ask if there are -- if they've -- if the
6 teachers and if the security team has mapped
7 out in the room where the protected space is,
8 number one. And then, number two, how does the
9 tool help the schools make them safer?

10 MS. CHAMPION: Mr. Chair. So, again, this
11 is really a risk assessment tool, and
12 identifies areas that are vulnerable. Then
13 from this information, each district is to
14 develop a safety plan that would include the
15 types of details that you're describing. And
16 that is not available to the Department, but
17 each district is responsible for having that
18 type of safety plan in place, and they would be
19 identifying then the specific strategies, and
20 other issues and actions they would take to
21 ensure safety of the students.

22 MR. SCHACHTER: It would be nice if there
23 was some guidance from the state along those
24 lines. I don't know if that's, you know --
25 hopefully we'll be able to produce something

1 like that, but --

2 CHAIR: So, part of this, though, is that
3 there's \$1 million that the DOE has that is to
4 be used by a third-party vendor that they now
5 go back and review the tool, validate it, make
6 changes to it. So, they have a significant
7 opportunity to now to revisit the tool, and to
8 make additional data elements, criteria,
9 metrics, et cetera, part of it, correct?

10 MS. CHAMPION: That's absolutely correct.

11 CHAIR: And that's what you're going to
12 undertake now as you move forward, because you
13 have the funding to do it. So, I don't want to
14 put words in the Department's mouth, but I
15 think that the position is, is that there's an
16 opportunity to make it better, and that's what
17 you all intend to review and possibly do
18 depending upon the result of the consultant's
19 evaluation; is that right?

20 MS. CHAMPION: Yes, sir, that's correct.

21 MR. SCHACHTER: Yeah, I would -- I would
22 -- I would, you know, like to strengthen that
23 tool as much as possible. I think that should
24 be one of our number one goals, in this is the
25 main tool that's schools safe. And I would

1 second Senator Book's request to look at that
2 and analyze that as much as we can.

3 CHAIR: Chief Nelson.

4 CHIEF NELSON: Through the use of the
5 tool, if school safety issues are found or
6 identified, does DOE have the ability or the
7 authority to take any action on that school?

8 MS. CHAMPION: We do not, sir.

9 CHIEF NELSON: So, it's totally up to the
10 local district to -- if issues are found, to
11 fix those issues.

12 MS. CHAMPION: The district is completely
13 responsible for the follow up, and as I said,
14 the strategies that they put in place to
15 address vulnerabilities.

16 CHIEF NELSON: Thank you, Mr. Chair.

17 CHAIR: Commissioner Swearingen.

18 COMM. SWEARINGEN: Thank you for your
19 testimony today. I have a question on Slide 10
20 on Page 5. It references the school safety
21 specialist. You may know the answer to this,
22 maybe you don't. Who selects that person for
23 each school, and what specific qualifications
24 do they have a background in, physical or
25 personal security, or is that just some

1 administrator at the school that gets labeled?
2 How is that person selected, and what specific
3 qualifications do they have to have, if any?

4 MS. CHAMPION: The school district
5 superintendent would appoint the specialist,
6 and there is one for the district as a whole,
7 as well as individuals at schools that have
8 responsibilities related to that school. And
9 that, again there's not any -- their
10 responsibilities are specified in the
11 legislation, but not the qualifications of that
12 individual.

13 COMM. SWEARINGEN: So, there's no --
14 there's no training that's going to be required
15 of these folks?

16 MS. CHAMPION: Yes, I'm sorry, there is
17 training that's required, and that will be done
18 through the Office of Safe Schools. But again,
19 not the specific qualifications for the
20 individual.

21 COMM. SWEARINGEN: Okay, thank you.

22 CHAIR: Sheriff Judd.

23 SHER. JUDD: Can you tell me if you have
24 record of -- and did all of the districts
25 comply with the 2015 law?

1 MS. CHAMPION: Yes, sir, they did.

2 SHER. JUDD: Okay, thank you.

3 CHAIR: Secretary.

4 SEC. SENIOR: Just to verify, is this more
5 than just physical structure? It seems to me
6 that communication tools at the campus would be
7 very important. For example, if the first
8 floor at Marjory Stoneman Douglas had been able
9 to communicate with the third floor, the second
10 and third floor, and the rest of the school
11 very quickly -- are communications systems
12 involved here?

13 MS. CHAMPION: Absolutely. That would be
14 part of the school infrastructure, and so it
15 would be included.

16 CHAIR: Mr. Petty.

17 MR. PETTY: Thank you, Mr. Chair. So, all
18 districts complied with the requirement. Was
19 there any rating, or review, of the responses
20 by the state?

21 MS. CHAMPION: Mr. Chair. So, the review
22 that the Department would do would include
23 again making sure that the components were
24 complete, they were done in a timely fashion,
25 and we provide technical assistance.

1 Oftentimes, when we're aware of a district that
2 has really a model program, we will send a
3 district that's struggling with trying to
4 implement that to the district for their
5 guidance.

6 MR. PETTY: But it's -- if I understand
7 your answer, it's more about making sure the
8 assignment is complete than it is the quality
9 of the assessment being done?

10 MS. CHAMPION: We do not do an in-depth
11 review of those details. We look and respond
12 to requests for technical assistance, and
13 basically, again, try to align resources to the
14 individuals that need those.

15 CHAIR: Senator Book.

16 SEN. BOOK: Thank you, Mr. Chair. Do you
17 know, or do you have access to the tool
18 answers, or report from Marjory Stoneman
19 Douglas in 2015?

20 MS. CHAMPION: So, Mr. Chair, again a
21 Broward County completed the district
22 assessment. They did not utilize it for
23 individual schools.

24 SEN. BOOK: Can we get a copy of that
25 district assessment from 2015?

1 CHAIR: It should be -- it should be in
2 the materials that we've requested that I
3 mentioned yesterday we received on the drive
4 this week that we're in the process of going
5 through, so we will follow up on that. That's
6 something we for sure asked for. There was
7 confusion, I can tell you, and we've been
8 trying to flush this out, about whether there
9 was a specific assessment of Stoneman Douglas,
10 or any other schools, and I can tell that the
11 best we've been able to determine that there
12 was not, other than, and I'm not going to get
13 into it more than this, but it's been in the
14 media, the information analysis that was done
15 by a retired secret service agent in December.

16 But as far as a formal analysis, that's
17 the only thing that I'm aware of, but we're
18 still fleshing that out. But we're on top of
19 that, and we will get to you a copy of whatever
20 it is Broward County submitted. And certainly
21 if there was something for Stoneman Douglas, we
22 will most definitely get that out to everybody.

23 Commissioner Dodd.

24 MR. DODD: Yes, I had a question in
25 regards to the individual school assessments

1 that are due by August 1st of this year. Has
2 the tool already been revised though? I was
3 under the impression that it's already opened
4 and there hasn't been a revision.

5 MS. CHAMPION: So, Mr. Chair --

6 CHAIR: Yes, go ahead.

7 MS. CHAMPION: The tool basically has not
8 been revised. It has been tweaked and updated,
9 and we've tried to enhance it in various ways,
10 but it's basically the same tool that was
11 launched in 2015. Districts are using that.
12 It was opened, I believe, the first part of May
13 for use, and they're -- we can monitor the
14 completion. We know districts are using the
15 summer to complete, complete the information.

16 MR. PETTY: So, the funding for the third-
17 party analysis, that's not going to be in place
18 then until next year; is that correct, as far
19 as the tool?

20 MS. CHAMPION: What we would have is that,
21 again, through the procurement of the services
22 we would have information back that would be
23 informative to the legislature in order to
24 determine whether the amount of funding that
25 would be necessary to actually do an overhaul,

1 if that's what was required. Again, it just
2 would determine what this, what the consulting
3 firm says.

4 MR. PETTY: And then, as far as the
5 findings that are going to be reported to the
6 district school boards, those findings are
7 going to be confidential, and my question is
8 how do we communicate with parents and the
9 community, and the findings of the assessment
10 tool without violating that confidentiality
11 that we have because we don't want to show
12 vulnerabilities? And I know we've discussed
13 that. So that's something that I would this
14 commission, or I would like to get some better
15 understanding, because I like transparency, I
16 think we all focus on that, and we want to be
17 able to communicate to our communities what we
18 are doing in the schools to protect those
19 schools, and in doing so we may have to inform
20 them of where our weaknesses are.

21 So, I'm concerned because I think there's
22 going to be this information shared with the
23 district school boards, and the attorney -- the
24 legal advice is going to be these are
25 confidence, these are to be held in a

1 confidential setting, and we're going to have
2 people wanting to know what we are doing, and
3 the response is going to be, well, we can't
4 tell you. And so, I would like some direction
5 there, or maybe this commission can come up
6 with some ideas that we can put forth to say
7 this is what is -- we would like to keep
8 completely confidential, and these are the
9 things that we can and will share with the
10 public.

11 CHAIR: Go ahead.

12 MS. LARKIN SKINNER: So just for
13 clarification, based on the questions and
14 answers already, school districts are required
15 to complete the tool and submit a report. But,
16 if there is a corrective action plan, there is
17 no accountability system to ensure that it's
18 actually followed up on, that the areas that
19 are identified as problematic are corrected.

20 MS. CHAMPION: Mr. Chair. Again, the
21 school safety specialist is going to, has again
22 in law the accountability to follow up to
23 ensure that the issues are addressed by the
24 school board. But again, districts will be, as
25 they do for everything, they're going to be

1 prioritizing their resources to address those
2 vulnerabilities.

3 MS. LARKIN SKINNER: But that's the new
4 law. Prior to the new law, that will -- I mean,
5 there's no school safety officer.

6 MS. CHAMPION: That's correct.

7 MS. LARKIN SKINNER: So, there was not an
8 accountability system in place, okay.

9 MS. CHAMPION: Other than the
10 accountability that the school board has to the
11 public, that's correct.

12 CHAIR: Anybody else? Okay. I got a
13 couple of questions. One, is when they proviso
14 language in 2015 authorized the expenditure for
15 the tool at the point, was it in the proviso
16 language, or was it a DEO decision to not make
17 it mandatory at the school level, and make it
18 optional at the school level, and only require
19 the district level assessment?

20 MS. CHAMPION: That would have been in
21 law. I would have to go back and look
22 specifically at that, but we would not have
23 made that determination.

24 CHAIR: Okay. So, it should be -- that
25 should be -- if we go back and look, that

1 should be in the proviso language as far as you
2 know, you're not sure.

3 MS. CHAMPION: Yes. Yes.

4 CHAIR: Okay. All right. So, who was the
5 vendor that was used to develop the tool?

6 MS. CHAMPION: The vendor is Haystacks.

7 CHAIR: Haystacks, okay. So, do you know
8 how that tool was validated? In other words,
9 any time you're using any type of a risk
10 assessment, threat assessment, et cetera, it
11 will be validated against something where the
12 outcomes have been measured previously to know
13 whether what you're measuring is an accurate
14 assessment and is providing the outcomes that
15 you need to know. So, do you know how or where
16 they validated that tool, and how long it had
17 been in existence?

18 MS. CHAMPION: So as part of the
19 procurement process, we were looking for
20 companies that were experts in this area, and
21 that had previously track record in regards to
22 those items you're mentioning, but other than
23 that there's not been a validation other than
24 the reviews that I indicated that we've asked
25 for from the Department of Emergency Management

1 and other law enforcement.

2 CHAIR: Okay. So, if I understand it
3 correctly, now, under 7026 is, is that we know
4 that the districts and the school safety
5 officers are required to conduct the school
6 level assessments. But, when they conduct
7 those school level assessments, in some
8 districts it's hundreds of schools within the
9 district, and that includes the charters, but
10 as far as the school boards are concerned
11 you're only going to -- they're going to roll
12 that into an aggregate report, and they're only
13 going to submit the aggregate district report
14 still to the Department, or are they going to
15 report to the Department the assessment of
16 every school in their district?

17 MS. CHAMPION: They will, again, use the
18 tool for the school level, but what they, what
19 they basically provide to us is the district
20 level information.

21 CHAIR: Okay. So, they're not going to --
22 if it's at X high school -- let's say Stoneman
23 Douglas here in Broward County -- you're going
24 to still get the Broward County district-wide
25 report, but you will not receive the Stoneman

1 Douglas, or the West Glades, or the X school
2 report, right?

3 MS. CHAMPION: That's correct.

4 CHAIR: So, is there any plan for
5 compliance monitoring or oversight by the
6 Department as to whether each district, because
7 they're going to submit a district wide report,
8 but how will y know whether each district has
9 complied and actually done an adequate
10 assessment of each and every school that is the
11 basis of a district wide report?

12 MS. CHAMPION: So again, we are able to
13 track what's entered into the system, and what
14 they are using it for, so we'll know whether
15 they've completed the assessments. But again,
16 my understanding is that we would not be
17 reviewing individual school assessment.

18 CHAIR: So, if you don't want to -- it's
19 fine. I mean it sounds like that there was no
20 plan so ensure compliance, and you're not going
21 to know on a district -- because if I
22 understand some districts are contracting this
23 out, for a couple of districts that are not
24 sure what they're doing, it's being done
25 differently in different places, but to ensure

1 that every school is assessed there's nothing
2 at the state level right now that you know of
3 that is going to track and monitor, or ensure
4 and provide accountability to make sure that
5 all sixty-seven districts by August 1st have
6 actually done an assessment and all the
7 charters have done an assessment of every
8 school in the state. There's nothing -- we're
9 not going to be able to go to one place, get a
10 list and check the box and say that every
11 school has been assessed.

12 MS. CHAMPION: Yes, sir, we can do that.
13 We are tracking the completion of those
14 reports.

15 CHAIR: Yeah, but it's a district-wide
16 report.

17 MS. CHAMPION: No. That's what's
18 submitted to us, but we can track and see what
19 the tool has been used for in terms of
20 individual school sites.

21 CHAIR: So that -- you're going to do
22 that?

23 MS. CHAMPION: Yes.

24 CHAIR: Okay. Yes, Commissioner?

25 MS. STUART: If I could just make a couple

1 of comments with regard to the tool, and the
2 use of the tool? So, to the extent that the
3 Department is able to, we will exercise the
4 authority that we have been given. In addition
5 to that the Office of Safe Schools, will, as
6 the Deputy Commissioner has indicated, be
7 providing districts with best practices. And I
8 know I'm bleeding a little bit into Linda's
9 next presentation with regard to the new
10 dollars with, say school money, and the use
11 thereof; in the grants that will be provided
12 for ensuring facilities are safe we will be
13 able to monitor that. The expenditures are
14 spent in the way that the district has
15 submitted that grant, so that compliance, we
16 would have the ability to do.

17 But whether or not the plan includes what
18 we believe it should include is something that
19 is out of the purview of our legislative
20 authority. In addition to that, with regard to
21 your question about validation remember that
22 there has been consultation with the Department
23 of Homeland Security with regard to the tool.
24 So, I want us to be aware of not only the
25 individual company that's used, but we did

1 also, as Linda indicated, get advice from the
2 Department of Homeland Security.

3 CHAIR: I can just tell you what we're
4 doing is, is that we -- I've viewed the tool.
5 We put together a committee, and law
6 enforcement professionals, and we are doing
7 them on every campus in Pinellas County, and we
8 have added data and criteria to the tool, so it
9 is enhanced. It's been buttressed by our own,
10 and some of it is CPTED. So, we are doing an
11 enhanced assessment because I think there's
12 room for improvement with it. It's on the
13 right track, but we're doing an enhanced
14 assessment of it. That's what we're doing, so.

15 Anybody else have any other questions?
16 Okay, thank you. Appreciate it.

17 All right, the next presentation is,
18 again, we'll hear from Jacob Oliva from the
19 Department of Education on the active assailant
20 training and drills, and what was being done
21 and required prior to 7026 and what will be
22 done now. Welcome back.

23 MR. OLIVA: Good morning, Chair and fellow
24 Commissioners. Thank you for the opportunity
25 to do an update on the requirements on active

1 assailant training pre-7026 and then post. So,
2 what I'd like to do is share what the statutes
3 looked like, and what districts develop
4 policies around for implementation, and then
5 take a look at what we're going to be doing as
6 we move forward in the future.

7 Florida Statute 1006.07 is the umbrella
8 statute that gives district school board duties
9 relating to student discipline and school
10 safety. In regard to emergency drills and
11 emergency procedures, we're going to focus in
12 on 1006.07(4)(a) and (4)(b).

13 The components of (4)(a) dictates that
14 school districts must formulate and prescribe
15 policies and procedures for emergency drills,
16 and for actual emergencies, including but not
17 limited to fires, natural disasters, and bomb
18 threats, for all of the public schools of the
19 school district which comprise of grades K-12.
20 District school board policies shall include
21 commonly used alarm system responses for
22 specific types of emergencies, and verification
23 by each school that drills have been provided
24 as required by law and fire protection codes.
25 The emergency response agency that is

1 responsible for notifying the school district
2 for each type of emergency must be listed in
3 the district's emergency's response policies.

4 When we get into Section (b), it gets
5 specific to what types of emergency drills were
6 to be conducted. In school districts, we're to
7 establish model emergency management and
8 emergency preparedness procedures, including
9 emergency notification procedures pursuant to
10 paragraph (a) for the following
11 life-threatening emergencies. Those included
12 weapon-use and hostage situations, hazardous
13 materials or toxic chemical spills, weather
14 emergencies, including Hurricanes, tornadoes,
15 and severe storms, and exposure as a result of
16 a man-made emergency.

17 With the implementation of 7026, there's
18 been some additional requirements that have
19 been added to those sections for (4)(a) and
20 (b), and then there's a new section which is
21 labeled (c). So if we look at the existing
22 language in (4)(a) in red you can see that some
23 of the language includes that when the school
24 district is developing their policies and
25 procedures they must do that in consultation

1 with the appropriate public safety agencies,
2 and the types drills and emergencies that
3 they're prepared for or required to implement
4 now include the specific language around active
5 shooter and hostage situations, and the
6 training is being broadened more scopely (sic)
7 to include all students and faculty at all
8 public schools that are comprised of K-12.

9 A new sub bullet in section (a) was also
10 added that drills for active shooter and
11 hostage situations shall be conducted at least
12 as often as other emergency drills. Looking at
13 (4)(a) continued, there's some additional
14 language that the emergency response policy
15 shall identify the individuals responsible for
16 contacting the primary emergency response
17 agency as they're moving forward.

18 In regards to training, there is some
19 additional language in section (b) that you can
20 see represented around sub bullet 1, that there
21 was language added for active shooter
22 situations. And it also states that the active
23 shooter training for each school must engage in
24 the participation of the district school safety
25 specialist, which we know is a new position for

1 school districts, threat assessment team
2 members, which has been recently identified in
3 7026 as comprised of school counselors,
4 instructors, administrators, and law
5 enforcement, faculty, staff, and students, and
6 it must be conducted by the law enforcement
7 agency or agencies that are designated as first
8 responders to the school's campus. The active
9 shooter training did have a legislative
10 appropriation with that, and we are currently
11 in the procurement process as we're moving
12 forward in ensuring what that would look like.

13 Section (c) is a new section that was
14 added to this component, which is that school
15 districts must establish a school to test the
16 functionality and coverage capacity of all
17 emergency communications systems and determine
18 if adequate signal strength is available in all
19 areas of the school campuses. We've heard from
20 some law enforcement agencies that when they go
21 into some schools, based on the construction of
22 that school, they might lose radio contact with
23 their database, so adding repeaters and some of
24 those components would be part of that
25 district's assessment and could be prioritized

1 in their plan as well.

2 So that's just a very brief overview from
3 what the statute looked like as far as
4 requirements for emergency preparedness in
5 school districts, and what the new plans will
6 be looking like forward with the implementation
7 of 7026.

8 CHAIR: Questions. Mr. Petty.

9 MR. PETTY: Mr. Chair. So, my question
10 goes to, I guess it's section (b), or part (b).
11 In the new language in.1, it says, you
12 mentioned enforcement agency or agencies that
13 are designated as first responders. How are
14 agencies designated as first responders?

15 MR. OLIVA: My understanding would be in
16 some districts, in some communities there's one
17 agency. You have one emergency management, one
18 sheriff office, one municipality that covers
19 the whole district. In other districts where
20 it's much larger and there's multiple police
21 agencies it would be whoever is assigned to
22 respond to that area if 911 was called.

23 MR. PETTY: The point of my question is,
24 what happened at Stoneman Douglas was there was
25 some confusion between the responding agencies,

1 and lack of coordination. So, okay, if the law
2 requires that these agencies review the
3 assessment, and be part of that, how are we
4 ensuring that all the appropriate agencies are
5 a part of that?

6 MR. OLIVA: So that would be one of the
7 tasks of the school safety specialist. As
8 they're going through with the implementation
9 of the plan, they're going to be required to
10 work with the emergency response designated
11 people in their community, and make sure that
12 all their responses are aligned accordingly.
13 And in subsection (a) it specifically even
14 lists that the individuals responsible for
15 contacting the primary agencies must be listed
16 as well.

17 MR. PETTY: So that verification of that
18 is left to the school safety specialist, so
19 it's at the school level?

20 MR. OLIVA: That would be at the school
21 level.

22 CHAIR: I can tell you the reality of this
23 going to be -- your question is -- let's use
24 this as an example. You get in the situation
25 of Stoneman Douglas that's in Parkland. The

1 primary responding, first responding law
2 enforcement agency is the Broward County
3 Sheriff's Office. When the Calvary comes, and
4 it came from Plantation and Fort Lauderdale,
5 and everywhere else, they're not going to be
6 involved in the planning of a response, or what
7 happens at Stoneman Douglas, it's just not
8 going to happen. Fort Lauderdale will handle
9 what's in Fort Lauderdale. Hollywood will
10 handle what's in Hollywood. BSO will handle in
11 their contract cities, et cetera. You know,
12 whether there will be coordination and some
13 consistency, you know, among those agencies,
14 that will be left on a county by county basis.

15 But if you're thinking that you're going
16 to have Coral Springs, and Plantation, and
17 Hollywood, and everybody as it relates to all
18 the schools, it's not going to work that way.

19 MR. PETTY: Understood. But that's one
20 concern of mine, obviously, because there needs
21 to be a coordinated effort. I think we -- I
22 think it's safe to say we learned that at
23 Stoneman, in the Stoneman Douglas massacre.
24 But second of all, I'm concerned that it's left
25 at the school, sort of school level to make

1 sure there's coordination done. Is that the
2 right place for that to happen?

3 CHAIR: I don't think that's the case, and
4 it's not going to be. And I think we'll hear
5 more about that when we hear from more
6 presentations as we move on in this, and when
7 you hear from, especially from the
8 investigators, and we get into the response
9 itself, and an analysis of the response. One
10 of the things that's on the agenda, I believe,
11 for next month's meeting is just about law
12 enforcement information sharing, and data
13 sharing, and how it workshop here in Broward.
14 So, I don't think that necessarily that will be
15 left at the school safety specialist's level.
16 I think it's more on the law enforcement level,
17 is more as to coordination of that
18 inconsistencies throughout the county, or the
19 area.

20 MR. PETTY: That's fine. I'm looking for
21 one person to be responsible, or somebody to be
22 responsible. I'm questioning whether or not
23 it's best left to a school assessment, or
24 school safety officer, if that's the best
25 place. And perhaps, when we learn more we

1 could ask Mr. Oliva to come back and -- because
2 he's testified just a moment ago that it's the
3 school safety officer, so I just want to be
4 clear.

5 CHAIR: Sure.

6 SHER. JUDD: If I can respond to him that
7 we all -- we have separate emergency response
8 systems in place that coordinates us with fire,
9 EMS, and other local jurisdictions; so we
10 wouldn't want the schools' system at all
11 directing that response. What the school should
12 ensure is that we are tagged into their duties
13 and responsibilities, but there is already
14 systems and other processes that should clearly
15 designate who responds.

16 The concern that you have, which is
17 certainly valid, that, I think we'll hear from
18 that later on. That was a political decision
19 on how they set up their communications system
20 so that you, there is a level of comfort. If
21 there's an emergency, we all have what we call
22 a NEMS system, and a very elaborate response
23 system that we all are trained on together if
24 you're doing it right.

25 MR. PETTY: I think that's my point. I

1 want to make sure we're doing it right.

2 SHER. JUDD: Well, I can't imagine, you
3 know, I can't imagine that they wouldn't be. I
4 mean because of -- aside from the school we got
5 a million other emergencies that we have to
6 respond to that quite frankly are as complex or
7 more complex than this, and so we have a robust
8 system statewide. And I'll give you the
9 classic example of Hurricanes. When a
10 Hurricane event hits, no matter where it hits
11 in the state, or the southeast, we all are into
12 a common system for a common response, and so
13 you just bring that skill down to an emergency
14 at a school, or at a business, or something
15 like that, and we're already tied in, and are
16 trained in great deal to do that.

17 What we need to mandate, or to ensure, is
18 that the schools are kind of hooked into that.
19 The responding agency, if they're doing this
20 responsible -- and I can't speak for Broward
21 County. I'll speak for my jurisdiction. We
22 got this going. We're there. We're in tune.
23 And I would suggest that it would be a total
24 anomaly for a jurisdiction not to already be
25 hooked into the system, because it is a -- and

1 it's a science, and a world emergency response
2 unto itself.

3 CHAIR: And you're going to find that this
4 is not -- I mean look at -- the emergency
5 response policy shall identify the individuals
6 responsible for contacting the primary
7 emergency response agency. It's two different
8 things. You don't want, and I don't want, and
9 none of us want a school safety specialist
10 responsible for setting the policy on first
11 responder response. That needs to be on the
12 first responders. We'll get there. I hear
13 you, and we're going to get there.

14 Commissioner -- Senator Book, go ahead.

15 SEN. BOOK: Thank you, Mr. Chair. Going
16 to Slide 10 Section C, I don't want to get into
17 the whole radio debate because I'm sure that
18 we're going to spend a lot of time on that. I
19 just want to make sure that the legislative
20 intent is clear and look at this. We're
21 talking about the functionality and coverage
22 capacity of the law enforcement radios within
23 the campus, correct, is that what that -- I
24 just want to make sure of that, because I know
25 there was some back and forth about

1 school-based radios working, et cetera, et
2 cetera, et cetera.

3 MR. OLIVA: That's my understanding,
4 correct.

5 CHAIR: Mr. Schachter.

6 MR. SCHACHTER: Okay. Thank you for
7 clarifying that, Senator. So, this is not --
8 this, this would -- if we had had this in
9 place, this would not have identified the
10 problems that we had. Am I to be clear on
11 that?

12 CHAIR: No, it's two different things.
13 Apples and oranges.

14 MR. SCHACHTER: Okay, unfortunately. And
15 then my last question is, what is the procedure
16 of schools to identify to law enforcement that
17 a life-threatening emergency is happening? Is
18 -- is that stipulated in, in this law?

19 MR. OLIVA: Are you referring to a
20 specific slide?

21 MR. SCHACHTER: No, I'm not. I'm just --
22 in general, the active assailant and the DOE;
23 are there -- is there a statute that says that
24 schools have to immediately identify a law
25 enforcement that there's a life-threatening

1 emergency happening?

2 MR. OLIVA: I'm not sure if I clearly
3 understand the question.

4 MR. SCHACHTER: Well, that was a -- that
5 was a problem here at Stoneman Douglas, is that
6 there was a lot of confusion, and, you know,
7 basically the only way that law enforcement
8 knew was through cell phone calls, and, you
9 know, BSO, but that, that took a long time.
10 So, I was just wondering if there is any
11 statute that immediately, and it assigns a
12 person responsible, because it needs to happen
13 very, very quickly.

14 MR. OLIVA: So that would be component of
15 the threat assessment team's plan that they
16 would develop locally, if not at the district
17 at each school site.

18 CHAIR: Commissioner.

19 MS. LARKIN SKINNER: I have a question
20 regarding frequency of drills. How is that
21 determined? Is that determined by DOE, the
22 district level, the school level?

23 MR. OLIVA: Mr. Chair?

24 CHAIR: Go ahead.

25 MR. OLIVA: So, the district threat

1 assessment teams would develop plans that would
2 be implemented for them. We don't set what
3 those plans and timelines would be, so they
4 would interpret that statute. A lot of the
5 discussion is, is if you look at it as often as
6 fire drills are being conducted that active
7 shooter drill would fall in that same manner.
8 So that would be determined locally as they're
9 developing their plan.

10 MS. LARKIN SKINNER: So today, fire
11 drills, the frequency of fire drills, how is
12 that determined? Is that determined by the
13 school personnel, the district personnel, the
14 fire marshal; I mean who sets that standard?

15 MR. OLIVA: There's statute on the fire
16 prevention code.

17 MS. LARKIN SKINNER: Okay. So, if there's
18 a statute on the fire prevention code, then
19 this law will require these active shooter
20 drills to happen as frequently as the statute
21 requires fire drills.

22 MR. OLIVA: If you read the language at
23 face value, I'll put it up here, it says at
24 least as often as other emergency drills. So,
25 school districts may do severe weather

1 emergency drills once a semester. If you look
2 at the Governor's letter, his intent specified
3 the active shooter drills be conducted at least
4 at a minimum of once a term.

5 MS. LARKIN SKINNER: Okay.

6 CHAIR: So, there's ambiguity. And let's
7 just cut to it, is that the fire drills are
8 required, my understanding is once a month fire
9 drills, right? So, you can read this to mean
10 that you have to do active assailant drills as
11 often as you do other drills. You do fire
12 drills once a month, which means you should do
13 active assailant drills once a month, which I
14 can tell you that's what we're going to do in
15 our county because I think it's important. Or
16 you can read this along the lines of what Mr.
17 Oliva is talking about, you can read this, you
18 could read it to mean that you have to do it as
19 often as you do other drills, and that you have
20 to do perhaps a drill every months, but it
21 doesn't have to be that drill.

22 And then you've got a letter that says
23 that they need to be done at least, which
24 doesn't mean they can't be done more often, but
25 at least once a semester. So, there is

1 ambiguity with this, and it is subject to
2 interpretation. But one of the things that is
3 clear with it is, is that fire drills have to
4 be done once a month, and it does say that you
5 have to do the active assailant drills as often
6 as you do others. But again, not everybody is
7 going to read it that way, or apply it that
8 way.

9 Senator.

10 SEN. BOOK: Thank you, Mr. Chair. And I
11 don't know if you can answer this question,
12 maybe you can, maybe the Commissioner can shine
13 some light on it. So, we're talking about
14 active assailant drills, and that's, you know,
15 when they're going to happen, and how they're
16 going to happen, but is the Department setting
17 up a developmentally appropriate age
18 appropriate active assailant drill so that in a
19 kindergarten class they're being prepared in a
20 way that's appropriate for them, and in a high
21 school, middle school, or third grade setting,
22 that it's appropriate for them?

23 Because I've gotten a lot of calls of
24 schools throughout the state where
25 kindergarteners are doing these active

1 assailant drills and then they're too afraid to
2 go back to school. So, what is the Department,
3 if anything, doing to kind of address that
4 issue?

5 CHAIR: Either one of you.

6 MS. STUART: I think we're in a position
7 to be able to share best practices, but this is
8 included in the requirement at the local level.
9 We don't have authority to tell them how they
10 should do that, that's something that they
11 develop locally with their law enforcement.
12 So, we can, through the Office of Safe Schools,
13 share best practices, but we cannot require
14 that they be done in a certain way because the
15 law is clear on how it's to be developed.

16 CHAIR: See, that's one of the things, and
17 I think we're hearing a little bit of theme
18 here with this, is, is that, well, we need to I
19 guess make sure we're all on the same page, is
20 the Department has very limited authority,
21 limited jurisdiction, and limited oversight of
22 the districts in this regard. I'll suggest to
23 you that in this particular situation and case
24 it's probably a good thing. Here's why.

25 Is, is that the framework I'll suggest to

1 you should be this, is, is that the districts
2 in conjunction with law enforcement, so
3 district staff and law enforcement who are the
4 first responders at that individual school
5 should go out and do these assessments. When
6 they do these assessments, they're going to
7 identify vulnerabilities. They're going to
8 identify strengths. They're going to identify
9 the best ingress and egress routes. They're
10 going to identify, and they're also going to be
11 assess that a kindergarten class needs to be
12 treated differently than a high school senior
13 class.

14 Then, once they identify and they do the
15 assessments, then based on the assessments they
16 should develop training. The training as it
17 says here in the statute has to be conducted by
18 law enforcement. It should be conducted by law
19 enforcement in cooperation and in conjunction
20 with the school staff, the individual
21 principals, the individual teachers at that
22 school, and the training should be
23 individualized. There should be some of it
24 standardized because you need to distinguish
25 between elementary schools and high schools, et

1 cetera, but the training should be based upon
2 the assessment of that school, and there should
3 be the unique requirements for that school.

4 Then, once you have done the assessment,
5 and then you've done the training, then drill
6 on what you've trained. Because if you're
7 drilling on something you haven't trained on,
8 and you're training on something you haven't
9 assessed, then you're missing a piece of the
10 puzzle. So, I suggest to you that that is the
11 model, but that has to come at a local level,
12 and the only way it's going to be effective at
13 a local level is if every district and every
14 school board, every superintendent is diligent
15 in making sure that that is being carried out.

16 But I don't think that -- and there is
17 some discussion -- we had -- there's some
18 discussion about this, about whether this
19 should be promulgated and come down from DOE.
20 It shouldn't because DOE doesn't know at X
21 school what those unique vulnerabilities are,
22 or the unique make up, or the way out of the
23 campus. And that should be done at the local
24 level I suggest to you, but it's going to be
25 only as good -- and I think the legislature did

1 lay out a good model of, in the time frame, of
2 assessments, training, and then drill based on
3 that, and drill based on it regularly.

4 So that -- but again they have limited
5 authority, and I suggest should have limited
6 authority. They can provide some best
7 practices, especially in smaller districts that
8 may not have the resources, they can be a
9 resource guide, but that's the way it's
10 supposed to work.

11 Any other questions? So, do you know --
12 and maybe the Deputy Commissioner, when she's
13 coming back up if you don't know -- do you know
14 whether the school safety specialist in each
15 district is going to be, or the plans of the
16 district, whether it's a collateral
17 responsibility, or is that school safety
18 specialists a full-time school safety
19 specialist? Can they comply with this by
20 tagging it onto somebody else's assignment, and
21 just give them that designation; do you know?

22 MR. OLIVA: I think you're going to find
23 it different at every single district. Larger
24 districts that have the resources are going to
25 designate somebody for that. Smaller and rural

1 districts are struggling with this, to
2 designate somebody full time as a full-time
3 responsibility, so you're going to find that
4 that's varied.

5 CHAIR: Do you know any large districts,
6 or medium or large districts that are not
7 designating somebody full time? I mean do you
8 guys know that yet?

9 MR. OLIVA: We haven't aggregated that
10 data yet. That is in a memo that is scheduled
11 to go out, because we had a implementation goal
12 of July 1st to have every district identified
13 who their school safety specialist is; so we
14 will be able to provide that information to you
15 possibly at the next meeting, and we'll have a
16 pretty clear understanding of what the scope of
17 the types of individuals are.

18 CHAIR: My -- and I don't know if you
19 share this concern with this, and this is my
20 concern with some of this is, is that it needs
21 to be made sure that what is done in
22 implementing this bill is just not check the
23 box and get it done, it needs to be done in a
24 meaningful way, and there's some concern that
25 in some places it's just going to be a check

1 the box. And that's what's happened in the
2 past, and that's why we've had some of the
3 results we've had that are not good. It needs
4 to be done in a meaningful way, and not just,
5 poof, you're a school safety specialist, now go
6 back and do your other work. That's my
7 opinion, but --

8 MR. OLIVA: Yes, thank you.

9 CHAIR: We'll have Linda Champion come
10 back up on Florida Safe School funding. If you
11 would, because I don't think that we've fleshed
12 it out in your presentation a minute ago.
13 Would you distinguish for us the difference
14 between the safety plan and the site
15 assessment? Because my understanding is
16 there's a difference between the safety plan,
17 and that probably comes as a result of the site
18 assessment.

19 MS. CHAMPION: Correct.

20 CHAIR: So, would you explain to us what a
21 safety plan is, what's required to be in it,
22 where it's kept, et cetera?

23 MS. CHAMPION: So again, it would be the
24 result of the assessment, as you say, and would
25 identify the strategies and other actions that

1 the school board would take with regard to
2 ensuring that the vulnerabilities and
3 deficiencies were addressed at individual
4 school sites. We would not have the school
5 safety plan, that would be, again, housed with
6 the school district.

7 CHAIR: So, would there be a safety plan
8 -- so the safety plan would contain, would it
9 contain a list of phone numbers of first
10 responders, as an example?

11 MS. CHAMPION: Again, I'm not aware that
12 there's a template for the safety plan. I
13 believe each district would have the
14 information that they wanted to have, but I
15 believe our understanding is more that it
16 identifies the types of expenditures for
17 increases in the physical security that are
18 needed at school sites. So again --

19 CHAIR: But is there a requirement that
20 each school -- I know there wasn't a
21 requirement that each school do a site
22 assessment, but was there a requirement for a
23 safety plan at each school, or was it just a
24 district wide safety plan; do you know?

25 MS. CHAMPION: I believe that it was a --

1 I don't really know about that. I think it was
2 -- I think that each district had a plan. It
3 should have identified the individual schools,
4 but again there wasn't direction or
5 requirements related to that.

6 CHAIR: Does anybody have any questions on
7 that? Okay. So if you would, we'll hear from
8 you on the Florida Safe School funding.

9 MS. CHAMPION: Yes. We were asked to
10 identify the sources of the funds that
11 districts have available to them for Safe
12 School insurance, and the operating dollars
13 that districts receive includes a category
14 called Safe Schools, and those are operating
15 dollars, and you can see for '17/'18 that
16 there's a total of \$64.4 million. Each district
17 received a base allocation of \$62,660. And
18 then the remaining allocation was 2/3rds based
19 on the school districts crime index, and 1/3rd
20 based on the unweighted student enrollment
21 within the district.

22 In 7026 -- so again the legislature
23 provided the same allocation for '18/19 within
24 the operating dollars, but then 7026 provides
25 an additional \$97.5 million. And you'll note

1 that the minimum for each school district was
2 increased to \$250,000. And it provided them
3 for a total allocation of \$161.9 million when
4 combined with the operating dollars that had
5 already been provided.

6 The most recent information that we have
7 about expenditures from school districts
8 indicates that the vast majority of these
9 dollars, 85.6% are used to acquire the services
10 of school resource officers. And that's the
11 information you can see there. There are other
12 categories that districts report to us each
13 year, and again all much smaller percentages
14 going to these other activities.

15 So, in addition to the operating funds the
16 legislature provided fixed capital
17 appropriation of \$98.9 million through SB7026.
18 This is to implement a grant program that
19 provides capital outlay funds to improve the
20 physical security of school buildings based on
21 the security risk assessment required by
22 section 1006.07.

23 And you'll note here in the slide, these
24 are timelines that are specified in the law.
25 We certainly intend to expedite the grant

1 awards process as quickly as we can, but again
2 the assessments are due August 1st. The
3 Department is required to provide guidance
4 before August 31st. We intend to do that
5 quickly. And then by December 1st the
6 districts have to have applied. We anticipate
7 that they will apply prior to that. If they do
8 we will again be processing those grant awards,
9 but the final date for completion of that is
10 January 15th.

11 This is -- you can see here the types of
12 expenditures. This is capital outlay
13 allocation, so it must be a fixed capital
14 outlay expenditure that's associated with
15 improving the physical safety and security of
16 school buildings. It should have been
17 identified through the security risk assessment
18 that was completed prior to August 1st. And
19 you can see there the last bullet just
20 indicates that it's not available for operating
21 purposes, it is fixed capital.

22 And then just for your information, I
23 believe, Mr. Chair, you provided this
24 yesterday, but we've included an overview of
25 all of the funding that was provided through

1 SB7026, and all of these appropriations are to
2 the Department of Education unless the agency
3 is noted next to the item. There is funding
4 provided to both FDLE and DCF through this law.
5 With that, Mr. Chair, that completes this
6 presentation.

7 CHAIR: Yes, Dr. Blackburn.

8 DR. BLACKBURN: Thank you. Two questions
9 I'll kind of roll into one. Are local police
10 officer costs or salaries factored in to the
11 dollar amount that the state allocates, and is
12 there a standard percentage of an officer the
13 state expects local school districts and
14 municipalities and counties to agree upon?

15 MS. CHAMPION: Mr. Chair? So, again --
16 are you referring to the additional \$97.5
17 million?

18 DR. BLACKBURN: That, and the total.

19 MS. CHAMPION: So, again, I don't know
20 what was factored into the dollar amount that
21 was arrived at by the legislature for the
22 \$97.5. And again, it is specifically -- the
23 direction is it's specifically for additional
24 new SROs, and beyond that, there's no directive
25 about how districts and law enforcement would,

1 would arrive at the correct amount.

2 DR. BLACKBURN: And the reason why I ask
3 that question is I'm assuming that sixty-seven
4 superintendents, and sheriffs, and county and
5 city managers have been having the conversation
6 around the shortfall of funding that we've
7 received locally in addition to the challenges
8 around hiring enough police officers to, to man
9 our schools. So, an HR challenge, and also a
10 funding challenge to bring this to fruition.

11 MS. CHAMPION: Yes, sir.

12 CHAIR: Sheriff Judd.

13 SHER. JUDD: I know that we're still
14 working through the details, and the Secretary
15 has been very helpful, as well as her Chief of
16 Staff. When we're dealing with -- and I'm
17 going to focus on the guardian money, but I
18 think it crosses the line onto all the funding.
19 It speaks of training the guardian, and we
20 received one interpretation along the way that
21 the \$500 stipend was to buy the weapon, as
22 opposed to the economic stipend for
23 volunteering to be a guardian, which that was
24 the legislative intent, as I lobbied the
25 process that caused the state system to melt

1 down right there.

2 In addition to that, it talked about
3 training. It's important to understand we
4 can't train without the equipment, so I don't
5 know at what level DOE is going to make that
6 decision, who all is involved in that
7 discussion, but certainly when we look at this
8 pot of money I don't know that one size fits
9 all, but certainly we have to consider what,
10 what is training, and what comprises training.
11 And we -- and the Secretary was most helpful
12 yesterday because initially we all were
13 concerned that the law was signed into effect
14 March 9th, you received the funding on July
15 1st, but we had to order equipment and start
16 training in this other budget year of yours in
17 order to meet the August 13th date of being
18 able to put either a school resource officers
19 or a guardian on the campus at start of school.

20 And the Secretary said she had, she had
21 found where it was permissible to do that, but
22 there was some push back before I came to this
23 meeting, and she helped me clarify that, that
24 DOE would not be able to, according to other
25 statutes, pay for anything that accumulated

1 prior to July 1st. We've apparently corrected
2 that now, but I want to reiterate publicly that
3 if we didn't start buying the first piece of
4 equipment until after July 1st or accepting the
5 first application for the first SRO or guardian
6 until after July 1st, it's absolutely
7 physically impossible to secure these schools
8 as required by the legislative act that was
9 signed into a law and was immediately enforced
10 on March 9th.

11 So, I just want to publicly, one, thank
12 you for apparently working through part of
13 that, and two, ensure that we don't make a
14 decision in a vacuum of wants constitutes
15 training and what doesn't constitute training.

16 MS. CHAMPION: So, I believe --

17 CHAIR: Yeah, go ahead.

18 MS. CHAMPION: I was going to say that I
19 know the technical assistance and guidance is
20 in the works, and we will providing that
21 hopefully very shortly.

22 CHAIR: Do you have a timetable at all for
23 that?

24 MS. STUART: I think where we are right
25 now is gathering the information on which

1 districts are going to be doing the guardian
2 program, so that we can be able to provide that
3 technical assistance to those individual
4 districts that are doing the guardian program.
5 Our soft information right now is that there
6 are only thirteen districts that are going to
7 be participating in that. And we -- as the
8 Chair has recognized we are all under tight
9 timelines, and it does make it difficult, and
10 in some situations as you've talked about we
11 probably are not going to make some of those
12 deadlines. There is expectation that August
13 13th, or 15th, or whatever that date is, but
14 it's really to be at the start of school, and
15 we anticipate that there will be some of those
16 districts that are not going to have those
17 guardians on that campus at that point, and the
18 districts will be doing something else in that
19 gap from the start of school until they are
20 able to have the guardians on those campuses.

21 CHAIR: Sheriff Judd.

22 SHER. JUDD: And that is part of our
23 significant concern. When this first -- when
24 the conversation of 7026 first began the
25 Governor and the Speaker of the House, the

1 President of the Senate, the legislative body,
2 and I can let Senator Book hand this off, their
3 intent was -- and the way the sheriffs ended up
4 in charge of the guardians, and a lot of this,
5 was the Governor said specifically I want one
6 person responsible for this, and the person he
7 wanted responsible was the elected law
8 enforcement officer who had political skin in
9 the game. So that I can tell you come hell or
10 high water I'm going to have somebody on every
11 campus when that door opens on August 13th.

12 And -- and certainly DOE has been, let me
13 tell you clearly, has been communicating with
14 us, and we appreciate that, but the concern
15 that, and we want to be part of the solution
16 with you, is that we don't want someone sitting
17 behind a desk saying training means training,
18 because you can't train without the equipment
19 to train it. So that -- I guess that's where I
20 went from here. And -- and these timelines are
21 tight.

22 And quite frankly, the conversation --
23 I'll just add this for editorial comment then
24 I'll stop, because we have a lot to do -- if my
25 district had the \$16 million to put a hundred

1 school resource officers on campuses in the
2 cities and the unincorporated area, we can't
3 find them, let alone get them trained and on
4 the campuses, they're not there. I probably
5 have forty-five openings right now anyway
6 because it's very, very difficult. So, the
7 guardian program for me is, is, you know, light
8 from heaven in order to meet this August 13th
9 mandate.

10 CHAIR: So, whatever the Department can do
11 sooner rather than later, I think, to provide
12 guidance would be beneficial to everybody. I
13 can tell you we're in the same boat, where we
14 have to put a hundred guardians in place by
15 August 13th, and we're doing the same thing.
16 But we don't know -- and the district doesn't
17 know -- this isn't fair to the districts too,
18 because the districts don't know what it is
19 they're going to be financially responsible for
20 that the Department isn't going to pay for.

21 So as an example, guns, bullet proof
22 vests, uniforms, the training certainly,
23 everything, you know, the psychological and the
24 drug tests, I think those are easy, low hanging
25 fruit, no brainer items, but there's a bunch of

1 stuff that there's question marks about, and
2 whatever the Department is not going to allow
3 that \$67 million to be used for is going to be
4 on the districts to pay for, so the districts
5 are in a situation where they don't know what
6 they're on the hook for but -- and we're
7 spending the money right now, so there's a huge
8 question mark and uncertainty.

9 So, whatever you all can do to at least
10 provide some general guidance sooner rather
11 than later, I think it would benefit everybody.

12 MS. STUART: And we are poised to do that.
13 Knowing that we need to stay within the
14 legislative authority, and there isn't the
15 provision for us to do rulemaking to make it
16 clearer, and in some cases, it may be that the
17 local general councils are going to have to
18 weigh in on some of these issues, such as what
19 exactly the legislature means when they say to
20 pay salaries for SROs; does that include
21 equipment to go along with those salaries. And
22 I think that that would be something outside of
23 my purview in providing that information.

24 CHAIR: Okay, we'll move on from that. We
25 appreciate the input, and anything you can do.

1 Chief Lystad, I think you're next. I think
2 Secretary was next, then, and then we'll get to
3 Sheriff Ashley.

4 SEC. DALY: So, the money that was
5 allocated for mental health services, I know
6 that it's to expand the CAP teams around the
7 state, but the \$69 million that's going to be
8 allocated with the FEFP, is that going to
9 provide for additional social workers,
10 counselors in schools? What -- what will that
11 money go towards; do you know?

12 MS. CHAMPION: I would need to get back
13 with you on that, sorry.

14 CHAIR: Go ahead, Secretary.

15 SEC. CARROLL: And this may be a question
16 to the Chair, because I had some of the same
17 questions in terms of how that money is
18 allocated to local school districts, what type
19 of services it entails, and then what the
20 linkages are with the local mental health
21 community service providers in the areas of
22 those schools. And so, I don't know if we have
23 something scheduled with the mental health
24 portion of it later on, but that would be very
25 helpful, because I don't think the Deputy

1 Commissioner is going to be able to answer some
2 of those, but it'd be very helpful.

3 CHAIR: We'll take note of that and see
4 what we can do. Sheriff Ashley, are you there?

5 SHER. ASHLEY: Yes, sir. Thank you for
6 allowing me to participate via phone. I just
7 have a couple of questions. And for
8 clarification, the initial Safe School funding
9 was, there was eight different reasons
10 enumerated for use of the initial Safe School
11 funding, anything from afterschool programs to
12 anti-bullying programs, mental health services,
13 and the like, and school resource officers.

14 The new Safe School funding was
15 specifically tied to the mandate to have school
16 resource officers in schools. Is that your
17 interpretation, the Department of Education's
18 interpretation?

19 MS. CHAMPION: Yes, sir, that's correct.

20 SHER. ASHLEY: All right. So, is it also
21 the Department of Education's interpretation
22 that schools are solely responsible for the
23 cost of the mandated programs under 7026, or
24 just school resource officers, or is this a
25 shared cost that we're talking about?

1 MS. CHAMPION: That's beyond the language
2 that's in the legislation, we would not have
3 any additional information about that.

4 SHER. ASHLEY: I know, but is it the
5 Department of Education's interpretation that
6 schools are solely responsible for funding this
7 mandate?

8 MS. STUART: So, I don't think that we're
9 in a position to be able to answer that
10 question, Sheriff Ashley. What I do think is
11 that it is clear that the additional money in
12 that one-line item in the Safe School budget is
13 to be used for the salaries of SROs. Whether
14 or not there are additional monies to be spent,
15 the law does not specify who is responsible for
16 absorbing those costs. The law is silent on
17 that, so it would be inappropriate for me to
18 have an opinion on that.

19 SHER. ASHLEY: Thank you for that. And I
20 agree with that, by the way. I think what's
21 happening here is we're kind of pushing our
22 school districts into a law enforcement role,
23 and from my viewpoint anyway the constitutional
24 authority to enforce laws and provide public
25 safety services falls on sheriffs and police

1 departments, and through that funding we're
2 responsible for that duty while schools are
3 responsible for educating our children.

4 So, I don't want to try to confuse these
5 things on trying to shove all of these
6 requirements onto our, as far as security and
7 safety, and enforcing our laws, onto our
8 schools when that's a better task for law
9 enforcement. But with that task, and with that
10 mandate comes funding, so how we utilize that
11 is important, and I think this commission needs
12 to make those recommendations when we finally
13 get there. Thank you.

14 CHAIR: And just for the record, for those
15 of you who may not be aware of what the statute
16 says, and this is why there's ambiguity and
17 there's uncertainty in the Department is really
18 not in a position to interpret it. What the
19 statute says is, is that the school board, the
20 school superintendent in cooperation with law
21 enforcement, shall ensure that there's a Safe
22 School officer, which is defined as a law
23 enforcement officer or a guardian, on every
24 campus. That's it. It says the school board
25 superintendent in cooperation with law

1 enforcement -- and it's not clear. And that's
2 why all the questions are there. But just so
3 everybody understands that's what the statute
4 says, and that's why they're not in a position
5 to really interpret it beyond that, because
6 there's no guidance beyond those words and that
7 language.

8 Mr. Petty.

9 MR. PETTY: Thank you, Mr. Chair. We
10 moved fairly quickly through the slides, but I
11 noticed Slide 3 talked about 2016/17
12 expenditures. Do we -- or does the Department
13 of Education track the actual expenditures at
14 the district level? I assume there was
15 legislative or regulatory intent behind each of
16 these categories. Does the Department of
17 Education track the spending at the district
18 level to ensure compliance with legislative
19 intent, or regulatory intent?

20 MS. CHAMPION: Mr. Chair. The Department
21 basically collects the information from school
22 districts so there's no, there's not an audit
23 of the information itself reported by school
24 districts, and it's reported within the
25 categories that were provided for in proviso

1 over the last few years.

2 MR. PETTY: Okay. So, maybe stated
3 another way, there is -- there's budget
4 allocations that the legislature defines that's
5 handed to the school districts, but there's no
6 enforcement, or compliance check, or auditing
7 to see whether or not they actually spent the
8 money on -- for example district school
9 resource officers, there's \$55 million
10 allocated in 2016/17. We don't know whether
11 they actually spent the money on SROs?

12 MS. CHAMPION: Mr. Chair -- I'm sorry, I
13 think maybe I was confusing in my response.
14 These are the reported expenditures, okay? So,
15 the districts have from their accounting
16 records generated this information. All of
17 these categories that they use are appropriate
18 uses of those Safe School funds, and as you
19 know each school district has an annual
20 financial audit required by law, and that is
21 where the determination of appropriate
22 expenditures would be determined by the
23 auditors.

24 CHAIR: Commissioner Swearingen.

25 COMM. SWEARINGEN: Thank you, Chair. And

1 my question is -- it's probably a follow up to
2 Commissioner Petty's. I just want to make sure
3 that -- so there is an auditing process --

4 MS. CHAMPION: Yes, sir.

5 COMM. SWEARINGEN: -- to make sure that
6 when the legislature allocates this money to
7 Safe Schools that it, one, does go to some
8 program that enhances school safety, that there
9 defined ways this money can be spent, and then
10 is there a further auditing process to
11 determine that if they're spending this on a
12 program that it's actually an effective
13 program, and if not is that money then when
14 withdrawn; or who determines how effective
15 these programs that they decide to spend this
16 money on?

17 MS. CHAMPION: Mr. Chair. The annual
18 audit that each district has, and for the small
19 and some of the medium sized districts those
20 are done by the Office of the Auditor General,
21 and then for the large districts they contract
22 with a CPA firm to do the audit, and every
23 third year the Auditor General actually does
24 conduct an audit of large school districts
25 though, too. Part of the financial audit would

1 include compliance with laws with regard to
2 expenditures. And obviously, auditors don't
3 look at every single transaction that occurs
4 within a school district. But, based on their
5 audit program, they are going to choose and do
6 sampling of expenditures to ensure that they
7 complied with the law.

8 COMM. SWEARINGEN: But there is no follow
9 up done by anyone to make sure that the
10 programs that they're spending this money on
11 are actually effective or produce the outcomes
12 that they were intending.

13 MS. CHAMPION: The school board is
14 basically the responsible party for determining
15 that the resources they have are used for
16 effective programs, so there's not, in terms of
17 a state level oversight, a determination that
18 they're using effective programs.

19 COMM. SWEARINGEN: Thank you.

20 CHAIR: So, an example of it would be --
21 and think is that -- and I know some districts
22 do this, not all but some do, and we've heard
23 something about this, about the campus monitors
24 as an example. The campus monitors, and there
25 are campus monitors at play here, they are some

1 districts that use some of them to save school
2 money to fund the campus monitors. Are the
3 campus monitors a good return on the
4 investment, is it effective, do they -- and I'm
5 not saying they are or they're not, but that
6 would be an example where there's been an
7 expenditure, and I think what you're saying is,
8 is that's not the Department's role, that has
9 to be assessed by the school board, and they're
10 the ones that are responsible as to whether
11 there is a good return on the investment, and
12 whether they are adequately performing, and
13 it's good use of those dollars; is that right?

14 MS. CHAMPION: Correct.

15 CHAIR: Okay, Commissioner.

16 MS. LARKIN SKINNER: I have a question
17 regarding the Office of Safe Schools. After
18 what we've learned this morning about the
19 legislative authority that's not given to DOE
20 my perception now is that the Office of Safe
21 Schools will operate as a technical assistance,
22 and maybe report and data compiling. Is that
23 accurate, and if that's not accurate what will
24 the role of the Office of Safe Schools be?

25 MS. CHAMPION: Commissioner, do you --

1 MS. STUART: I think you've described it
2 accurately. There are also some requirements
3 in law of the Office of Safe Schools,
4 responsible for training, et cetera, so yes,
5 that's a fairly accurate description of the
6 role. They will also serve to be in
7 consultation with the review of the Safe
8 Schools facilities grant monies that will be
9 going out. So, there are -- there are many
10 roles that that office is going to be handling.

11 CHAIR: Commissioner.

12 MR. DODD: Yeah, I wanted to ask a
13 question on the school monitor program. On
14 Slide, on Number 3 on Page 2 of your
15 presentation, you know, you show that 85% of
16 Safe School allocations went to school resource
17 officers. In my district, we give 100% of our
18 Safe School allocation to fund our school
19 resource officers. What would the monitors be
20 under? Obviously, they wouldn't be enhancing
21 learning environment. I wouldn't think they
22 would. Would they be under correction of
23 specific discipline problems, or --

24 MS. CHAMPION: Mr. Chair, I really would
25 not have the answer to that.

1 MR. DODD: I'm just curious how much money
2 is being spent on school monitors. And the
3 reason I bring that up too is because, you
4 know, we're talking about avenues to enhance
5 school safety in addition to school resource
6 officers, some other things, and even, you
7 know, looking at the use of volunteer monitors.
8 But I'm just curious as to how much money is
9 being allocated, or being spent, I should say,
10 on school monitors.

11 MS. CHAMPION: Yes, sir. And again, they
12 report to us in these categories, and districts
13 are aligning their expenditures to these
14 specific categories, so we would not have any
15 detailed information on that.

16 MS. STUART: And, Sheriff, if I may just
17 add to that. It is entirely possible that
18 districts are using general revenue in order to
19 pay for some of those security officers, so we
20 wouldn't have that information.

21 CHAIR: Senator Book.

22 SEN. BOOK: Thank you so much. And I
23 think part of the problem, at least from where
24 I'm sitting, is that it could be argued that a
25 campus safety monitor could enhance the

1 learning environment because they feel safe.
2 So, it's up to the district how something is
3 coded for that to fall within that world, and
4 so I think that this is part of the thing that
5 we're tussling with right now.

6 CHAIR: Any other questions? Well, thank
7 you. Appreciate you being here.

8 All right, we're going to change topics
9 now and segue way into the school resource
10 officers. The first presentation will be from
11 Dean Register with the Florida Department of
12 Law Enforcement. He's the Director of
13 Professionalism, and he's going to talk about
14 the school resource officers in a broad sense,
15 and what requirements are now in place
16 regarding training, et cetera. Welcome.

17 MR. REGISTER: Good morning, Mr. Chair,
18 and good morning, Commissioners. Certainly, we
19 hope to basically paint a picture, give some
20 background on how law enforcement training in
21 general is handled and standardized in Florida.
22 We won't speak of that at high level. We will
23 get into SRO training. This is somewhat of a
24 two-part presentation. The gentleman following
25 me, Tim Enos, is very well respected in the SRO

1 arena. He will be following, following this
2 presentation to talk more about how it's
3 actually being applied, actually providing the
4 training, and so forth. So there again, it
5 will be somewhat of a two-part presentation.

6 Okay. In Florida -- law enforcement
7 training in Florida is basically coordinated by
8 the Florida Criminal Justice Standards and
9 Training Commission. As a little background
10 for the commission, this commission was
11 established fifty-one years ago in 1967. The
12 first part of it was the Police Standards
13 Council. Since that time, it has evolved
14 greatly. As you'll see from the slide, the
15 Number 1, the duties and responsibilities are
16 outlined in Florida Statute 943, and also
17 administrative rule.

18 The commission consists of nineteen
19 commissioners. You see on the slide, and in
20 your presentation in your book of who serves.
21 Sixteen of those are appointed by the Governor.
22 Three of those serve by virtue of the positions
23 they hold, being the Florida Highway Patrol
24 Director, Department of Corrections Secretary,
25 or their designee, the Attorney General, or

1 their designee. The roles of the commission
2 are several, and again they are outlined in
3 both the statute and the administrative rule.

4 The primary role would be officer
5 certification, officer discipline, basic
6 recruit training. I did list the hours because
7 that is certainly something that was brought up
8 by both Sheriff Judd and Gualtieri, is in
9 Florida a basic recruit goes through 770 hours
10 of structured training. I can tell you that on
11 a national level we're on the upper side of
12 that. There are handful of states who require
13 more hours than Florida, but we are on the
14 upper end of that, so to say that you're going
15 to hire an officer and put him and have him
16 ready in 90 days if you're having to start from
17 scratch, it's not possible if you have start
18 from scratch.

19 Also, we, on top of the basic recruit
20 classes, we also coordinate and approve
21 specialized and advanced training programs. To
22 talk about -- when I say we hold certifications
23 to put it in context in Florida we have 85,000
24 certified officers. 46,000 of those are law
25 enforcement officers. 31,000 are correctional

1 officers. 2,300 are correctional probation
2 officers. There again, the commission holds
3 their certification, and the commission is also
4 responsible for basic training for each of
5 these disciplines.

6 The M2, this training that I speak of,
7 that is typically delivered through -- in
8 Florida we have as system of forty training
9 centers. Each training center is certified by
10 the Criminal Justice Standards and Training
11 Commission. They use our curriculum, and they
12 deliver these programs throughout the state.

13 When I speak of specialized and advanced
14 courses, basically these are just what they
15 sound like. These are additional courses that
16 law enforcement officers are, that are
17 available to law enforcement officers and
18 academies throughout the state. We have
19 thirty-seven advanced courses. Basically, an
20 advanced course is 40 hours or longer, and
21 there again, it's continuing the training of a
22 law enforcement officer. We have twenty-five
23 specialized courses. These are typically
24 shorter courses, shorter than 40 hours, and
25 more specific in nature.

1 Also in Florida, we have the minimum
2 mandatory retraining requirements. In Florida,
3 officers are required to attend 40 hours of
4 training every four years. Listed here you
5 will see the items. We do not dictate how you
6 use that entire 40 hours. However, the
7 commission does state what the minimum certain
8 topics that have to be taught to an officer, or
9 they have to take training in each four years.

10 Also, something that's a little bit
11 different in Florida is our police chiefs, and
12 our sheriffs, and our CEOs of our agencies have
13 a lot of autonomy when it comes to training,
14 and honestly that's a good system. Some states
15 the post, or the commission that I speak of,
16 pretty much dictate all the training. In
17 Florida what we do, we establish the baseline.
18 We establish the minimum, and that's what we
19 require.

20 Of those 40 hours of training that you see
21 here, you could complete the mandatories that
22 you see and still have 28 to 30 hours left,
23 that there again are police chiefs and
24 sheriffs, and they can complete that by using
25 one of our specialized or advanced trainings,

1 or they can, if the CEO designates, it they can
2 bring in outside vendors and others to meet
3 that mandatory training. So, there is a lot of
4 autonomy, and I think it works well for us in
5 Florida as it relates to mandatory training.

6 Secondly, I give this list -- I give this
7 list to talk about other training. Each one of
8 these -- a lot of you that's involved in law
9 enforcement, when you see these you will think
10 back to a statute that has passed over the past
11 several years. It is very typical for the
12 legislature to, and basically usually every
13 year we get some duties, and as far as events,
14 or things taking place, and legislation comes
15 through that we are to create training.

16 I want to spend just a few minutes to talk
17 about how that's done. And when I was looking
18 over these I was reminded when we were in
19 school about how a bill becomes a law.

20 Basically, what I want to do is, so that
21 everybody has a situation awareness, is talk
22 about how a, a topic becomes a course. There
23 again the commission, it is very structured,
24 the way we go about it, but typically when we
25 start seeing an issue we try our best to work

1 with our legislators, and to let them know what
2 it takes to implement such a course, so
3 there's, hopefully there's good discussion on
4 the front end.

5 Secondly, once it's determined that the
6 course is to be developed our group -- we have
7 a group of curriculum writers. And that's
8 important, to think about that, that's exactly
9 what they are. They are not cops, they are
10 curriculum writers, but they're very good at
11 what they do, and they have the ability to put
12 a bunch of cops in a room, and to get the best
13 out of them, and then come out the other end
14 with curriculum that can be taught in a
15 standardized manner.

16 So, our curriculum writers start pulling
17 together subject matter experts. Our partners
18 are truly the police departments, sheriff's
19 departments, training center directors. You
20 will hear is talk about FASRO, they are great
21 partners. That's who we look to when we start
22 forming what the topic is to develop the
23 courses.

24 Following or identifying the SMEs, there
25 are numerous workshops and workgroups that we

1 pull together. Some of them, you know, may be
2 week- long workshops. Some will be a series of
3 two or three-day workshops. After that's
4 completed our curriculum writers come back to
5 town and start framing out the curriculum.
6 Once it's drafted it goes back to the subject
7 matter experts for them to look at it, validate
8 it, and make changes. Sometimes once we do, a
9 course we will field test a course. That is a
10 process to where we will send it out to certain
11 training centers, or to certain agencies, and
12 ask them to actually teach the course to their
13 officers, and to give us feedback.

14 After that's done, the courses are
15 presented to the Criminal Justice Standards and
16 Training Commission for adoption. If I didn't
17 mention it earlier, CJSTC meets four times a
18 year on a quarterly basis. And I mention this,
19 and spend time on that, because creating
20 curriculum is a lengthy process. It's not
21 something that you can, let's say you can have
22 it fast or you can have it cheap, it does take,
23 it takes time, and a lot of effort goes into
24 creating a single course.

25 Okay. The Criminal Justice Standards and

1 Training Commission also coordinates additional
2 certifications. As you'll see from the list
3 most of the additional certification on the top
4 of basic recruit are related to instructor
5 certifications that the commission controls and
6 governs.

7 Now to move into training as it relates to
8 SROs. Of course, with 7026 passage we began
9 getting a lot of questions as it relates to SRO
10 training, so back in, back in the spring -- you
11 know, the first question was really, I mean
12 who, can anybody tell us -- and we were asked
13 how many SROs do we have in the state of
14 Florida. We -- we did not have that data, so
15 we worked with our partners at the Police
16 Chiefs Association and the Sheriffs
17 Association, and we actually conducted a
18 survey. Keep in mind that the results of that
19 survey that you are seeing is as of April of
20 this year. It looks like we had just under,
21 identified as just under 2,000 SROs. Of
22 course, we know that that's inclusive of both
23 police departments and sheriff's departments
24 that are employing those SROs.

25 Another issue that we fielded a lot of

1 questions on, a lot of people were under the
2 impression that there is a certification
3 process for SROs. There is not. There is no
4 administrative rule or statute that requires or
5 dictates any specific training for an SRO
6 before they assume that role. However, and
7 we'll go into it in some of the next slides,
8 you're going to see there is SRO training in
9 Florida. And I can tell you even though
10 there's not a mandate, or a statute, or a rule
11 saying that you will have it, I feel confident
12 in telling you it's very common for an SRO to
13 receive the training that we'll talk about
14 next. And talking to some agencies, a lot of
15 them will say within six months to a year of
16 assignment then they must go to whatever
17 training that agency dictates is appropriate
18 for their SROs. So, I certainly don't want to
19 leave anybody with an impression that there's,
20 that SROs are not getting trained.

21 Okay. In Florida, typically, there are
22 three avenues for SRO training. The first you
23 see there is the Criminal Justice Standards and
24 Training Commission Course. This is a basic 40-
25 hour course developed by the commission. The

1 curriculum is maintained by the commission.
2 This course when it's delivered is typically
3 delivered in one of the forty training centers
4 throughout the state.

5 Secondly, you have the Florida Attorney
6 General's Office. The Attorney General's
7 Office is probably the most prevalent and
8 commonly -- they're the biggest provider I
9 would say for SRO training. They do an
10 excellent job. They run the SRO training
11 through their Crime Prevention Training
12 Institute. I know they're very proud of that
13 program and have done a lot of good things with
14 it over the years.

15 The Attorney General's Office offers this
16 class around the state, and basically the basic
17 class for them, they utilize our CJSTC course
18 as their baseline. The Attorney General's
19 Office has gone a step above in that, and
20 they've created additional training, as you
21 will see there, the 24-hour intermediate
22 course, and also a 24-hour advanced course.
23 The Attorney General's Office also has SRO
24 practitioner designation, and SRO specialists'
25 designation. And there again if there's

1 questions on that I would ask you that you wait
2 for Captain Enos, because he is intimately
3 involved in that process, and probably can
4 explain it more. But, yeah, they're doing a
5 lot of good things as far as it relates to the
6 SRO training.

7 And then the -- the last, or the third
8 opportunity for SRO training is our Florida
9 DARE program. FDLE serves as a coordinator of
10 Florida DARE, and we hold these classes,
11 typically we hold the twice a year for officers
12 who want to become DARE certified. That
13 curriculum is based on DARE America curriculum,
14 but we were able to bump it up against our SRO
15 course, and we were able to add some to the
16 DARE America curriculum to where when they
17 leave there they're both signified as having
18 received training to teach DARE and also
19 designation as receiving SRO training.

20 And the next two slides basically is an
21 outline of the, this is the basic SRO course,
22 would be the one that the CJSTC adopted, and
23 the Attorney General uses as their baseline as
24 far as initial entry level training as it
25 relates to SRO. Okay. And with the, you know,

1 following and monitoring the bill, and fielding
2 questions, we also started back in the spring
3 looking at what we need to do in assessing
4 where we are as it relates to training in
5 general for law enforcement, and SRO with the
6 events that we're faced with.

7 Back in April, we pulled together an
8 initial, a smaller work group, but we met in
9 Tallahassee, and we certainly invited our
10 partners from the Attorney General's Office.
11 We had representatives from FASRO there. We
12 had some high liability instructors, and others
13 come in, and we were getting a lot of questions
14 on how our SRO trains, trained, and to what
15 extent do they get training in active shooter
16 situations.

17 Based on this group meeting for two days,
18 basically, there was three recommendations.
19 One was recommended that we look at developing
20 training specific to single officer response to
21 active shooter as it relates to SROs. And
22 there again, I certainly do not want to leave
23 the impression that that's not being trained.
24 I know of several agencies that do in fact
25 train that. Several police academies have, in

1 fact, already started that type of training.

2 But where we come in -- and that's why I spent
3 the time on the front end about the commission.

4 We can take it, the things that we're
5 doing right, and doing good, the commission
6 would like to come in, take it, standardize it,
7 and roll it out to a broader audience. So
8 that's where this comes in as far as the single
9 response. And we'll talk about that a little
10 bit more the next slide. Also, realizing that
11 the roles of an SRO have changed drastically we
12 recommend, or the commission, or the group
13 recommended that we start with trying to create
14 a job task analysis for what is an SRO today.

15 That may not be the same as what an SRO
16 was in January of this year, or what is
17 expected of an SRO, so job task analysis is
18 going to be very important. And then thirdly,
19 based on that job task analysis, we need to
20 look at our current curriculum for an SRO and
21 see where adjustments need to be made.

22 Okay. And now to go into the
23 recommendations, and sort of say where we,
24 where we're going or what we've done.
25 Basically, we have pulled together, and we're

1 still pulling together a group of persons to
2 assist us in looking at the single officer
3 response to active shooter. We hope and intend
4 to continue those meetings in June and July.
5 There again this is -- this is already being
6 done. The Florida SWAT Association has a model
7 that they have been teaching at FASRO. Maybe
8 you'll hear more about that in the next
9 presentation. This is being done. What we've
10 got to do is bring the people together, right
11 people together, make sure that we standardize
12 it, and make sure everybody agrees that it's
13 the right thing for the entire state.

14 So, this one, while it's a lift, a lot of
15 the work has been done on the front end, and
16 we're certainly going to depend on those to
17 help us out. So, we certainly feel I can think
18 that we can, we can do that, we'll look at it
19 through the summer. And then once again, I
20 mentioned the commission, we certainly hope to
21 be able to have that to the commission for
22 submission at the very latest of November of
23 this year. But there again, submitting this to
24 the commission is not keeping anybody from
25 training this. It's being trained out there

1 now. What this will do will formalize it and
2 make it a CJSTC course.

3 Secondly the -- I'm sorry, I didn't
4 forward. The job task analysis. This is going
5 to be an important component. We maintain, and
6 we -- for years we have maintained a job task
7 analyses on each one of our disciplines, law
8 enforcement, corrections, corrections
9 probation. And this is a little bit different
10 when we start drilling down to an assignment,
11 but curriculum and training needs to be based
12 on the actual job, the criticality, what do you
13 do the most often, what is the most critical,
14 if you get it wrong what's the, what's the
15 consequences, is what the JTA is going to help
16 us. And it's going to help us sort of frame
17 out what the future of SRO training should be
18 in Florida.

19 There again, typically doing your JTA is a
20 very lengthy process. We are certainly moving
21 on this one quickly, and we realize that we, we
22 want to complete this JTA quick, by the fall,
23 and we realize that we may have to come back
24 and update it because there's going to be
25 changes, either through the legislature, or

1 this body and others, but at least it would
2 give us the groundwork that we need quickly,
3 and what we will do with that is we will run
4 these two work groups basically alongside one
5 another, because we want to be able to feed the
6 information from the job task analysis directly
7 into the curriculum development team.

8 So, after the JTA, or as this is going on,
9 we certainly would hope to have the other work
10 group running beside them feeding them
11 information and start hopefully crafting out
12 the new curriculum for SROs. There again, keep
13 in mind -- I know that there's -- I know at
14 FASRO there's going to, they're going to be
15 teaching SRO. I know Valencia College has a
16 class coming up next month of about sixty SROs.
17 So while we're doing -- this SRO training is
18 going, but they're using the previous
19 curriculum. What we want to do, and certainly
20 as quickly as possible, is to revamp that
21 curriculum and get it delivered as quickly as
22 possible.

23 Okay. That was sort of quick. I hope I
24 didn't talk too fast, but that was a, sort of a
25 wide overview of law enforcement training in

1 general, and then where we are in SRO. And
2 then as I said I certainly thing Captain Enos
3 can shed some light on how it's actually being
4 applied down on the training level, and the
5 officer level. And with that I -- and there
6 again we certainly anticipate additional
7 training needs coming out of this commission.
8 We anticipate, as I've said, each year we get
9 guide-its from the legislature. We welcome, we
10 welcome that guide- its, and I do feel that the
11 commission can be a resource to this commission
12 by, if there's desires for law enforcement
13 training lets standardize them, let's run them
14 through the commission, and we can assure that
15 they'll be done right and monitored. And with
16 that any questions?

17 CHAIR: Thank you, Mr. Register. So, we
18 have, again, three more presentations on SROs
19 coming, but does anybody have any questions for
20 Mr. Register? Okay, thank you very much.

21 MR. REGISTER: Good or bad? Thank you.

22 CHAIR: I think it's good. You did a
23 great job, thank you. So, it's 10:00. We'll
24 break for 15 minutes until 10:15, and we'll
25 come back with Captain Enos from the Florida

1 Association of School Resource Officers, or
2 FASRO, for that presentation, and we'll
3 continue with the topics. And we'll see you at
4 10:15.

5 (Thereupon, a break was taken off the record and the
6 meeting continued as follows:)

7 CHAIR: Okay. Our next presentation will
8 be from Captain Tim Enos with the Sarasota
9 County Sheriff's Office who is the President of
10 the Florida Association of School Resource
11 Officers. Welcome.

12 CAPT. ENOS: Good morning. Just waiting
13 for them to get the PowerPoint up. Mr. Chairman
14 and Commission, thank you for allowing me to
15 come to speak today. What I'm going to
16 basically do -- I'll talk to you, kind of,
17 about how the Florida Association of School
18 Resource Officer does, we hold a training
19 conference. I am a Captain with the Sarasota
20 County Sheriff's Office. I'm the Commander of
21 the Emergency Operations Bureau. I've been in
22 law enforcement for 28 years. Eighteen of
23 those years I was either an SRO at the
24 elementary, middle, or high school, as well as
25 the youth services section supervisor, which

1 was in charge of the SROs for 16 years.

2 I am now the Executive Director of the
3 Florida Association of School Resource
4 Officers, which I -- three years ago I became
5 the Executive Director. Prior to that, I was on
6 the board since 2001 as one of the Regional
7 Directors. So, as we go I'm going to kind of
8 give you some information just as how FASRO is
9 and answer any questions at the end. We were
10 established in 1979, so we're either the
11 oldest, or one of the oldest state associations
12 for school related police training.

13 The state is divided into eight different
14 regions, and you'll see on there where the
15 county comes into play. Down here in Broward
16 is Region 8. The Region 8 Director is Captain
17 Beth Jones out of the Collier County Sheriff's
18 Office. Each one of those regions has a law
19 enforcement officer as the regional director,
20 everything from Escambia County all the way
21 down through Monroe County, which includes a
22 sheriff's office as well as officers with
23 police departments.

24 Basically, how we do it is we have a, one
25 time a year we have an annual training

1 conference, and how we do it is we identify the
2 needs that come through throughout the year in
3 reference to what the SROs who attend the
4 previous conference want to, to talk about. So
5 as an example as, is when working with the
6 Department of Juvenile Justice I when they
7 implement the civil citation program, is that
8 they came down to our conference, they would
9 come to the conference, they would talk about
10 it, we would assist them in implementation, and
11 we've done that partnership quite a few times,
12 and spoke on behalf of how good of a program it
13 is, and reference to sharing of information and
14 law enforcement was also assisting in children.

15 So as those things come through, as an
16 example two years ago we had generation Z, so
17 all of our training was in reference to
18 juveniles (unintelligible), open source
19 investigations, internet safety, ICAC, all of
20 that stuff, because those are the things that
21 we wanted to do in reference to Facebook,
22 Instagram, Snapchat, all the things that are
23 still prevalent today. So as officers
24 throughout their time period, they come across
25 things that they think that they need training

1 on, they would reach out to their regional
2 director, or they'd reach out to me, or the
3 conference coordinator, and they'd say, hey,
4 what I would like is can we talk about
5 something in reference to this.

6 We've had active shooter training in the
7 past, in reference to we have speakers that
8 come in regarding to incidents that would have
9 occurred, that would have been active shooter
10 events, that they'd come and then they would
11 talk about, and they would talk about that
12 specific situation, so that it would be like a
13 lessons learned type of program.

14 At the conference, we take in
15 superintendents -- I don't want to say take in,
16 but we would basically train anybody in school,
17 as well as administrators, as well as law
18 enforcement officers. So, anybody in that arena
19 that's regard to school safety, or that would
20 develop any type of programs, they're eligible
21 to come too, because none of it is necessarily
22 law enforcement sensitive. So, we're not going
23 to have anything that they would feel that
24 would be out of sorts, or out of place, that
25 they wouldn't be able to go back and share with

1 the rest of the school, any of the safety
2 officers, et cetera, et cetera.

3 We do host -- and that's one of the things
4 with Mr. Register. We do host the Attorney
5 General's basic SRO course, so we basically are
6 the training organization, but the AG comes in,
7 and they do all of the training based on the
8 course curriculum that is set from FDLE. So,
9 at FASRO we actually don't do any training,
10 we're just a host to bring in people to provide
11 training to the membership.

12 This year, as an example, we're hosting
13 two courses. We have 131 people that have
14 signed up for the basic SRO training course
15 through the attorney general, which will be at
16 our annual conference this year. This year is
17 the first year. We're also hosting the
18 advanced course, which is 24 hours of training,
19 which is, again, is an advanced certification.
20 I shouldn't say certification, but it's an
21 advanced set of curriculum that the attorney
22 general sets in order to get them closer to
23 their SRO practitioner designation, and that
24 SRO practitioner designation is we have one
25 from FASRO, and we also have one from the

1 attorney general's office.

2 The difference in that is the attorney
3 general's office practitioner designation is
4 130 hours' worth of juvenile related training,
5 which includes that you have to have the
6 40-hour basic course. In regard to the FASRO
7 is we have 160 hours' worth, 8 hours' worth of
8 training, again you have to have the 40 hours
9 course, and the rest of it has to be specific
10 in regard to juvenile. It could be juvenile
11 sex crime investigations. It could be anything
12 that's related to youth, could be used towards
13 that practitioner designation.

14 We also host the Florida DARE Officers
15 Association with FDLE. We have the
16 recertification and training course that we
17 also during their, again that they are part of
18 our overall umbrella, but they are actually
19 doing the curriculum as set forth by their
20 standards in reference to their training
21 course, as well as like in the basic. So, the
22 AG does the basic course for 40 hours. We
23 basically just host it. So, we have the hotel,
24 we get the accommodations, the arrangements, we
25 make sure that it's a certified training

1 center, et cetera, et cetera, so they can have
2 the course.

3 We do have an agency of the year
4 designation that's awarded, as well as we have
5 through the attorney general's office, we have
6 an SRO of the year designation that's given out
7 at the conference, as well as we do educational
8 scholarships. This year we're going to give
9 out thirty \$1,000 scholarships for high school
10 seniors going into post-secondary education
11 that we do. It's 24 hours of training. That
12 can be a little bit debated in that during our
13 opening, as well as our closing. We do have
14 speaker that come in and that speak on a
15 variety of topics, but for the meat of it is 24
16 hours of training that they receive regard to
17 the course.

18 There's 680 members in Florida. This year
19 we'll have over 700, as I'm anticipating we'll
20 have over 700 people in attendance of the
21 course this year at the training conference
22 because of obviously everything that has
23 occurred. We have lots of partnerships that we
24 go into, and again as, I am remiss, that the
25 Department of Juvenile Justice has been a good

1 partner of ours for a long time, and we're
2 very, very supportive of them, and we're very
3 appreciative of all the things that they do, as
4 well as the Florida Sheriff's Association with
5 Mr. Casey, as well as Florida Deputy Sheriff's
6 Association, as well as Florida Police Chiefs
7 Association.

8 Pretty much anybody that has a specific
9 interest that wants to be able to get training
10 back to the SROs of the state of Florida, or
11 school administrators, et cetera, if they ask
12 then we try to accommodate them in order to
13 give training. This year Homeland Security has
14 been in contact with us, which they'll have a
15 block of training which will need to be added.

16 So, as we move forward, anything that
17 Florida Association of School Resource Officers
18 can do as it relates to the commission as
19 regard to additional training, we'd be more
20 than happy to be participants in that in order
21 to host that, because ultimately the people
22 that are involved as school resource officers
23 are people that care about kids, and anything
24 that we can do in order to make their job
25 better, and make them more knowledgeable in

1 their daily activities, and what the best
2 practices are, is that what's we stand for as
3 an association.

4 So as an example, this year we had already
5 made a determination that we were going to do
6 active shooter training in response. So some
7 of the things that I put down on there is that
8 we have the response to active shooters, which
9 is Don Always from the National Tactical
10 Officers Association, we also have the Pulse
11 Nightclub shooting, which is going to be taught
12 by Lieutenant Gorke from Orlando, P.D. We also
13 have Chief Linske who has since retired from
14 Boston. The Chief is going to talk about the
15 Boston bombing. And again, these are things in
16 order to assist, in that their knowledge base
17 to, hopefully to educate the members there in
18 reference to best practice and/or lessons
19 learned from what their incident was.

20 As well as this year the Florida SWAT
21 Association contacted us in regard to
22 developing a single person response to active
23 shooter training, so we're going to be hosting
24 them this year. There are four 2-hour blocks
25 that we're hoping that we'll have them as a

1 staple every year, that they'll come back every
2 year that we do any kind of training, and
3 hopefully that they can be involved in the
4 development of anything through the state
5 requirement.

6 We also, every year we have Maria
7 Schneider from the Broward County, she's an
8 assistant state attorney. She comes in. She
9 does legal updates for all of the members, just
10 basically in reference to changes that would
11 have happened or occurred in legislation, she
12 comes there, she does that.

13 But we also do things such as human
14 trafficking, we have a class on that. We also
15 have some FBI stuff, homegrown extremism. We
16 also do child sexual exploitation, which is
17 taught by the Florida Department of Law
18 Enforcement. So, we try to bring all our
19 partners to the table to provide the very best
20 training that we potentially can get.

21 You know part of the whole thing is, when
22 you talk about an SRO the whole in a nutshell
23 is, is really is about, is the triad concept,
24 it's about teacher, counselor, and law
25 enforcement. The reason that the program works

1 is because it's really is about crime
2 prevention, it's about developing relationships
3 with students, and by developing those
4 relationships that you hope that they give you
5 information that could ultimately prevent some
6 type of disastrous terrible situation that may
7 occur on your campus.

8 So, as it says in here it varies, as if
9 you're an elementary SRO you're going to do a
10 lot more teaching than you are going to be
11 doing law enforcement. By the time you get to
12 high school you're going to do a lot more law
13 enforcement than you're going to talk to
14 teaching. But ultimately, they're going to be
15 there, they're going to be a counselor, they're
16 going to be a mentor, and they're supposed to
17 be available in order to, to the
18 administration, the staff, the school, as well
19 as the students, faculty, the parents, to be
20 able to provide guidance on a variety of
21 different issues, so that they wear a
22 tremendous amount of different hats while
23 they're on campus.

24 Ultimately, the number one responsibility
25 of any school resource officer is the safety

1 and security of the students and the faculty,
2 and in doing that, again, it's they should be
3 doing regular updates on the critical incident
4 guide. They should be the expert as it comes
5 to critical incident, rapid response, reference
6 to code red drills, as they should be the ones
7 that is their safety expert while they are on
8 campus, is because they're going to be
9 ultimately the person that's going to be there
10 in the first line of defense if anything that
11 happens.

12 They also should have knowledge of active
13 shooter best practices. And what we have our
14 trainings is ultimately the agency's SOPs, or
15 general orders, are ultimately going to take,
16 they're going to ultimately be what the
17 individual officer is going to be held
18 accountable for. When we do these, and we give
19 them, and we say, oh, by the way in this
20 training this is the best practice, this is
21 this, this is this, we hope that they bring
22 that back, and then that has dialogue with
23 their training section in order to look further
24 into developing curriculum in order to put that
25 in, but ultimately that the sheriffs and the

1 police chiefs, and the policies and the
2 procedures they set up ultimately will dictate
3 to their actions.

4 We also know, we heard from CPTED that
5 they should be doing CPTED assessments of their
6 school, and this is prior to any of the bills,
7 but again this is, if you're asking me what the
8 responsibilities are, that these are the
9 responsibilities in going out there, and they
10 should be checking to see if there's, what
11 their campus, how their campus is, single point
12 of access, whose coming, whose going, visitor
13 naming, name tags, crime stats.

14 There's programs to be able to develop
15 where certain activities on your campus, where
16 those locations are, where they may need to be
17 there, because ultimately what we do know is
18 the kids ultimately know where everybody else
19 is on campus, including the school resource
20 officers, so that's why I put in here being
21 systematically unsystematic, which basic --
22 which means -- I keep saying basically. Which
23 means that they should be going in different
24 routes, and taking different angles, and
25 different approaches throughout the day so that

1 they don't get into a pattern of behavior so
2 that the kids know where they are.

3 So again, they are out there to patrol
4 their campus, to make sure that all of the
5 things that are supposed to be in place are in
6 place, and anything that's suspicious is
7 handled immediately. They should be a mentor
8 and counselor. They should be a resource to
9 the school administration. They should know
10 about programs that are out in the community
11 that they can make referrals to. They should
12 know about the civil citation program. They
13 should know about different changes in the laws
14 as it relates specifically to school policing,
15 that they need to stay up on all those things.

16 They also need to be a teacher. Part of
17 the best way in order to develop relationships
18 is to go in front of a class in order to say,
19 oh, by the way, and talk about something as
20 whatever law related subjects you want to talk
21 about, but ultimately is, is about building
22 relationships so students feel comfortable in
23 coming forward to you with information. That
24 happens. Now what happens a lot is they come
25 forward in reference to social media, so, so

1 and so made this post, so and so did this post,
2 so and so did this, so that the students feel
3 comfortable to able to approach them, that they
4 know that they're going to look into it, that
5 they have their best interests.

6 So, they also should be there about
7 juvenile mental health assessments, so they
8 should be an expert at Baker Acts, and what
9 does and what doesn't based on the level of the
10 student and the ideation of the child. They
11 need to have some type of social media -- they
12 need to know about social media, and be
13 technologically savvy, because our kids are
14 technologically savvy for sure.

15 Partnerships, and these are some of the
16 things with the district, they should be a
17 trusted member of the administrative team.
18 They should be on all of the meetings, they
19 should be there, they should be exchanging
20 information, whether it's criminal or
21 non-criminal. They should be talking about all
22 the issues of CPTED in order to make their
23 campus safe, and they should be that trusted
24 member, that they can be relied upon in order
25 to help to implement change.

1 They should also, like I said, be part of
2 the critical incident response plan, is that we
3 know that that should be a fluid document, that
4 it has specifics, but it also should be where
5 as things change -- as an example, that maybe
6 you had an evacuation to a certain level, now
7 that there is a shopping center there, you may
8 not be able to evacuate there, and you may need
9 to change that. As part of that change you
10 need to make sure when you do the drills, as I
11 put in here, that they are also should be the
12 ones that are assessing the drills to make sure
13 that whatever the, whatever is in place is
14 being practiced, and then report that back, and
15 being part of that administrative team, then
16 they can make changes internally in order to
17 make sure they're following whatever their
18 critical incident drill is.

19 They should have direct information and
20 communication sharing with other schools in the
21 district, because ultimately you have siblings,
22 ultimately have the same issues that could be
23 at a multiple variety of schools within the
24 same area, so they should have that exchange.
25 And some of the challenge that I put down here

1 is obviously, is in trust, is in communication,
2 is defined rolls, is information sharing, is
3 that -- one of the things we do here is that
4 some of these things aren't being done with
5 SROs, that again there are some relationships
6 between school resource office and
7 administrators that are, I wouldn't say
8 strained, but that there's not a lot of
9 information sharing going on there, where, you
10 know, as an SRO I want to know what misdemeanor
11 crimes are happening on campus because I want
12 to maybe be able to make a referral, because
13 maybe it's just not the crime, maybe that the
14 family needs assistance with, as an example,
15 going to the Boys & Girls Club. Or maybe they
16 need an assistance in, in housing, or there's
17 something that we can help them by having that
18 outreach, especially with the sheriff or the
19 police department, where we will be able to be
20 out in the community to assist families.

21 The time constraints for staff training,
22 one of the things as a challenge is being able
23 to get in front of staffs at the beginning of
24 the year, and it should be, when there's staff
25 training there should be an update in reference

1 to clinical incident plans, or any other safety
2 updates that need to take place, and that's a
3 challenge because of the amount of information
4 that districts have to provide to their
5 faculty, it's tough to being able to get, to
6 get in there to be able to do what SROs should
7 do.

8 The active shooter drills, as we do know
9 all that, you know, some districts would do 2 a
10 year, some would be more than 2 year. You
11 know, if you had a school active shooter drill
12 at 11:45, and you had a 3,000-person high
13 school at 11:45, and there's 1,000 kids at
14 lunch, it's different than doing an active
15 shooter drill at 9:00 in the morning when
16 everybody is in their classrooms, so that also
17 changes in, in how we ultimately do these
18 moving forward.

19 And it's not, should never be, as part of
20 the challenge it shouldn't be one particular
21 singular person, it has to be the entire staff,
22 the faculty, the administrators, the
23 custodians, the bus drives, everybody needs to
24 have a focus on school safety, and everybody
25 needs to comfortable to report that. And

1 again, as being a trusted member of the team,
2 that they should rely that the school resource
3 officer will bring that information and be able
4 to get that back to whoever needs it so that
5 they can try to do that as an assistance to the
6 school.

7 And then social media threat assessments
8 and monitoring. I think that that is going to
9 be a challenge. If you look at how tech savvy
10 the kids are, and how much the applications
11 change, and you're also talking about
12 implementation of an anonymous reporting
13 system, that somebody has to be there to
14 respond, that's part of the liability issues,
15 that somebody has to be able to respond to be
16 able to get it, to monitor it, to follow it up,
17 and have some type of tracking.

18 As well as you look at social media and
19 Snapchat, and all the different things that are
20 going on out there where images change, and you
21 get deleted, and being able to subpoena those,
22 those specific entities, and the time that
23 comes back, and how long it takes, that that's
24 obviously going to be a challenge, because, you
25 know, we know that that has to be partnership

1 between the school district, as well as the
2 police department or sheriff's office moving
3 forward.

4 And then again, the SRO/SRD relationship
5 to how many should be on campus is going to
6 really fluctuate based on the school and the
7 community that you're in, is that it's a lot
8 different than if you're in a community that
9 the school is in an area that has a higher
10 crime rate than a school that's not in an area
11 and more rural that has a lower crime rate, you
12 may need more people there, and maybe it's not
13 1:1000, maybe it has to be less than that based
14 upon the amount of activity that's on your
15 campus.

16 As an association, you know, ultimately
17 what I would say is that we are more willing to
18 help on anything that we can in order to assist
19 in training SROs, work with the Department of
20 Education, continue to work with the Florida
21 Department of Law Enforcement, continue to work
22 with the Florida Sheriffs Association, continue
23 to work with the Department of Juvenile
24 Justice. Anything that we can do, again, is,
25 anybody has any training ideas, or stuff that

1 we can provide to our membership, that we are
2 always open, because as that training is fluid
3 -- like I said if you look at the last three
4 years, this year is focused on active shooter,
5 last year was focused on, this year is school
6 shooter, last year was focused on school
7 shooter. We had now Captain Vangelli from
8 Sandy Hook. We also had A.J. Deandrea, who is
9 response to active shooter last year as part of
10 the training that we had at a conference. The
11 year before that, we have generation Z, which
12 is all internet safety, as well as open source
13 investigations.

14 So as the SROs in Florida communicate
15 through the regional directors we try to
16 develop people to come in to give them best
17 case scenario, as well as best practice, as
18 well as trying to -- but ultimately it still
19 comes back to each individual agency, law
20 enforcement agency, that based on what their
21 practice and protocol, and procedures, is what
22 the SRO should follow, because that's where
23 they're, where they're employed at, and that's
24 what we would always recommend.

25 So, with that, if there's any questions? I

1 know I kind of fumbled around and spoke really
2 quick, because there's so much, is -- it's just
3 not -- if you look at an SRO on campus, it's an
4 ever changing -- you have ever changing with
5 schools, and you have ever changing in the law
6 enforcement world, and that person needs to
7 wear all of those hats and needs to be
8 proficient at all of those hats, because we
9 need to have the above standard officer be the
10 SRO. We need to have the person that's going
11 to be out there that's going to be the one
12 that's following up on leads, that's actively
13 patrolling, that's systematically unsystematic.
14 That's the guy that, or the lady that, that's
15 doing all the things in regards to -- and
16 there's lots of really great stories about, of
17 SROs that are doing all of those things.

18 So, with that, if there's any questions I
19 can answer I'll try to answer.

20 CHAIR: Commissioner Dodd.

21 MR. DODD: Do you foresee the FASRO or the
22 association, do you foresee them offering any
23 training or anything for guardians if the
24 guardian program continues to grow, or if
25 there's other options. What is the view of the

1 guardian program from FASRO?

2 CAPT. ENOS: We're interested in -- our
3 motto is protecting our most precious resource,
4 our children, so anything that would allow for
5 the additional safety and security of students
6 on campus, as well as the faculty, is that
7 we're in favor for. And including that if, you
8 know, I have spoke to the Department of
9 Education, and I have spoke to FDLE on
10 different things, is that anything that they
11 need to use our membership, or our base in
12 order to provide that training, we'd be more
13 than willing to do, to host those, to use our
14 instructors, or the people that we know that
15 teach those specific, to help build
16 curriculums, to assist such as the program like
17 that, with the guardian, or whether it's a
18 school safety specialist, you know, we, we
19 ultimately just want to help.

20 MR. DODD: And of the school board police
21 agencies, are they active in FASRO as far as
22 their officers, are they, as far as school
23 resource officers?

24 CAPT. ENOS: That's a difficult question,
25 in that they, as in specific agencies some

1 agencies train within their own agency with
2 their training section, and other agencies send
3 them along with their training to FASRO for
4 additional information. So, to answer that
5 question, some agencies send their whole entire
6 agency of SROs, and other agencies will send,
7 based on constraints they may send one, they
8 may send two, they may send six, and that they
9 bring, they bring the information back to the
10 rest of the people in that agency.

11 MR. DODD: Would you consider school board
12 police officers different from sheriff's school
13 resource deputies, or school resource officers
14 from a police department?

15 CAPT. ENOS: No, sir. I believe they --
16 in that realm of what they should be doing, it
17 should be the same all the way. Their policies
18 and procedures may be a little different, but
19 ultimately overall being a school resource
20 officer, whether a school resource deputy or
21 officer, would be the same thing. There
22 shouldn't really be any, any differences in
23 those positions no matter what you're called.

24 CHAIR: Yes, Commissioner?

25 MS. LARKIN SKINNER: I was wondering,

1 FASRO seems to be the place that has the most
2 concentrated experience with being an SRO, what
3 it's like, so I'm wondering if as an
4 organization, you have a recommendation for the
5 SRO to student ratio, and how that should be
6 looked at and determined.

7 CAPT. ENOS: I think it's -- we just -- we
8 got a lot of calls too in reference to how many
9 SROs were in the state, and the issue with that
10 is it really fluctuates, so the same in that
11 answer would fluctuate depending upon, you may
12 be at a school that has 1,500 or 2,000, it's a
13 gifted school, it's rural, they have more
14 security monitors, they have different, single
15 points of entries, they maybe have more of an
16 infrastructure that you may only need one
17 person there based upon the totality of that
18 population.

19 You may be in another area where the
20 criminality around the area comes onto campus
21 sometimes, and you may need more people there
22 because it's a different group of people,
23 because you may have to do more teaching, you
24 may have to be in the lunchroom. You may have
25 to do more things in order to develop those

1 relationships, because ultimately that's the
2 program, it's teacher/counselor/law
3 enforcement. It's starting at a young age so
4 that they know that that SRO or that SRD is a
5 friend, is their confidant, is their mentor,
6 that they can come to them with any question,
7 any problem in or outside of school, and they
8 know that that person is going to help them.

9 So, if you're having a lot of more
10 criminal activity, or it's a lot different
11 database of kids, you may need to have more
12 people because you need to be able to break
13 down those barriers.

14 MS. LARKIN SKINNER: I'm wondering if
15 FASRO could compile a list, if you have one
16 already -- I mean it sounds like you at least
17 have one that you consider, and that you think
18 about, but if on paper you have one that could
19 be shared with the commission of the list of
20 items that should be considered when
21 determining that type of ratio.

22 CAPT. ENOS: We don't have one at this
23 point, but I'm sure that as a board we would be
24 able to produce one.

25 CHAIR: But there's a national, a national

1 organization as well, NASRO, correct?

2 CAPT. ENOS: Yes, sir.

3 CHAIR: So -- and it might be NASRO, but
4 we had discussed this in Tallahassee
5 previously, and are you familiar with -- there
6 was somebody on a national basis, and I got to
7 find out which one, that has published a
8 recommendation, and I don't know the criteria
9 for the recommendation, but it is a national
10 organization that's published a recommendation
11 that the ratio be 1 SRO per 1,000 students.
12 Are you familiar with that?

13 CAPT. ENOS: Yes, sir.

14 CHAIR: So, who's published that?

15 CAPT. ENOS: I believe that was from
16 within NASRO, and in reference to their own
17 recommendation. I don't know if there's any --
18 I would have to -- I could reach out to them.
19 We do do training with them, but I'm not sure
20 how they came up with the, with the number.

21 CHAIR: We'll reach out to them and find
22 out. And that's what my understanding was, it
23 was probably NASRO, and that's where it had
24 come from. We'll reach out and follow up on
25 that. Do you know of anybody else other than

1 NASRO that's published any ratios, or anybody
2 that's done any work on, or studies on the
3 appropriate ratios?

4 CAPT. ENOS: No, sir.

5 CHAIR: Sheriff Judd.

6 SHER. JUDD: When it comes to ratio of
7 school resource officers per school, correct me
8 if I'm wrong, but we're looking at two sets,
9 two separate sets of information. With a
10 guardian, the guardian's sole responsibility is
11 to protect people, the students, the staff, the
12 visitors, from an active assailant, a shooter
13 coming onto the campus. A school resource
14 officer many times has other duties and
15 responsibilities. That could affect the
16 1:1000, or whatever the ratio is.

17 But I think it is important that we set
18 the standard, and clearly understand that the
19 alt of one school resource officer, one school
20 resource deputy, or one guardian on a campus is
21 sufficient to provide security from armed
22 assailants. It's a great first step. But we
23 teach in the law enforcement world, that we
24 want to have overwhelming force there as soon
25 as possible because we know that the

1 probabilities of the event occurring reduce,
2 and if the horrible event is going to occur the
3 probabilities of us stopping it quicker and
4 more successful goes up. We never want a
5 one-on-one gun fight.

6 So, I think it's important from, from your
7 perspective, from our perspective, that we make
8 it abundantly clear that there's certainly a
9 need for a minimum of two from the guardians,
10 from the perspective of needing to confront an
11 active shooter. There is at least the need for
12 a backup for the law enforcement officer
13 because if he or she is taken out immediately
14 in the active shooter then, you're still back
15 to plus five minutes for the backup, and then
16 they can do what they want.

17 There needs to be ideally, even if you
18 have a school resource officer on a campus
19 there still needs to be a minimum of three
20 guardians on a campus so that you're sending
21 multiple resources to an event quickly. And
22 whether it's this commission that looks at this
23 as part of our response and/or we employ some
24 of our FASRO or NASRO, or whoever, we can't sit
25 here in good conscience and suggest that only

1 one school resource officer does anything other
2 than check the box, or one guardian on a campus
3 does any more than check a box.

4 It's a great first step, but it's
5 certainly not sufficient in the horrible event
6 that we end up with an active shooter on a
7 campus.

8 CHAIR: Mr. Schachter.

9 MR. SCHACHTER: I don't see in your
10 responsibilities stop, delay, prevent an active
11 shooter incident so that, number one, is why on
12 that, that should be, you know, going to the
13 sheriff's comment that this should be extremely
14 abundantly clear that that should be at the top
15 of the list of an SRO's responsibility. Number
16 two, what do you teach the officers to do when
17 you hear shots, because obviously the coward
18 from Broward did not go to hear -- once he
19 heard the shots he did not go towards the
20 shots. And then number three, how can we weed
21 out those individuals that in this type of
22 situation don't do, don't protect the children?
23 And maybe there's not a way to do that, but,
24 you know, it would certainly, would help the
25 situation. And then, yeah, that's it. That's

1 it for now.

2 CHAIR: Those are -- and those -- Captain
3 Enos could try and answer -- remember he's here
4 from FASRO, which is the association, and it's
5 probably, those are hard questions for him to
6 answer from an association perspective, because
7 he's not here in his capacity as a Captain with
8 Sarasota County Sheriff's Office, he's here
9 from the association. But those might be
10 better questions for maybe some of the other
11 presenters. But if you want to try and answer
12 them you're welcome to.

13 CAPT. ENOS: Yes, sir. The number one
14 thing I had on there is the safety and security
15 of the faculty, which would include that their
16 number one thing is to stop any active shooter,
17 or active killer that shows up on campus. Is
18 that -- that is -- without question their
19 number one responsibility is the safety of the
20 staff and the students, without question, no
21 matter what it is, and that is the number one
22 thing I had.

23 In reference to those other things, you
24 know, ultimately, I'm not in a position that,
25 you know, all those things that end up

1 happening, is that we can tell you is that as
2 an organization, is that we bring in speakers
3 that in their professional opinions, in exactly
4 what the best practices are is that they move
5 forward. So as an example, we would bring in
6 people that would talk about active shooter
7 assailants, and what they believe is the best
8 practice as to what we do.

9 MR. SCHACHTER: When -- when we pick an
10 SRO would, would your organization recommend
11 not having someone stay at the same school for,
12 you know, five, ten years, and having them
13 rotate to patrol so they keep their, their
14 skills sharp, and their reaction time?

15 CAPT. ENOS: I think that's an individual
16 agency, and that's the individual policy of
17 each agency or police department, in reference
18 to what, or school police department, in
19 reference to the management or the rotation of
20 SROs. You know one of things that I could say
21 is that by having longevity at a school is that
22 you have a relationship with the faculty, you
23 have a relationship with the students. You
24 have a relationship where this student has a
25 sibling, and that sibling who is younger is

1 coming in, so they know that this is SRO Tim,
2 and this is the person you can go to, and this
3 is the person when you show up at school the
4 first day that you may be able to speak with.

5 But in reference to that, you know, as an
6 association, we really don't have any statement
7 on whether or not you should be rotated, but
8 ultimately, it's about developing
9 relationships.

10 MR. SCHACHTER: I would certainly love
11 some, you know, some feedback when we develop
12 this report about that, and balancing that with
13 the fact that you don't want this to just be a
14 parking spot for, you know, retired
15 individuals.

16 CHAIR: How long were you an SRO?

17 CAPT. ENOS: I was either an SRO or over
18 the SROs for 18 years.

19 CHAIR: So, in your experience in 18 years
20 as an SRO, and you're familiar with the
21 contracts, generally, between the school boards
22 and the police agencies generally?

23 CAPT. ENOS: Yes, sir.

24 CHAIR: Is your experience that in those
25 contracts, that the principals and the schools,

1 while they don't select the SROs initially,
2 that they have, if you will, veto authority, or
3 they can request an SRO to be removed?

4 CAPT. ENOS: Usually in the contracts it's
5 usually the sheriff or the chief usually has
6 ultimate authority in reference to placement
7 since it's their personnel, but that we
8 recommend that the principal and assistant
9 would be on any type of oral board, and there
10 should be one with an interview, because again
11 you're picking a person that may match their
12 personality of the school, as well as the
13 administrator, that you don't want to have a
14 situation where they're butting heads right out
15 of the box. So, we wouldn't recommend a
16 placement of a person to a school, so to answer
17 your question is, is that can they have a
18 person removed; they can make a recommendation
19 to the sheriff or the chief that the
20 relationship isn't working out, and then
21 ultimately, it's the chief or the sheriff.

22 CHAIR: And in your experience do you in
23 talking with SROs, and being the executive
24 director the association you have a great
25 familiarity with the SROs, is your, is it your

1 experience, do the SROs feel subordinate to the
2 principals?

3 CAPT. ENOS: I would say that in a good
4 relationship, they do not. So overall, I think
5 that most SROs have good relationships with
6 their administrator, and with their principals,
7 and that is something, that is one of the
8 challenges, just to make sure that they are
9 part of that team, and that they share
10 information freely. When you stop sharing
11 information, then it becomes where you start
12 building your barriers, and then there's those
13 hurdles to be able to accomplish what
14 ultimately the goal is.

15 So, to answer your question is, I think
16 most feel that they are equal to what the
17 principals are, the administrative team, but
18 there are cases and situations where they are
19 felt that, that they are, but ultimately, that
20 they would be. But ultimately the decision on
21 this always is up to the officer's discretion,
22 and the agency that they work for.

23 CHAIR: Are there -- and I guess the
24 answer would probably the same, but I'll ask
25 the question anyway. Are there SROs that are

1 reluctant to buck the principal, and to push
2 the issue of campus safety, dealing with
3 individual students or certain situations
4 because they're concerned the principal is
5 going to cause them to get removed?

6 CAPT. ENOS: I would say there's probably
7 those cases where that, that obviously, you're
8 there kind of almost as a, I don't want to say
9 as a guest, but you're there because you're
10 working for the sheriff's office, or the police
11 department, and you're there on that campus
12 where it's their campus, so there are those
13 cases where they might not share as much, or
14 want to do that because they feel like, well,
15 maybe that if I bring up to that principal
16 certain situations they would try to have me
17 removed from there, and I like being an SRO so
18 I don't want to buck the system. So, in those
19 cases that could occur.

20 CHAIR: So -- and you've said it a couple
21 times, if the information doesn't flow; is it
22 your experience that it doesn't flow sometimes
23 because school staff, or principals, whoever it
24 may be, don't inform the SRO because they don't
25 want the SRO to take law enforcement action,

1 and they don't believe that the law enforcement
2 action should be taken because they want to
3 treat it, let's say more softly than what they
4 know the cop's going to do?

5 CAPT. ENOS: Yes, sir.

6 CHAIR: Senator.

7 SEN. BOOK: Thank you, Mr. Chair. And
8 thank you for your presentation, and for your
9 service. But one of the things that you said
10 as a, as a training, sort of flies in the face
11 of everything that we've been talking a lot
12 about, which is multiple people responding to
13 an active shooter, and it was a single person
14 response to active shooter training. Is that
15 something that we've just sort of, we're going
16 to do single person response to active shooters
17 because that's sort of where we are?

18 And I think this is more of a philosophy
19 question because it sort of goes against
20 everything that Commissioner Judd has talked a
21 little bit about, that we all have talked
22 about, in terms of 1:1000 formulas. But is
23 that sort of the practice that we're training
24 people, that you're one, you're by yourself?

25 CAPT. ENOS: Well, what -- I think what

1 overall is -- it's -- every -- I'm on the same
2 page as everybody in here in reference to that,
3 that we need to have that, be able to have
4 those people in there to protect. So what I'm
5 saying in that is that that is a course that
6 was developed specifically to that they want to
7 be able to say, you know -- as an example when
8 I was talking to the individual from the
9 Florida SWAT Association, and they were talking
10 about, they're looking at maybe doing some
11 different trainings things, is requiring, or
12 not requiring, but make recommendations that
13 SROs would qualify more times a year, or have
14 more handgun training, and that they also maybe
15 think that that incident, that they should have
16 certain different skill set as being an SRO, so
17 what that course is being developed is their
18 recommendations from the Florida SWAT reference
19 to what they believe that this -- because
20 ultimately, it's always been single person
21 response, that if, I've been trained that if
22 there is something that happens that we respond
23 immediately to the incident. So, if I'm on
24 campus I would respond immediately.

25 SHER. JUDD: Mr. Chair, and let me address

1 the Senator. We certainly don't like a one on
2 one response. But historically, law
3 enforcement was charged with containing the
4 emergency and then calling in the specialists.
5 We had to change all of that philosophy after
6 Columbine, so now we train you don't wait for
7 back up when someone is actively shooting our
8 children. So even though we do want multiples
9 of people there, we don't want to wait for
10 multiples of people to come from the different
11 responses. So that's -- my philosophy here is
12 that's why you already need them on the campus,
13 but absent that we need that exact training
14 that the Captain speaks of, because you don't
15 want them hanging around waiting on back up.

16 SEN. BOOK: I just wanted to be clear.
17 Thank you. Thank you, Mr. Chair.

18 CHAIR: Okay, thank you, Captain, we
19 appreciate you being here.

20 CAPT. ENOS: Thank you.

21 CHAIR: The next presentation that we're
22 going to receive today is from Major Nichole
23 Anderson with the Broward County Sheriff's
24 Office. You don't have Major Anderson's
25 PowerPoint in your books because we just

1 received it late last night. We will get a
2 copy of it out to you, so if you need to take
3 notes, et cetera, but we'll get you the
4 PowerPoint, but we don't have a copy of it for
5 you. Major, welcome.

6 MAJ. ANDERSON: Good morning. Major
7 Nichole Anderson, Broward County Sheriff's
8 Office, the Bureau Commander for the Department
9 of Community Services. Today my presentation
10 will cover the Broward Sheriff's Office School
11 Resource Officer Program, the history, and the
12 funding, the BSO school resource officer
13 selection, training, and identification of
14 duties and responsibilities, as well as an
15 overall scope of law enforcement in Broward
16 County as it pertains to SRO programs, as well
17 as the Broward County schools, and some
18 recommendations as to your more -- the best
19 practice with regards to moving forward.

20 The history of the Broward Sheriff's
21 Office school resource officer program, the
22 founder of this program was the late Carol
23 Andrews, and she brought about a pilot program
24 in 1985, and it began with six deputies
25 assigned to six middle schools in BSO patrolled

1 cities, and an unincorporated area. And that
2 was Crystal Lake Middle School, Everglades,
3 Lauderhill, Lauderdale Lakes, New River, and
4 Parkway. From that initial pilot program,
5 which was successful, they established the
6 school resource officer program in the agency.

7 The program started out in a phenomenal
8 way. You had a lot of resources, totally
9 different from what you have now. We had a
10 captain, a lieutenant, three sergeants, an
11 officer in charge, and we had 72 SROs, which
12 basically provided for one in every school that
13 was covered. However, in the early 2000's with
14 the economic decline, there was sweeping budget
15 cuts that the funding for the SRO program
16 shifted to the individual cities, and each city
17 contract that we have stipulates the number of
18 SRO coverage for the schools in their
19 jurisdictions.

20 With that, you're going to have cities
21 that have schools that the majority of the kids
22 are from another city, so that way you have a
23 little pushback, in that I have to fund this
24 school resource officer but the neighboring
25 city, it's the kids, it's 75% of those kids

1 come from the neighboring city. So that's
2 where you get where, okay, why are your numbers
3 so low, because it's not up to the sheriff's
4 office as to the staffing, it's the contract
5 city as to what they want to fund, along with
6 the school board of Broward County.

7 The school board funds 30% of the cost of
8 an SRO for the schools. The funding agreement
9 that the Broward Sheriff's Office entered into
10 with the school board on behalf of the contract
11 cities identify the number of deputies at the
12 various schools, and the amount and payment
13 schedule, and the terms of the contract, which
14 would be the particular school year.

15 Currently, the current status of the
16 program is that it was decentralized with those
17 budget cuts, and that now the SROs in the
18 assigned districts are district personnel
19 because they are funded by those cities. With
20 that being stated, their immediate supervisors
21 are sergeants within those districts that
22 oversee the school resource officer, as well as
23 other ancillary duties that they are assigned.

24 And most people refer to it as the SRO
25 unit. It's not an SRO unit anymore. We have

1 an SRO program coordinator, and she functions
2 as a liaison for the Broward County School
3 Board, as well as organizations like FASRO to
4 ensure that we disseminate the information to
5 the individual districts that have SROs so that
6 they can have the information, they are aware
7 of the training, and we do participate with
8 FASRO as far as going to training.

9 The selection process for the Broward
10 Sheriff's SRO program, it comes out as a job
11 posting. You have to meet the minimum
12 requirements, which you have to have at least
13 two years of law enforcement service in order
14 to even put in for a specialized position in
15 the agency. The job posting indicates the
16 shift and the job requirements. If you meet
17 those job requirements as listed on the
18 transfer opportunity then you will submit your
19 most recent evaluation with that, and it goes
20 to the SRO program coordinator, as well as
21 myself.

22 You sit down, and you look at these
23 transfer opportunity requests, and you pull the
24 internal affairs history of each candidate. If
25 there's nothing to preclude that individual

1 from proceeding in the process, then they are
2 forwarded to the interview process. Now
3 currently our interview process is conducted
4 with the SRO program coordinator and two
5 tenured school resource officers, and if
6 they're successful through the interview
7 process they're placed on an eligibility list,
8 and from that eligibility list the various
9 districts that are requesting a school resource
10 officer will interview the individuals and see
11 what's the best fit for them.

12 There is no actual involvement in the
13 selection process from the Broward County
14 School Board. However, the school board, as
15 well as the school personnel, such as the
16 administration, does have the ability to
17 request the removal of a school resource
18 officer if they're not fulfilling the roles and
19 responsibilities of their duties. That's
20 something that the district command would sit
21 down with that principal, or the school board
22 official, and go over what the problem is. If
23 it can't be hashed out, then they will move
24 forward with whatever they need to do.

25 All sworn law enforcement officers are

1 required to attend in service training
2 annually, and active killer rescue task force
3 training on a three-year cycle. Our school
4 resource officers are required to be patrol
5 rifle certified, and attend an annual
6 recertification qualification, and attend a
7 four-hour patrol rifle refresher. School
8 resource officers, once you -- if you are
9 selected for that position within a year you
10 have to have attended the school resource
11 officer training. They are also CIT certified,
12 and over the course of the summer when school
13 is out they do go through extra training to
14 address things that, you know, occur in the
15 schools specific to your school resource
16 officer position.

17 The SROs perform their duties in
18 accordance with three things; the Broward
19 Sheriff's Office standard operating procedure,
20 applicable Florida law, and school board
21 policies and procedures, and the contract that
22 we have with the school board.

23 The contract with the school board
24 specifically states the security
25 responsibilities for the school resource

1 officers, and it states to perform law
2 enforcement functions within a school setting,
3 investigate criminal offenses, and take
4 appropriate action to provide preventive patrol
5 to reduce loitering, drug and alcohol abuse,
6 and other anti-social behavior.

7 There are seventeen law enforcement
8 agencies in Broward County. With that being
9 stated there are as many law enforcement
10 agencies that provide the SRO service within
11 their jurisdiction. That's how many policies
12 and procedures that you have, and the way
13 things are done in response to things.

14 The Broward Sheriff's Office, out of the
15 thirty-one municipalities in Broward County the
16 Broward Sheriff's Office contracts with
17 thirteen municipalities. Ten of those thirteen
18 municipalities include SRO coverage. According
19 to the Broward County School Board website
20 there are 327 schools in Broward County. The
21 Broward Sheriff's Office has 57 SRO, schools,
22 schools that they cover, 57 schools that they
23 have SRO coverage. Of those 57 schools there
24 are only 40, there's 46 SROs that cover those
25 57 schools, so if you do the math, like at the

1 top where you have 35 K-8 and elementary
2 schools, it's 23 SROs for those schools, so
3 that let's -- you know that we have SROs that
4 double up, and triple up on schools, so if you
5 have an SRO that covers three schools, do you
6 really have SRO coverage?

7 And like I said it's not to put anyone in
8 a bad light, it's just to show you what we have
9 to deal with, and what we're basically working
10 with. Fortunately enough, in your middle
11 school, as you start to up in the middle
12 schools, there are 11 middle schools, and we
13 have 11 SROs, so that's a one for one. We have
14 a 6-12 collegiate academy, and they have an
15 SRO. For the high schools we have 8 high
16 schools and 9 SROs. The reason we have 9 SROs
17 is because Cypress Bay High School in the City
18 of Weston has over 4,000 students, and they
19 have 2 school resource officers at their
20 school. And we have two alternative schools
21 that fall within our jurisdiction, and they
22 both have SROs at them.

23 The PROMISE program. The PROMISE program
24 by the Broward County School Board envisioned
25 the sharing of information through a database

1 so the school resource officers could have a
2 collaborative effort with the administration
3 and utilize the resources to address student
4 conduct. It's a very good program in theory,
5 but there are some challenges, and some things
6 that could be done a little better. The
7 sharing of information with regards to
8 addressing student conduct, making sure that
9 the administration as well as the SRO is fully
10 aware of the history of the student and their
11 conduct so that you can make informed decisions
12 on what route to take in addressing the student
13 conduct.

14 The Broward County public schools is the
15 sixth largest school district in the nation,
16 and the second largest in the state, so we take
17 care of a lot of kids on a daily basis. Some
18 of the challenges with having just your, your,
19 as many SRO and agencies handling the SRO
20 programs, is that like I said before, as many
21 agencies as you have doing it, that's how many
22 policies and procedures you have to contend
23 with, and the way that people do things. It
24 creates for an inconsistent operating
25 procedures, varying staff levels throughout the

1 county and conflicting roles and
2 responsibilities.

3 Our goal, and what we would like to see
4 the SRO program county wide establish a
5 consistent standard operating procedures,
6 employee uniformity and accountability in
7 operations, and clearly defined roles and
8 responsibilities. To ensure that the effective
9 and efficient functioning of the Broward County
10 school program it is our recommendation that a
11 school board police department be established.
12 That would allow for a one force, one funding
13 source, and one agency to facilitate the
14 program. We have very good examples of that in
15 Miami-Dade County and Palm Beach County.

16 And not to say that we're not preparing,
17 the Sheriff's Office will be prepared, what we
18 are preparing to meet the mandates as
19 established by the new law, but we're just
20 forward thinking in that how can we do this
21 better, how can we put the best product
22 forward. And if you have one agency that is
23 facilitating them then you have one location in
24 which to ensure that your training is
25 established and followed, you have one policy

1 and procedure, and it's just forward thinking,
2 and thinking of how can we best serve the kids
3 of Broward County. That concludes my
4 presentation. Anyone have any questions?

5 CHAIR: Commissioners, any questions?

6 UNDER SHER. HARPRING: All right, thank
7 you, Major. First, regarding the supervisory
8 responsibility, you referenced that there was a
9 sergeant who supervises the SRO in a particular
10 district, but they have ancillary
11 responsibilities. Are you basically talking
12 about a shift sergeant, or a squad sergeant, or
13 a patrol sergeant also having that as a
14 responsibility?

15 MAJ. ANDERSON: Or more often than not,
16 it's usually the administrative sergeant that
17 takes care of the community aspect, like your
18 community outreach units, your -- so it's
19 usually the administrative sergeant that
20 handles that.

21 UNDER SHER. HARPRING: So, supervising the
22 SROs in that particular district is just one of
23 many other responsibilities that they would
24 have.

25 MAJ. ANDERSON: Yes, sir.

1 UNDER SHER. HARPRING: Do they -- does
2 that particular sergeant ever get any field
3 time with the SROs and the schools, as a matter
4 of either policy or practice?

5 MAJ. ANDERSON: Well, policy would be the
6 hands on, the supervision, and going out and
7 making contact with your school resource
8 officer, and the school administration that
9 they work under. So, but as far as speaking as
10 to whether or not it's being done I can't say
11 with all certainty, but you would hope that
12 they are following the policies and procedures
13 as set forth by the agency.

14 UNDER SHER. HARPRING: Secondly, you
15 referred to the selection process. Who is on
16 the district selection team? Relative to
17 selecting the SRO you indicated that there was
18 a preliminary transfer request that was
19 reviewed by certain personnel and then it was
20 referred to the district selection team for
21 final selection. Who would be on that team?

22 MAJ. ANDERSON: You're -- once they --
23 once they are placed on the eligibility list
24 the district captain, the district executive
25 officer, and personnel in the district are

1 usually the individuals that select from the
2 eligibility list. And more often than not
3 they've already established a rapport with the
4 principal at that particular school and know
5 what they're kind of looking for, and they kind
6 of -- they vet the individual. You're going to
7 -- if you're going to be a very good supervisor
8 you're going to do your due diligence in
9 researching that individual and finding out
10 what temperament that person is before you go
11 and say I just want this person off the list,
12 so that's what usually happens, the captain
13 usually confers who's ever at that school, and
14 they make their request from there.

15 UNDER SHER. HARPRING: You noted in your
16 presentation that there's a recommendation that
17 the Broward County School District essentially
18 form a Broward County School District police
19 force.

20 MAJ. ANDERSON: Yes, sir.

21 UNDER SHER. HARPRING: Is that the
22 official recommendation of your sheriff's
23 office?

24 MAJ. ANDERSON: That -- it's not an
25 official recommendation. We've had command

1 meetings, and it's been a discussion, but at
2 the end of the day that would be the final
3 decision by Sheriff Scott Israel.

4 UNDER SHER. HARPRING: Do you know if any
5 other municipalities have that similar
6 recommendation, either officially or at the
7 same level that you discussed?

8 MAJ. ANDERSON: Not my knowledge, sir.

9 UNDER SHER. HARPRING: Thank you.

10 CHAIR: Commissioner Dodd.

11 MR. DODD: Yes, I just wanted to make sure
12 that I understood. The last slide of your
13 presentation dealt with a recommendation, that
14 was mentioned by one of the other
15 commissioners, to form the Broward County
16 School Board Police Agency, so I just want to
17 make sure I understand that. Are you saying
18 that Broward County Sheriff's Office would no
19 longer provide officers, or be in the business
20 of school policing, that would all fall under
21 the direction of a school board police
22 department; is that what you're saying?

23 MAJ. ANDERSON: Yes, sir.

24 MR. DODD: And so, you also said though at
25 the start, I believe your slide showed that the

1 Broward County Schools paid 30% of the costs of
2 the school resource officer?

3 MAJ. ANDERSON: Yes.

4 MR. DODD: So, is there discussion? I mean
5 is the, the Sheriff's Office is already funded
6 -- has funded the other 70%?

7 MAJ. ANDERSON: No, sir, the contract
8 cities fund the other 70%.

9 MR. DODD: Okay. So, I thought there was
10 a contract though -- with Broward Sheriff's
11 Office --

12 MAJ. ANDERSON: We only -- we only have
13 one school that falls in our regional area, and
14 that's one elementary school, and that's the
15 school that we address the funding for. But
16 the rest of the schools fall within contract
17 cities, and those contract cities cover the
18 costs for the remainder of the cost for the
19 SROs.

20 MR. DODD: So then would the Broward
21 Sheriff's Office still cover one school, or I
22 mean -- I'm sorry. The Sheriff is funded for
23 one school, and so the municipalities fund the
24 other costs for the school resource officer
25 program; that's what I understand, correct,

1 70%?

2 MAJ. ANDERSON: Yes.

3 MR. DODD: Okay. So, would that 70% then
4 be made up, or would they require, the school
5 district I guess would be the proposal, would
6 cover the 100% of the costs, or --

7 MAJ. ANDERSON: Every school in the county
8 under that -- under that model every school in
9 the county would fall under the Broward County
10 School Board Police Department, so it would be
11 one funding source, one voice, one agency that
12 would facilitate the program.

13 MR. DODD: But in reality, thought they
14 wouldn't need to have contracts with
15 municipalities then because they're going to be
16 a school board police department, correct?

17 MAJ. ANDERSON: No, sir. With the Miami-
18 Dade model and the Palm Beach County model the
19 Broward County School Board, the schools are
20 Broward County schools, so the way it's set up
21 now the responsibility is on the city, but if
22 you go to a school police department, then the
23 funding is one funding source.

24 MR. DODD: Then I guess the question would
25 be how would the schools meet the other 70% of

1 the funding source? I mean where would they
2 get the money for it, because --

3 MAJ. ANDERSON: The Broward County School
4 Board Police would be funded for all of the
5 schools for their personnel.

6 CHAIR: Sheriff Judd.

7 SHER. JUDD: Thank you. As an
8 administrator with the Broward Sheriff's
9 Office, you're very familiar with command and
10 control.

11 MAJ. ANDERSON: Yes.

12 SHER. JUDD: And I'm having this dialogue
13 for those that are not familiar with our
14 system. As you just explained to us, the
15 system as it exists today after the downturn of
16 the economy, there is no single command and
17 control of the school resource officer program.

18 MAJ. ANDERSON: Correct.

19 SHER. JUDD: And which means that that has
20 been added to another supervisor in the various
21 districts, or regions, or command areas. So,
22 if you have a -- if you work out of a command
23 station in one of the districts, or one of the
24 cities, what they have done is just given them
25 an additional responsibility, so in fact there

1 is no unified command and control of the school
2 resource officer program as it relates to the
3 Broward Sheriff's Office.

4 MAJ. ANDERSON: Correct. You have a
5 school resource officer program coordinator.

6 SHER. JUDD: But the coordinator has,
7 under command and control, they may coordinate
8 the program, but the supervision has been
9 abdicated down to the different districts, or
10 cities.

11 MAJ. ANDERSON: Correct. But I wouldn't
12 put in the terms of no command and control,
13 because as a captain in the district, you are
14 the commander for that district, so the command
15 to control comes from the district level,
16 versus the regional operations.

17 SHER. JUDD: Exactly. But the next
18 captain over had command and control of the
19 school resource officers or deputies in that
20 area.

21 MAJ. ANDERSON: Correct.

22 SHER. JUDD: So, there's no unified
23 command and control.

24 MAJ. ANDERSON: Well, yes, the unification
25 comes in of standard operating procedures that

1 the agency has. Each district should be
2 following the standard operating procedure.

3 SHER. JUDD: That's correct. But if all
4 of us are school resource officers, or school
5 resource deputies for Broward County, and we
6 each -- we have a single set of command
7 structure in policy and procedure, but at the
8 functional level we're not -- we're responding
9 to a lot of different supervisors.

10 MAJ. ANDERSON: You are responding to your
11 sergeant, who responds to their command level.

12 SHER. JUDD: That's correct. But, that's
13 exactly my point. So, you have no unified
14 command of your program by a division of Safe
15 Schools, or a division of school resource
16 officer anymore, like you did in the beginning.

17 MAJ. ANDERSON: Correct.

18 CHAIR: Mr. Petty.

19 MR. PETTY: Good morning. Thank you for
20 your presentation. I just wanted to see if you
21 could expand on a couple of points. So, we
22 heard testimony yesterday from the school
23 district about the engagement with law
24 enforcement in the discipline process. And
25 the, requirements is not the right word, but

1 sort of the consultation with law enforcement,
2 and when that occurs. And you mentioned this
3 morning that you wanted to see a couple of
4 improvements in the interaction between BSO and
5 the Broward County School District,
6 specifically sharing of information, and making
7 sure you have a complete history, or picture of
8 the student.

9 Could you expand on that a little bit,
10 what's happening today versus what you would
11 like to see happen, or in the opinion of BSO
12 what should be happening?

13 MAJ. ANDERSON: Well, like I stated
14 before, the PROMISE program is a very good
15 program in theory. There was supposed to be a
16 database that was set up that the SROs could
17 access when they're looking at an individual's
18 conduct throughout their school, and for
19 whatever reason that database isn't up and
20 running. So, if you don't have that
21 relationship, or that communication with the
22 administration at the school, as well as with
23 the deputy, then things fall through the crack,
24 and that you don't know that this student has
25 already been addressed for this issue before,

1 and it was handled at the school level. Now
2 it's risen to an incident where now the officer
3 has to deal with this individual, so it would
4 be helpful to know that this is not this first,
5 you know, this is not the first incident that
6 this student has had.

7 MR. PETTY: And are you specifically
8 referencing information the district might
9 have, because I would imagine you would have
10 your own database, or record of incidents, and
11 perhaps DJJ would have something, too.

12 MAJ. ANDERSON: Correct.

13 MR. PETTY: So, you can get to DJJ, and
14 you've got your own information. What you're
15 lacking right now is information from the
16 district?

17 MAJ. ANDERSON: Yes.

18 MR. PETTY: Okay. And then the second
19 part of my original question, though. Could
20 you expand on what, a little bit more on like
21 what you'd like to see? It seems -- in my view
22 it seems very reactive, an incident occurs and
23 then there's engagement with law enforcement.
24 Is -- I don't want to lead the witness, so to
25 speak, but where I'm going with this is, I

1 think best practice is a proactive engagement
2 between the district and law enforcement. Are
3 you saying that's not happening?

4 MAJ. ANDERSON: In some instances -- it's
5 not consistent. You have schools where you
6 have where that communication between the
7 administration at the school, as well as the
8 resource officers; in other schools, you don't
9 have it as much. And what I'm saying is if you
10 have a database to go to, and both individuals,
11 you know, are inputting or accessing the
12 database, then there is, you have more
13 opportunity to understand and look at a big,
14 the big picture involving this particular
15 individual's conduct.

16 MR. PETTY: Why is it happening in some
17 schools and not others, besides the database?

18 MAJ. ANDERSON: You have different
19 personalities at different schools. You have
20 -- when you have inconsistency in how this
21 particular school does things, the way that
22 this particular school handles it, that's when
23 you have -- and it's -- it's part human, in
24 that, like I said, you have different
25 personalities.

1 MR. PETTY: Yeah, and so we have to design
2 systems and processes that sort of take the
3 human element out of it.

4 MAJ. ANDERSON: Aspect out of it,
5 absolutely.

6 MR. PETTY: As much as possible. You
7 understand that.

8 MAJ. ANDERSON: Yes.

9 MR. PETTY: So, is there a refusal to
10 share information in, in these cases where it's
11 not working?

12 MAJ. ANDERSON: I wouldn't say refusal,
13 because that would put it in an adversarial
14 type relationship, and I don't think that we
15 have any school that we have an adversarial
16 type relationship, but it's your perception of
17 does the SRO need to know this. And see what,
18 what we have no is, this position has
19 gravitated from what it was intended for to
20 what we do now with the SROs.

21 This position came about to provide
22 resources to the individuals to these schools.
23 It was the officer friendly type thing, and now
24 what society has forced us to develop this into
25 is into office friendly, as well as a security

1 officer as well. So, that's -- that's where
2 you come into play with, you know, the
3 functions of that. But it's -- it's more or
4 less, you know, establishing a good rapport
5 with the individual that you're working with,
6 and ensuring that we're working in the best
7 possible way for the kids.

8 MR. PETTY: But I guess you're -- would
9 you agree that it's not ideal right now?

10 MAJ. ANDERSON: No.

11 MR. PETTY: Okay, thank you.

12 CHAIR: Dr. Blackburn.

13 DR. BLACKBURN: Thank you, Major.
14 Yesterday we heard from Broward Schools that
15 there were several law enforcement agencies
16 involved at the beginning with the creation of
17 PROMISE. Was your agency one of those
18 agencies?

19 MAJ. ANDERSON: Yes. Yes.

20 DR. BLACKBURN: Okay. And signed off?

21 MAJ. ANDERSON: Yes.

22 DR. BLACKBURN: Okay, got it. You
23 mentioned in your presentation that in theory
24 the PROMISE program is good, but there are
25 challenges. I guess I'm interested, when have

1 these -- when were these challenges surfaced,
2 and how have you engaged with the collaborative
3 to discuss and remedy these challenges?

4 MAJ. ANDERSON: It's the implementation.
5 When you sit down at the table and you have the
6 heads of the departments you can all agree that
7 this is what we want. But, when it gets down
8 the individuals that have to implement it, like
9 I said it's the implementation. It's expecting
10 the school administrator to share the
11 information. It's expecting the school
12 resource officer to share the information, so
13 like -- and that's the reason why I put it that
14 it's a very good program in theory, because
15 when you sit to the table as the head of your
16 division it's very good, but the
17 implementation, we have to just make sure that
18 we have consistency, and everybody is on the
19 same page.

20 DR. BLACKBURN: No, I appreciate that. I
21 guess I'm wondering given the, the
22 collaborative, the group of agencies that work
23 with this, if these challenges that you're
24 mentioning have been, have been brought to that
25 collective group. Is that an ongoing

1 situation, or is that a recent revelation of
2 these challenges?

3 MAJ. ANDERSON: No, we're actively in
4 discussion.

5 DR. BLACKBURN: Okay.

6 MAJ. ANDERSON: We have a rapport with the
7 Broward County School Board, and we work as a
8 team. And it's something that we work, we're
9 working towards, but just to give you an
10 overall view of what it is that we do, and what
11 it is that we're going through, that's why it
12 was included in there.

13 DR. BLACKBURN: Got it. Lastly, very
14 interested in your recommendation for a school
15 district to create its own police department.
16 Very interested to know what kind of factor, or
17 multiple factors contributed to that
18 recommendation, that perhaps all
19 superintendents or school districts need to be
20 aware of.

21 MAJ. ANDERSON: Because when we start
22 discussing what SROs do, or whatever, we're
23 specifically talking about the Broward
24 Sheriff's Office today. There is sixteen other
25 municipalities in this county, and not all of

1 them have school resource officer programs, but
2 a lot of them do. So it's not just how the
3 Broward Sheriff's Office conducts their school
4 resource officer program, it's going to be the
5 City of Plantation, the City of Sunrise, the
6 City of Lauderdale, the City of Coral Springs,
7 and that's why I say if you have one voice, one
8 funding source, you have one agency that
9 facilitated.

10 When we're coming to the table talking
11 about school resource officer program you have
12 an agency that steps forth and says this is how
13 this is done, these are our policies, it's I
14 don't need fifteen, sixteen different policies
15 to how you how this county runs their school
16 resource officer program.

17 DR. BLACKBURN: So, the factor of
18 consistency of voice would be the reason why
19 you would suggest school districts take over
20 our police departments?

21 MAJ. ANDERSON: Consistence,
22 accountability, and it's you have everything on
23 one accord. And that just -- that makes for an
24 easier process, especially when you start --
25 people interpretate (sic) mandates in how they

1 read them. If you have one agency that is
2 looking at this, this is how this moves
3 forward. And not to say that we wouldn't stand
4 shoulder to shoulder; we, you know, law
5 enforcement, we're a family, it does not matter
6 if you're wearing a green uniform or a blue
7 uniform.

8 And that's how I see it. And that's how I
9 would say 99% of your law enforcement
10 professionals see it, if you're going to call
11 yourself a professional. But for the sake of
12 the effective and efficient functioning of a
13 program that, that's why the recommendation
14 came out.

15 DR. BLACKBURN: And is that recommendation
16 solely from your agency, or was that
17 collaboratively created with the school
18 district?

19 MAJ. ANDERSON: That's just from the
20 agency. Just we -- we had command meetings,
21 and like I said, it's been tossed around, and
22 like I said the final recommendation would have
23 to come from the Sheriff.

24 DR. BLACKBURN: Thank you, ma'am.

25 CHAIR: Do you know, has Sheriff Israel

1 himself personally endorsed the concept of
2 segue way into a school police department? Is
3 that -- do you know if Sheriff Israel expressed
4 that?

5 MAJ. ANDERSON: He's not endorsed it. He
6 was not in the meeting that we had. This was
7 the command meeting with the colonels, the
8 majors, and we discussed this.

9 CHAIR: Okay. As I told you all, we are
10 going to invite Sheriff Israel in, and I'd
11 suggest that since that really is something
12 that has to come from the Sheriff is that it's
13 best that we ask the question, and probe that
14 with Sheriff Israel. As I told you, we are
15 going to invite in Sheriff Israel and
16 Superintendent Runcie, and all the heads of
17 various entities that are involved in this, so
18 it's probably best that that be addressed by
19 Sheriff Israel.

20 MAJ. ANDERSON: Yes.

21 CHAIR: Hang on a second, Sheriff Ashley,
22 we'll get to you. Chief Lystad, you're up.

23 CHIEF LYSTAD: Thank you, Mr. Chair. I
24 just have a couple of questions. I want to
25 follow up on some of the other commissioner's

1 questions. I understand you decentralized the
2 SRO program to the districts, and your district
3 commanders have more or less direct oversight
4 of the SROs in the schools; is that correct?
5 And so, my question is, first, have up and to
6 the point of Marjory Stoneman Douglas tragedy,
7 had they ever had any formalized training on
8 SROs, the district commanders, on how to
9 interact with those particular officers,
10 deputies?

11 MAJ. ANDERSON: Not to my knowledge. I
12 came into this position as the bureau director,
13 the bureau commander approximately a year ago.
14 However, I do know that several of your
15 executive officers in our districts were long
16 time school resource officers. You have some
17 of the sergeants that are overseeing the SRO
18 program who are former school resource
19 officers, so we do have in our districts, we
20 already do we have people with experience
21 within the program.

22 CHIEF LYSTAD: Your liaison coordinator is
23 your interfaced between you and Broward School
24 Board, has that individual been SRO trained?

25 MAJ. ANDERSON: She was a long-time school

1 resource officer, and as a matter of fact,
2 Sergeant Wargum (phonetic) retires July 31st of
3 this year, so she's been in it for at least 18
4 years, so she's fully aware of the program and
5 how it functions, and she came in towards the
6 beginning of the inception of the program with
7 the agency.

8 CHIEF LYSTAD: Okay. And her boss is?

9 MAJ. ANDERSON: Her boss is Captain Scott
10 Russell.

11 CHIEF LYSTAD: Has that individual had SRO
12 training?

13 MAJ. ANDERSON: Yes, he was an SRO in his
14 initial career with the Fort Lauderdale Police
15 Department.

16 CHIEF LYSTAD: And then my last question
17 is, is your SRO, you spoke about SROs, they
18 have, I assume, annual reviews?

19 MAJ. ANDERSON: Yes.

20 CHIEF LYSTAD: As a part of BSO's
21 procedures?

22 MAJ. ANDERSON: Yes.

23 CHIEF LYSTAD: And who participates in
24 that annual review, is it other SROs, or is it
25 just the district command staff?

1 MAJ. ANDERSON: It's his immediate
2 supervisor, the district command staff, and
3 they're supposed to speak with the school in
4 which they are the SRO at to get input with
5 regards to their commitment.

6 CHIEF LYSTAD: So, they do involve the
7 principal in that discussion?

8 MAJ. ANDERSON: Yes.

9 CHIEF LYSTAD: Okay, thank you.

10 CHAIR: Commissioner Swearingen.

11 COMM. SWEARINGEN: Thank you, Mr. Chair.
12 Thank you for your presentation today. I have a
13 question. I want to clarify something. One of
14 the -- one of the major concerns expressed in
15 the media about this, the killer at Parkland,
16 has been the lack of communication and
17 coordination between various entities that deal
18 with, with him. We were told yesterday that,
19 that the, and there were some concerns about
20 what gets entered and what doesn't, that
21 incidents relating to school disciplinary
22 actions were tracked through SESIR. In your
23 testimony, you're saying that --

24 MAJ. ANDERSON: Through who?

25 CHIEF LYSTAD: SESIR, through DOE --

1 MS. STUART: It's the incident report.

2 MAJ. ANDERSON: Oh, OSSI?

3 CHIEF LYSTAD: SESIR, S-E-S-I-R.

4 MAJ. ANDERSON: I'm not familiar with the
5 term.

6 MS. STUART: S-E-S-I-R. It's an education
7 system.

8 MAJ. ANDERSON: Okay. Then that's not --
9 then our system for tracking individuals and
10 reports is the OSSI system, and thereby again,
11 that's what I was stating about the sharing of
12 information.

13 MS. STUART: Okay. Then my question is,
14 you indicated that in the PROMISE program,
15 their database, whatever that is, I assume
16 that's something other than SESIR now, is not
17 functional, and so you guys don't see, or can't
18 see some of the issues at the district level.
19 So, that's my question, is what, what database
20 are you referring to with the PROMISE program
21 that is not functional, and is that separate
22 and apart from SESIR, which is where these
23 incidents are supposed to be entered?

24 MAJ. ANDERSON: I believe SESIR is
25 separate and apart. There was supposed to be a

1 database that, separate from that for, just for
2 the PROMISE program.

3 CHIEF LYSTAD: But you see nothing
4 disciplinary wise related to problem students
5 through the PROMISE program database?

6 MAJ. ANDERSON: No, that -- it's word of
7 mouth from the administration to the SRO.

8 CHIEF LYSTAD: Thank you.

9 CHAIR: Just to try and -- so every law
10 enforcement agency has an RMS system, which is
11 a record management system. They differ. Some
12 share, but they're largely different. OSSI is
13 a records management system used by the Broward
14 County Sheriff's Office, correct?

15 MAJ. ANDERSON: Yes.

16 CHAIR: So, that's one database. Then
17 you've got other databases. We heard yesterday
18 DJJ uses Prevention Web, where all of the pre-
19 arrests, diversion civil citation entries go.
20 And then you have JJIS, which is where all the
21 delinquency entries go. And then you've got a
22 database by Broward County Schools of some sort
23 regarding the PROMISE program.

24 So just for the landscape that's what you
25 -- and that's what happening everywhere, this

1 isn't unique to Broward County, is, is you have
2 multiple databases that are separate, and some
3 communication back and forth, but none of that
4 is all tied together, where there is one stop
5 shopping, or one stop queries.

6 MAJ. ANDERSON: Correct.

7 CHAIR: Right. Okay. Senator Book,
8 you're up.

9 SEN. BOOK: Thank you, Mr. Chair. So, I
10 think this is exactly where I was going, and
11 just want to make sure that I'm very clear,
12 because you outlined it very well. And it goes
13 back to, I believe it was Ms. Pope's
14 presentation yesterday, if we can go back to
15 our binders, if you want to reference what I'm
16 talking about, it's Page 18 Slide 35. Under
17 Section 985.04(1) under Florida statutes would
18 require DJJ and the sheriff, chiefs of police,
19 and district school superintendent in each
20 county to enter interagency agreement for the
21 purpose of sharing information, which I would
22 believe that then we would all be sharing
23 information about juvenile offenders among
24 parties; so am I to understand that that is not
25 currently happening?

1 MAJ. ANDERSON: No, because they don't
2 have access to our system, we don't have access
3 to their system, so you, I can't stand here in
4 good conscience and tell you that it's
5 happening.

6 SEN. BOOK: Okay, thank you, and I
7 appreciate that. However, it was represented
8 yesterday that that was happening. I just want
9 to make sure I don't have amnesia. Okay, thank
10 you.

11 CHAIR: We need to flush it all out more.
12 And I mean, even to that extent if you take in
13 -- the Fort Lauderdale Police Department, as an
14 example, is not on OSSSI, are they?

15 MAJ. ANDERSON: I'm not sure what records
16 management system that they have.

17 CHAIR: Right. So, probably just the fact
18 that you don't know tells us that their not,
19 is, is that I'd venture to say that they're
20 not. And probably Plantation is on a different
21 one, and Hollywood is on a different one, so
22 you can have a kid that's in the school, and
23 let's say the kid goes to school in Hollywood
24 but he lives in Fort Lauderdale, and he's had
25 some connection with the Broward Sheriff's

1 Office, even an SRO in a school in Hollywood
2 who is querying is not going to be able to
3 query the OSSI system for Broward Sheriff's
4 Office, isn't going to query the Plantation
5 system, so you have, even within law
6 enforcement you have these information silos
7 where you have the different RMS systems that
8 aren't easily query able by any one person, so
9 there's a lot of fragmented information.

10 SEN. BOOK: Yes, thank you. And, Mr.
11 Chair, just to also follow up then to try and
12 understand that, so if there's a child in West
13 Palm Beach, in Palm Beach County Public Schools
14 who was Baker Acted, expelled, serious issues,
15 okay gone, but then moved to Broward --

16 CHAIR: And there's not going to be -- in
17 the way it is now there's not going to be --
18 and it's especially challenging in
19 jurisdictions that are close to county borders
20 because you're going to have that situation,
21 but it's even exacerbated when somebody is
22 switching from one county to another, and is
23 moving back and forth between counties, because
24 there's even less connection, and there's even
25 less integration of data and resources.

1 And you would have -- and one of the
2 challenges with, even with the diversion
3 programs, is again making sure, and it doesn't
4 happen, that everything is entered into one
5 place. It's all about making good decisions.
6 You can't make good decisions if you don't have
7 information, and there's not access in a one
8 stop shopping. You remember what we are
9 wanting, and what we're asking for is, is that
10 you got a cop on the street who is faced with
11 making a decision in a situation and it's
12 information overload, is, is that there is no
13 one query in one place that can touch all of
14 this and give them the information that they
15 need so they can make a good decision.

16 Is it possible to do that? Yeah, maybe.
17 But that is definitely not the case right now.
18 Go ahead, Secretary.

19 SEC. DALY: This question is for
20 Commissioner Stuart. So, the database, the
21 incident reporting that you all have, is that
22 only accessible by school district people, or
23 are there outside people that can get access to
24 that, I guess is my question.

25 MS. STUART: Are you referencing the

1 SESIR?

2 SEC. DALY: Yes.

3 MS. STUART: Yeah, the aggregate data is
4 available.

5 SEC. DALY: Okay. So, like as the DJJ
6 probation officer, I couldn't log into the
7 system to see what kind of behavioral referrals
8 that this student has been given, or anything
9 like that?

10 MS. STUART: Not on an individual basis.

11 CHAIR: And is -- is that a legal barrier,
12 or a policy barrier, or a practical barrier?

13 MS. STUART: Right now, it's a legal
14 barrier, but there is probably also a technical
15 barrier as well.

16 CHAIR: So, you could have a situation --
17 this gets -- you could have a kid that's caused
18 problems in a school, and has been disruptive
19 in class, has done a number of things where
20 there's a whole bunch of indicators of problems
21 with that individual kid, and DJJ has contact
22 with the kid, and they try and do these
23 queries, but they may not see that, and
24 certainly the cops aren't going to see it, and
25 nobody else, because right now it is accessible

1 only by the department or the district that
2 entered it?

3 MS. STUART: That's right. Now, when a
4 student transfers from one district to another
5 there are records that will accompany that
6 student that will indicate some of those bits
7 of information.

8 CHAIR: Back to Sheriff Judd.

9 SHER. JUDD: Thank you, Mr. Chair. Major,
10 let me touch on the PROMISE program one more
11 second. Okay, now I'm a school resource deputy
12 for you, assigned to a school, and there's not
13 this database available. So, I have a kid that
14 gets in trouble and I send him to PROMISE
15 program, and the next time he gets in trouble I
16 send him to the PROMISE program, the next time
17 he gets in trouble I send him to the PROMISE
18 program. Is it only my decision whether or not
19 finally I do a criminal referral on him, or
20 theoretically can we just keep dumping him in
21 the PROMISE system, and send him on down the
22 road and hope for the best?

23 MAJ. ANDERSON: The PROMISE program is
24 facilitated by the school board, so it would be
25 the school board officials that do the PROMISE

1 program referral. Where we come in is, is that
2 with the PROMISE program it's an administrative
3 process within the school board, so they're
4 getting these chances in the PROMISE program.
5 And we have the civil citation program on our
6 end. So, if this individual is in the PROMISE
7 program, and it's something that they handled
8 in an administrative process at the school,
9 versus it being something criminal that the
10 school resource officer, because if you look at
11 what the intent of the school resource officer,
12 is not to address disciplinary problems in the
13 school. If it rise to a criminal matter, then
14 that's when we come in.

15 So, if something happens on the school
16 grounds, and it's going to be referred as a
17 criminal matter, then the school resource
18 officer would be better served to know, okay,
19 has this child been referred to the PROMISE
20 program, and if so how many times and for what
21 conduct that they have been given chances. And
22 what it's -- it's not our program, it's a
23 school board program that we say that, you know
24 what, we agree with it, we'll support it, and
25 we'll work collaboratively with you for to,

1 like I said, utilize the most appropriate
2 resource to address the student's conduct.

3 SHER. JUDD: So, I understand that, but
4 there are crimes, minor crimes that they deal
5 with, and it goes into PROMISE.

6 MAJ. ANDERSON: Yes.

7 SHER. JUDD: So, they can be dumping them
8 into PROMISE.

9 MAJ. ANDERSON: Yes.

10 SHER. JUDD: They have no database to tell
11 them how many times they sent him to PROMISE.

12 MAJ. ANDERSON: No.

13 SHER. JUDD: And you can be dealing with
14 him at the same school and dumping him into
15 civil citations, and the communication never
16 matches.

17 MAJ. ANDERSON: Correct. And that's why I
18 say about the collaborative effort. If that
19 school resource officer has access to that
20 database, you can say, well, you know what,
21 we've done far, you know, we've done what
22 could, now it's time to move to the next
23 resource in handling this conduct.

24 SHER. JUDD: And that's not -- it can't --
25 well, that can't occur.

1 MAJ. ANDERSON: It can't occur if you're
2 not sharing information.

3 SHER. JUDD: And you're unable to share
4 information. So, theoretically under the way
5 it, not the intent but the way it is now, this
6 kid could just keep getting rounded up in these
7 two systems and just --

8 MAJ. ANDERSON: Oh, it has happened.
9 They're on Twitter and Snapchat about how many
10 times they've gotten addressed for this, and
11 oh, yeah, I'm in the civil citation program,
12 and this, that, and the other, so that's how we
13 know. Our school resource officers, you know,
14 they stay active with the social media, and
15 trying to check, you know, what the kids are
16 talking about, and you do have some kids that
17 will come and tell you certain things people
18 have posted. So, that's why I say it's a
19 collaborative effort. It's just not the
20 administration at the school, it's just not the
21 school resource officer, it takes that whole
22 arena to address it and be successful in
23 protecting the kids.

24 SHER. JUDD: Thank you.

25 CHAIR: Sheriff Ashley, and then Mr.

1 Petty, and then we're going to have to move on
2 to the next topic. Sheriff Ashley, go ahead.

3 SHER. ASHLEY: Thank you, Captain, for
4 your presentation, and for being here today.
5 So, if I'm understanding correctly, your staff,
6 and your group, have recommended the school
7 district have its own police department. Is
8 that have their own police department, or are
9 you just looking for standardization so you're
10 not operating under numerous different policies
11 and standards in criteria?

12 MAJ. ANDERSON: It's a little of both, but
13 I think that you get the best product if you
14 have one agency that's facilitating it versus
15 putting a policy out, because interpretation
16 can lead people to do things in a different
17 manner.

18 SHER. ASHLEY: I agree with that, and I
19 was just, you know, the idea that we're going
20 to put something else on our schools to be
21 responsible for when they have so much on their
22 plate already, I'm not sure we want to turn
23 over law enforcement to our school districts.
24 But that aside, can you tell me in your
25 opinion, or from your experience, do crimes and

1 discipline in Broward County School District,
2 are they over reported, or under reported, or
3 are they pretty accurate?

4 MAJ. ANDERSON: It would depend on the
5 school that you're dealing with, and how the
6 administration at the school deals with it.
7 And as far as turning over law enforcement to
8 the school board, the school board already has
9 a law enforcement component, which is the
10 school board investigative unit, so they
11 already have law enforcement under their
12 district.

13 SHER. ASHLEY: Do they have law
14 enforcement arrest authority?

15 MAJ. ANDERSON: Yes, they do. They have
16 sworn personnel.

17 SHER. ASHLEY: Thank you.

18 CHAIR: Mr. Petty.

19 MR. PETTY: Thank you, Mr. Chair. I guess
20 this is more of a comment than a question. For
21 fear of stating the obvious, if we have no
22 database, for lack of a better term, if we're
23 not tracking what's happening even across law
24 enforcement agencies, and certainly there's
25 only good citizenship driving interactions

1 between law enforcement and school district,
2 and the school district, we have little hope of
3 actually identifying and interceding in these
4 events before, before something tragic happens.
5 It would be nothing more than luck that would
6 allow us to do that.

7 I think what we're going to hear when we,
8 when we get testimony from the secret service,
9 is there's a progression that these shooters go
10 through, and it starts with minor acts and it
11 moves up. If we're not tracking that
12 progression, if we have no idea where they're
13 at in that continuum we have no way to
14 effectively intercede before something tragic
15 happens like what happened at Stoneman Douglas.

16 Number two, how do we know if these
17 programs are effective? We have no idea
18 whether any of this works because we have no
19 data to tell us whether or not it works. And I
20 appreciate the chance to comment on that, Mr.
21 Chair.

22 CHAIR: Just a couple quick questions.
23 One, you mentioned in your presentation that
24 all of the SROs are required to be rifle
25 certified, but you didn't say whether they are

1 actually issued rifles. So, are -- and prior
2 to February 14th, were the SROs issued rifles?

3 MAJ. ANDERSON: They were not issued from
4 the regional standpoint. Each district has
5 what they call the pool rifles, for lack of a
6 better word, and you had a number of the
7 individuals that actually had rifles that they
8 checked out from the district. I don't have
9 the specific numbers as to which -- they are
10 certified. I don't know -- I don't have the
11 specific numbers on me as to who have the
12 patrol rifles.

13 CHAIR: But some had them, and some
14 didn't?

15 MAJ. ANDERSON: Correct.

16 CHAIR: Do you know whether Peterson had a
17 rifle on that day?

18 MAJ. ANDERSON: I'm not sure, sir.

19 CHAIR: All right. If a principal of a
20 school comes to the Broward County Sheriff's
21 Office and says I want this deputy removed as
22 an SRO, it's not working, and the principal is
23 adamant, do you remove the deputy?

24 MAJ. ANDERSON: There is so many factors
25 to that. If it's -- if it's something that the

1 deputy isn't doing, or needs to be brought
2 aware of, and we can work it out, then that's
3 what we try to do. But it wouldn't be prudent
4 to leave and individual in an adversarial
5 relationship. If that person is just not going
6 to get past that they don't care for that
7 person, they don't want to work with them, then
8 there's going to have to be some changes,
9 because it just, you're going to constantly
10 have issues.

11 And not that you want to put out there
12 that just because you complain, because if
13 it's, if it's the deputy is doing their job
14 then we need to meet as the Broward Sheriff's
15 Office and the Broward School Board, because
16 maybe that individual needs to be addressed as
17 well.

18 CHAIR: Are your deputies subordinate to
19 the principal?

20 MAJ. ANDERSON: No, sir.

21 CHAIR: Last question. It seems like that
22 you have -- I want to make sure I understand
23 that this. Is that you -- Broward County is
24 unique in that there is very little
25 unincorporated area in Broward County.

1 MAJ. ANDERSON: Correct.

2 CHAIR: Which is unlike most the other
3 counties. So, the Broward County Sheriff's
4 Office's primary response is in contract
5 cities.

6 MAJ. ANDERSON: Yes.

7 CHAIR: Those contract cities the staffing
8 of SROs based upon whether the contract city in
9 negotiation with the school board is willing to
10 fund an SRO for an individual school.

11 MAJ. ANDERSON: Yes.

12 CHAIR: So, you have some elementary
13 schools that have SROs, some that do not.

14 MAJ. ANDERSON: Yes.

15 CHAIR: You have some that have SROs, and
16 some elementary schools may have one SRO for
17 multiple schools.

18 MAJ. ANDERSON: Correct.

19 CHAIR: You have some middle schools that
20 have SROs. Do you have any middle schools that
21 do not?

22 MAJ. ANDERSON: No. Each middle school
23 has an SRO.

24 CHAIR: And each high school has one.

25 MAJ. ANDERSON: Yes.

1 CHAIR: So, where the inconsistency, if
2 you will, is, is in the middle schools, and
3 whether an individual city wanted to pay for an
4 SRO, but each city is paying for an SRO in all
5 the middle and high schools prior to February
6 14th.

7 MAJ. ANDERSON: Correct.

8 CHAIR: All right, thank you, Major. We
9 appreciate you being here.

10 MAJ. ANDERSON: You're welcome.

11 CHAIR: The final presentation on the SRO
12 topic is from Jeff Moquin, who is the Chief of
13 Staff to Superintendent Bob Runcie, and he's
14 going to talk about the SRO program from the
15 Broward County School perspective.

16 MR. MOQUIN: Good morning. As introduced,
17 my name is Jeff Moquin, and I currently serve
18 as Broward County Public Schools as the Chief
19 of Staff to the Superintendent. Just a little
20 bit about my background. I'm a proud product
21 of Broward County public schools, having
22 graduated from Coconut Creek High School. I
23 began my career with Broward County Public
24 Schools in 1993 as an accountant, and over the
25 last 25 years I've served in a variety of

1 capacities in the business and operations
2 division, and in 2011 I was appointed Chief of
3 Staff.

4 Before I get into my presentation though,
5 I do feel compelled to share some information
6 on the discussion that the commission just had.
7 And I do want to make it clear that Broward
8 County Public Schools has a student database,
9 and component of that student database does, in
10 fact, include tracking of discipline. As was
11 mentioned, the interagency agreement, the
12 signators to the interagency agreement, it's my
13 understanding they do have access to the terms
14 database, and specific access to the discipline
15 panels, as well as the attendance panels.

16 So, I know that that's a concern, so we do
17 have staff here, and if the commission wishes
18 to kind of get more clarification, because some
19 of those detailed questionings go beyond my
20 expertise, we can either address it today, or I
21 know the commission has asked Ms. Pope to come
22 back in July, and we can go ahead and include
23 some of that in the follow up presentation.

24 CHAIR: So, and what I'd like to do, if we
25 can -- I think that we -- all of this needs to

1 be flushed out.

2 MR. MOQUIN: Yes, I agree.

3 CHAIR: So, I would like you to get
4 through the presentation on SROs, and then we
5 can, you know, probe this. This is going to
6 take a long time to get through. We've got an
7 agenda for this afternoon. I would suggest
8 that we get all this information, we provide
9 the information to you, and we will set aside
10 however much time you all want to in July. But
11 if we try and flush this out now I think we are
12 going to be doing it without having benefit of
13 all the data, all the information, and having
14 this laid out in front us, and it would be more
15 productive to wait until we've got everything,
16 and we've got the right players lined up in
17 order to do it.

18 That would be my suggestion, that we
19 handle it that way, as opposed to -- because
20 we're going spend -- we can spend the next few
21 hours going back and forth on this because
22 there's a lot here. So, why don't you go
23 ahead, and get into your presentation on the
24 SROs.

25 MR. MOQUIN: Sure. As Major Anderson

1 shared with you in her presentation, the SRO
2 program, the history of it, it did start as a
3 pilot program in 1985 at six middle schools,
4 and over the last 30 plus years the program has
5 grown significantly. Currently, at least as of
6 the 2017/2018 school year, the school year that
7 just ended, we have SRO agreements with
8 thirteen individual municipalities to provide
9 SRO services at schools within their
10 jurisdiction, as well as agreements with the
11 Broward Sheriff's Office to provide SRO service
12 in ten additional municipalities. And I will
13 just point out that the City of Parkland is in
14 fact, those schools are serviced under one of
15 the agreements with the Broward Sheriff's
16 Office.

17 A little bit about the contractual duties
18 for SROs outlined within the agreement, I've
19 highlighted a few here in blue that I feel are
20 probably more, most relevant for this
21 commission. And first, I want to outline that
22 the agreement states that the SRO is not
23 intended to function as a disciplinarian or a
24 security officer. However, I think are
25 specific duties that do include the performance

1 of law enforcement functions within the school
2 setting, and they are to provide assistance in
3 protecting and securing school plants and its
4 occupants.

5 They also have duties that are outlined
6 that are more oriented towards serving as an
7 educator, mentor, and a liaison to the local
8 law enforcement. I know we talked this morning
9 a little bit about NASRO and FASRO, and I
10 included this slide because on their website
11 NASRO, which is the National Association of
12 School Resource Officers, do outline what they
13 believe to be best practice for appropriate
14 roles of a school resource officer, and in
15 summary they referred to them as educators,
16 informal counselors, and mentors, and law
17 enforcement officers. And I share this because
18 I think that these best practices in terms of
19 roles do in fact align to the contractual
20 responsibilities of the SROs within our
21 agreements.

22 I've also tried to highlight some other
23 terms and conditions of the current agreements.
24 The term of the current agreement aligns to the
25 school year, and as such, the current

1 agreements expired yesterday. There have been
2 questions raised recently that we are going to
3 need to deal with in collaboration regarding
4 summer programs, before and after care
5 opportunities, as well as after school
6 activities, in terms of whether an SRO should
7 be on campus to provide services during those
8 activities as well.

9 Currently the agreements call for the
10 district to provide an annual reimbursement
11 towards the cost of an SRO of \$46,252 per SRO
12 per year, and this reimbursement is invoiced
13 and paid on a pro rata basis over the ten-month
14 term of the agreement. The current agreement
15 also includes a provision that provides for the
16 SRO to be off campus in the performance of
17 their duties at the discretion of their
18 respective chief of police or the sheriff.

19 And I think this is a good time, although
20 it's been stated already, to clarify that the
21 SROs are not employees of the district, but the
22 independent municipalities and the Sheriff's
23 Office. And even though the SROs are not
24 employees I do want to state that, and stress,
25 that there are positive relationships between

1 the principals and the SROs, and although
2 they're not our employees, as the Major stated,
3 our principals do have a say if it's not a good
4 fit, and in those situations, which are very
5 rare, we usually ask our special investigative
6 unit to liaison with the respective law
7 enforcement agency to try to work those things
8 out.

9 And finally, I just want to highlight the
10 fact that in consideration of SB7026, and some
11 new qualifications and performance
12 responsibilities, as well as training
13 requirements, there may be the need to amend
14 the terms, and revise the term, the current
15 terms and conditions of the agreements.

16 I wanted to share with the commission the
17 history on our reimbursement. Back in the
18 2007/2008 school year, the districts
19 reimbursement was \$12,000 per SRO per year.
20 Over the next four years the district increased
21 its reimbursement by \$8,563 each year until
22 2012 when the reimbursement reached its current
23 level of \$46,252.

24 I also wanted to share the trend in the
25 number of SROs included within the agreements.

1 In school year '11/12 there were 135 approved
2 SRO positions included within the active
3 agreements at that time. Over the last six
4 years that number has gradually increased to
5 the current number of 166. And I want to
6 emphasize that this is the number of SROs that
7 are codified within approved agreements, and
8 does not necessarily reflect any vacancies that
9 may exist or SROs that may have been added by
10 individual municipalities in response to the
11 tragedy on February 14th and that have yet to
12 be codified within the formal agreements.

13 And specific to any vacancies that exist,
14 the agreement does stipulation that whenever
15 possible the city or sheriff shall assign a
16 replacement officer or deputy if the assigned
17 SRO is absent for a period in excess of two
18 days. And additionally, the agreements
19 stipulates that the invoices be discounted by a
20 pro rata basis when SRO services are not
21 provided during any given month because of the
22 vacancies.

23 And finally, I want to utilize this slide
24 to briefly describe the process that has been
25 utilized for increasing the number of SROs over

1 the last six years. As mentioned, the current
2 structure of the program is a collaboration
3 between the district, local municipalities, and
4 the Broward Sheriff's Office. To that end,
5 these decisions are mutually reached. As the
6 district and municipalities go through their
7 independent budget processes and cycles there
8 is typically a request to add SROs that either
9 come from a school or from the municipality.
10 The district then includes these requests
11 within its budget cycle for approval by the
12 school board.

13 And as we have come out of the great
14 recession, I know Major Anderson talked about
15 budget cuts that happened, but as we've come
16 out of the great recession that has in fact
17 been the case, and what's driving the increase,
18 as individual municipalities have tried to
19 either reinstate a 1:1 ratio, or add additional
20 services at select schools.

21 Now I'd like to provide just some summary
22 information on how these 166 positions are
23 allocated and deployed. The district has 234
24 schools and 93 charter schools. That's the 327
25 number that Major Anderson shared with you.

1 But I want to make sure that I clarify that my
2 data, or the data that I'm presenting is unique
3 to the traditional district schools and does
4 not include charter schools, as the charter
5 schools are independently managed from the
6 district, and have their own governing bodies.

7 I want to draw your attention to the pie
8 chart, as I think it provides a succinct
9 overview of the deployment of school resource
10 officers in the 2017/2018 school year. 46% of
11 our elementary schools had a -- I'm sorry, 46%
12 of our schools in total had a dedicated SRO.
13 That's a 1:1 ratio. Another 35% of our schools
14 had an assigned SRO that was shared between two
15 or more schools. And again, that is
16 exclusively at the elementary level. 3% of our
17 schools had more than one SRO assigned, and
18 those are largely at the high school level.
19 And finally, 16% of our schools did not have an
20 assigned SRO. And again, that is predominantly
21 at the elementary level.

22 I'm aware of two primary models that
23 currently exist to provide SROs to support the
24 program. The first is the assignment of a full
25 time certified law enforcement officer or

1 deputy who not only provides SRO services
2 during the term of the SRO agreement, but
3 augments the local law enforcement function
4 during the summer months. And the second is to
5 employ a seasonal certified law enforcement
6 officer to provide services only during the
7 ten-month term of the agreements. And then
8 it's my understanding that there's also some
9 hybrid of the two.

10 I wanted to share, or at least try to put
11 in perspective for you, an estimate of the
12 financial impact of the current program.
13 Again, I want to qualify that this data does
14 not include charter schools. I have tried to
15 present the estimate in a range, recognizing
16 the actual total cost of a school resource
17 officer varies from municipality to
18 municipality, and the Broward Sheriff's Office.
19 The first analysis utilizes a cost factor for
20 the SRO of \$139,666. This estimate was
21 documented by a Broward League of Cities task
22 force that reviewed the SRO program in 2013.
23 In their final report it was represented that
24 this was the average cost for an SRO.

25 The second cost factor I've utilized is

1 \$160,000 per SRO, and this is a cost that's
2 been reported by several municipalities. And
3 it's important to note that both cost factors
4 includes salary, benefits, training, and any
5 necessary equipment. The analysis then
6 proceeds to apply these cost factors to the
7 current number of SROs within the program, 166,
8 and represent the portion of the cost financed
9 by the Broward County Public Schools through
10 its reimbursement, and the remaining cost
11 incurred by the municipalities, and then
12 represent the total annual program costs. So,
13 as you can see I've estimated the annual
14 program costs for the current program to be
15 somewhere between \$23 million and \$26.5
16 million.

17 I've utilized this same methodology to try
18 to estimate the cost of the program moving
19 forward in consideration of SB7026. Again,
20 I've tried to provide the commission with a
21 range for the projected cost increase. At this
22 time the district has estimated it needs an
23 additional 80 to 100 SROs to fully comply with
24 the terms of the new legislation. The
25 rationale for the range is in consideration of

1 those schools that currently have more than one
2 SRO, requests to add additional SROs at
3 particular schools next year that we've already
4 become aware of, as well as the need for
5 further guidance as to what constitutes a
6 school under the legislation.

7 And that might sound simple, and I've told
8 you I have 234 schools, but we also maintain a
9 number of off campus programs where for
10 accounting purposes they have unique location
11 numbers, and I've heard, or it's been suggested
12 that any location that has a unique location
13 number for purposes of this is to be defined as
14 a school. So, as we continue to seek guidance
15 and work through some of those things I just
16 wanted to make sure you understood the basis
17 for why I'm representing a range.

18 For the low estimate, I've utilized the
19 lower total cost, the 166 -- I'm sorry, the
20 \$139,666, and I've applied it to the lower
21 estimate for need of 80. And then for the
22 higher estimate I've utilized the higher
23 reported cost, the \$160,000, and applied it to
24 the higher estimate of 100 additional SROs.
25 And again, I reflect the distribution of costs

1 between the district and the municipalities
2 given our current reimbursement structure, and
3 calculated the total annual program costs.
4 Utilizing this methodology, the projected cost
5 moving forward is somewhere between \$34.4
6 million and \$42.5 million.

7 Yesterday the Chair, and it was also
8 discussed this morning by Ms. Champion, that
9 we've outlined the increase in the Safe Schools
10 categorical funding provided by the state to
11 school districts for next year. I wanted to
12 share with the commission the trend of this
13 categorical funding, specifically to Broward
14 County Public Schools over the last decade, as
15 well as the projected funding anticipated for
16 next year.

17 I share this with you because as the Chair
18 mentioned this is the primary source of funding
19 for school districts to support SRO programs,
20 and other safety and security programs in the
21 schools. And as you can see from the trend
22 line this funding has been flat to declining
23 over the last ten years, and it's not until
24 SB7026 that you see a projected increase in
25 this funding.

1 Now I've tried to look closer at the Safe
2 Schools categorical funding for the district
3 received this past school year, as well as the
4 projected funding for next school year. In
5 2017/2018 Broward County Public Schools
6 received nearly \$6 million in Safe School
7 categorical funding. First, it needs to be
8 recognize that these funds also apply to
9 charter schools. The district is required to
10 allocate Safe School funds to the charter
11 schools based on their re-enrollment in a
12 proportion to the total student enrollment.
13 So, based on charter school enrollment last
14 year nearly \$1 million of this funding was
15 distributed to the charter schools on a pro
16 rata basis.

17 Additionally, the district then allocates
18 \$3 million as categorical funding directly to
19 the schools to assist and support in funding
20 school- based security related positions and
21 other programs at the school level. And I have
22 a slide that will show you some of those
23 positions forthcoming. That left approximately
24 \$2 million to help fund the SRO program, and
25 looking at the total number of approved SRO

1 positions applied to the districts' current
2 reimbursement for SRO you can see that the
3 current investment in the program by Broward
4 County Public Schools is nearly \$7.7 million
5 annually. And this has necessitated the
6 district to augment the Safe School categorical
7 funding with other general fund revenue to fund
8 our current program.

9 Finally, I wanted to illustrate the
10 funding shortfall in the event the district is
11 anticipated to absorb the entire increase in
12 the anticipated program costs. Again, I
13 calculate the shortfall in a range based on the
14 previous estimates I've shared. When you look
15 at the incremental increase in program costs
16 for the low and the high estimates, and combine
17 that cost with those of the current program,
18 you see a range between \$18.8 million and \$23.7
19 million for the new annual cost if the district
20 were to absorb the entire increase.

21 However, when compared against the
22 projected funding available of \$14.7 million,
23 it yields a funding shortfall somewhere between
24 \$4 million and \$9 million. Beyond the
25 financial challenges associated with expanding

1 the program in consideration of SB7026, it's
2 also been well mentioned the commission there
3 is an issue with the availability of certified
4 law enforcement officers, and it's my
5 understanding that the current vacancies in
6 Broward County alone are about 300.

7 Yesterday the Chair also discussed the
8 fact that the new Safe Schools funding included
9 within SB7026 must be utilized to employ or
10 contract additional SROs beyond the number of
11 them in the 2017/2018. For Broward that is a
12 number above 166 SROs. As I demonstrated on
13 the last slide the additional funding is
14 insufficient to fully fund the additional SROs
15 that are anticipated to be needed. This is
16 important, because as the district moves
17 forward and determines how it's going to fund
18 the additional SROs needed it's important that
19 it doesn't create an adverse incentive that
20 would have a devastating impact on the program.

21 And what I mean by that simply is right
22 now there are schools that are to on a 1:1
23 ration, and if the district were to fully fund
24 the cost of that SRO moving forward I believe
25 it would create an adverse impact on all the

1 other municipalities that currently participate
2 at a higher level, or a 1:1 level. And this
3 becomes more critical as participating
4 organizations analyze their legal requirement
5 to participate in the funding of additional
6 SROs. I am aware that the Sheriff's
7 Association issued a legal opinion that
8 concludes school districts must fund the SRO
9 positions under the Act, and that to the extent
10 the additional funding falls short of fully
11 funding these positions it remains the school
12 districts issue to address.

13 Now, some of us have suggested, and you
14 heard it today from Major Anderson, that in
15 light of SB7026, that the district should
16 establish its own police department, like our
17 sister counties to the north and the south.
18 And I've included this slide as an estimate of
19 that cost. I want to clarify that this is
20 simply a rough order magnitude estimate based
21 on conversations with the other districts to
22 understand the administration support that's
23 needed, supervision, and other representative
24 costs. And I want to qualify this analysis
25 because I've utilized this slide in other

1 recent forums. The district, our Chief has met
2 with the Police Chiefs Association locally.
3 I've also met with the local City Managers
4 Association to have these conversations on
5 moving forward. And there's been concern
6 expressed that my estimates are too high, and
7 I'll just say that regardless of the
8 specificity of the analysis inherent logic
9 would suggest that the cost associated with the
10 district establishing its own police department
11 would be higher than expansion of the current
12 program simply because the district does not
13 have the infrastructure to successfully operate
14 its own police department. The initial startup
15 costs would be significant.

16 Additionally, the district believes the
17 value gained by having a member of the
18 municipal law enforcement on campus during
19 school hours, and the relationships built
20 during this time, would potentially be lost.
21 And we must remember that students only spend
22 about 15-20% of their time during any given
23 year on a school campus. They're there for 180
24 days a year, and between 7 and 8 hours a day.
25 The remainder of the time they're in the

1 community, and I think as Sheriff Ashley
2 pointed out, and what our position would be, as
3 a school system our core business is teaching
4 and learning. We're not in the law enforcement
5 business. And we do not agree with this
6 recommendation, or support it at this time.
7 Obviously, because it's come about we're going
8 to, I'm going to need to have discussions with
9 my governing body about this being a viable
10 option, but to this point it has not been our
11 position that we support establishing our own
12 police department.

13 In closing, I was asked to present
14 information on campus monitors within the
15 district. And I do want to point out that
16 campus monitors are one of the five primary
17 positions within the district that are
18 dedicated to security. I have included the
19 position goal from the actual job description
20 for campus monitors, and highlighted in blue
21 some of the key roles of a campus monitor.

22 In essence, a campus monitor is on campus
23 to observe students, physically patrol the
24 campus, and report any safety or security
25 concerns to the administration or SRO. The

1 district currently has 251 campus monitors
2 within the district at an annual cost of
3 approximately \$4.8 million. And I've also
4 included on the slide a number of positions and
5 costs relative to the other primary security
6 positions within the district, and in total the
7 district has about 423 positions that are
8 dedicated to safety roles with an annual
9 investment of approximately \$12.6 million.

10 And I thank the commission for this
11 opportunity to present, and I'm more than happy
12 to answer any questions.

13 CHAIR: Okay. So, I'm just going to begin
14 this, because you didn't mention this at all,
15 and inject this into the questions. And I
16 understand you're not a policy maker, and
17 you're not a decision maker as far as the
18 school board is concerned, but all these
19 numbers was totally absent from anything in
20 your presentation as to guardians. You
21 mentioned that the cost of a school resource
22 officer is, top end, projected at \$160,000.

23 Most districts around the state are
24 estimating an average cost, I would say of a
25 fully loaded cost for a guardian, at about

1 \$40,000. And that is not a, not necessarily a
2 existing district employee who is performing a
3 collateral function, so this isn't the
4 librarian with a gun, this isn't the counselor,
5 this isn't the principal, this is actually
6 hiring somebody for the dedicated function of a
7 guardian.

8 And I think most of those districts are
9 estimating the fully loaded cost at about
10 \$40,000, so you could have 4 guardians for the
11 cost of that \$160,000. But it's totally
12 absent, so has the Broward County School Board
13 made a decision and rejected the option of
14 using the less costly guardians?

15 MR. MOQUIN: All right, so what I can tell
16 the commission is that the board has previously
17 approved an agenda item indicating their lack
18 of desire to participate in the guardian
19 program. It is our preference to first move
20 forward and try to expand the current program,
21 but I think we are cognizant as an organization
22 that if we're unsuccessful, because it is a
23 collaboration between local municipalities and
24 the Sheriff's Office, that if we're
25 unsuccessful in expanding the program the way

1 it's currently structured that we may end up
2 having to avail ourselves, come back and avail
3 ourselves of the guardian program, and those
4 are the conversations that we're having. And
5 in fact, on Monday my board has a dedicated
6 workshop to discuss SROs, and we have invited
7 some of the City Managers, as well as a
8 representative from BSO to participate in the
9 dialogue. So, that dialogue will be
10 forthcoming on Monday.

11 CHAIR: Okay. I'm going to open it up to
12 questions. And here's the schedule that we're
13 on, Commissioners, is, is that we have, had set
14 from 11:45-12:45 for lunch. We have a
15 presentation from DOE from 12:45-1:45 on ESE
16 and SEDNET. The DOE people have a hard time
17 that they have to be out of here to catch a
18 flight, so I'm going to limit questions on this
19 to ten minutes. If we need to bring Mr. Moquin
20 back, we will. You're going to have about
21 fifteen minutes to grab lunch and then come
22 back. We're going to have to do a working
23 lunch because otherwise the DOE people will not
24 make their flight.

25 So, ten minutes to these questions, a

1 quick fifteen-minute break, come back, bring
2 lunch here with you, and that we can have the
3 DOE people do their presentations. I'm sorry
4 but that's just the timeframe that we're on.
5 So, I think the first question, Sheriff Judd,
6 and then Mr. Petty.

7 SHER. JUDD: Thank you very much for your
8 presentation. And I'm quickly going to expand
9 on that guardian question. We know if you use
10 current resources on campus, you can train and
11 equip 32 guardians on average for what one SRO
12 costs. And it's my understanding that the
13 school board rejected it 9-0; is that correct?

14 MR. MOQUIN: That's correct currently.

15 SHER. JUDD: And my experience, as I
16 explained to my school board, was if you had
17 the \$16 million that we needed in our county, I
18 can't provide the officers, or the deputies,
19 because we on a different scale have the same
20 issue that you just related to. So, what is it
21 that you all are going to do August 13th, which
22 is just a few weeks away, with no guardians,
23 which can be selected and trained quickly, and
24 no school resource officers?

25 MR. MOQUIN: What I will tell you is I

1 think -- I think the Chair said it, right?
2 There are basically three options with which to
3 comply. We either contract to get a certified
4 law enforcement officer, we hire our own
5 certified law enforcement officer, or we have a
6 guardian, or a hybrid of those three. So, what
7 is not an option is not to have one. So, that
8 is going to be my message to my board, and even
9 though it's their preference to not participate
10 in the guardian program because their
11 preference would be to expand the current
12 model, if that is just not feasible, because
13 again it's a collaboration, and other players
14 aren't interested in playing, then there's
15 going to be no other option, and the
16 recommendation will be in those schools, or in
17 those municipalities where they've chosen not
18 to participate in the SRO program, then we have
19 no other option but to move forward with trying
20 to have a guardian there.

21 CHAIR: Mr. Petty.

22 MR. PETTY: I think I -- I think I just
23 have one question. Can you share with us the
24 percentage allocation for SROs that the
25 district is contemplating for 2017 and 2018?

1 MR. MOQUIN: Yeah. What I've done is I've
2 taken the entire amount of money, and I've
3 applied it to what we anticipate as the need,
4 and then just through simple math backed into
5 the fact that I believe we're going to have an
6 opportunity to raise our reimbursement, because
7 I know that that new money has to go towards
8 the hiring of additional SROs, so I believe
9 we're going to be able to enhance our
10 reimbursement in order to increase the
11 attractiveness for the municipalities that
12 don't currently participate on a 1:1 to average
13 to in fact participate and expand our program.

14 MR. PETTY: Actually, I probably should
15 clarify my question though. It's asking from
16 the Safe Schools allocation. So, you pointed
17 to Miami-Dade and Palm Beach County, and I'm
18 just looking back historically, in 2016/2017
19 Miami-Dade allocated 100% of their Safe Schools
20 allocation to the SRO program. Palm Beach
21 County did the same thing. If my math is
22 correct, Broward County only allocated 44% of
23 the Safe School allocations to SROs. Is that
24 -- is that -- you probably can't speak to the
25 policy necessarily, but will that continue, or

1 will Broward County begin to look more like
2 what Miami-Dade and Palm Beach County are
3 doing, and allocating 100% of the Safe School
4 allocation to the SRO program?

5 MR. MOQUIN: Right. Sure. So, I will
6 point out thought that while we currently do
7 take \$3 million of that, so your math is
8 probably correct about, about we'll just say
9 55%, we allocate back to the schools to help
10 fund their school-based positions; campus
11 monitors, security specialists, camera
12 monitors. It's that funding that allows them
13 to augment an SRO with those additional
14 services. But, if you look at what we're
15 already contributing to augment the Safe School
16 funding it's about \$5.7 million now, so what
17 we're actually adding to it is above what the
18 categorical is.

19 So even if we didn't -- even if we didn't
20 provide that \$3 million we're turning around
21 and taking \$5.7 million and augmenting the Safe
22 School funding that's remaining. So, I could
23 just do a shell game and keep the \$3 million
24 toward SROs and then take some of that \$5.7
25 million and push that out to the schools to

1 help fund campus monitors.

2 MR. PETTY: I understand the point. I
3 guess the point is, rather than allocating that
4 Safe Schools money, funding for SROs, the
5 district has chosen to do campus monitors and
6 other, and, you know, and other personnel as
7 opposed to SROs.

8 MR. MOQUIN: Right. I'll say that, but I
9 do want to qualify that we've come back and
10 added money to fund SROs beyond what that
11 amount is that we allocate to the schools. So,
12 I think we're saying the same thing, just
13 saying it differently.

14 MR. PETTY: It's just troubling to me that
15 we have only allocated 44% of that towards SROs
16 when we know that that is something that works,
17 and we're unclear whether campus monitors and
18 other personnel actually work.

19 MR. MOQUIN: Right. Your point is well
20 taken, sir. I'll just point out that the
21 totality of the funding we receive is \$5.9
22 million. About \$1 million of that goes out to
23 the schools, so that leaves about \$5 million
24 left. If you look at what we're actually
25 investing in SROs currently it's \$7.7 million,

1 so it's more than the entire allocation.

2 MR. PETTY: I get that. The point is that
3 the two districts closest to us are allocating
4 100% of their state Safe School allocation to
5 SROs and we are not, we're only doing 44% in
6 Broward.

7 MR. MOQUIN: I understand, sir.

8 CHAIR: Do you have any schools that have
9 two SROs? Do you have any?

10 MR. MOQUIN: Yes, we do.

11 CHAIR: How many?

12 MR. MOQUIN: Off the top of my head, and I
13 can give you the definitive number, as was
14 mentioned Cypress Bay High, which is our
15 largest high school, we added a second resource
16 officer. Coconut Creek High School has a
17 second resource officer. Miramar High School
18 has a second --

19 CHAIR: Is that because those cities are
20 willing to pay for the second?

21 MR. MOQUIN: Yes.

22 CHAIR: And if you had schools that have
23 3,000, 4,000 kids on the campus and the there's
24 not a second, is that a school board decision
25 or a city decision?

1 MR. MOQUIN: I'd say it's a collaborative
2 decision. I don't want to say that we were
3 absent of any involvement in that decision, but
4 it's a joint funded program, and as you can see
5 our reimbursement falls short of what has been
6 reported as the total cost of an SRO.

7 CHAIR: All right, we got about two
8 minutes here. Sheriff Ashley, you had a
9 question?

10 SHER. ASHLEY: Yes. And I hate to hold up
11 the commission, I know everybody is waiting for
12 lunch, but I believe this is probably the most
13 important aspect of what we're talking about
14 today, is basically whose responsibility is it
15 to provide safety and enforce laws in our
16 schools. And if we'll look at it from a
17 pragmatic viewpoint our school student
18 population and staff makes up in each one of
19 our counties, in 67 counties in Florida, makes
20 up a quarter of our population.

21 So I know we're trying to provide a
22 service above a service, but if you just take
23 the basic service by assigning a law
24 enforcement officer to a zone within your
25 jurisdiction, the school is the largest

1 population center probably in any one of those
2 zones, that's where the vast majority of our
3 population is going to be at between 8:00 a.m.
4 and 3:00 p.m. every single day, so assigning --
5 what we do in Okaloosa County, the Sheriff's
6 Office covers 70% of the costs of these SROs,
7 the school district provides their Safe School
8 funding, which accounts for about 30% of the
9 costs of these SROs. I just took them out of
10 zones that they were already in surrounding the
11 school, placed them in the schools, and we
12 trained them up to FASRO status, and all the
13 advanced training.

14 This is not rocket science. We take the
15 deputies in law enforcement we already have,
16 and I would humbly suggest to you, your school
17 board to contract with a single agency so you
18 don't have all these different policies and
19 standards, and disciplinary issues, and
20 equipment issues, and the like. And the only
21 agencies that I know of that have jurisdictions
22 district wide within your county is the Broward
23 County Sheriff's Office, and I don't think FHP
24 is in the business of providing SROs, but them
25 as well. But this -- this problem as far as

1 finding the number of SROs you need to meet
2 this August deadline are already there. It's
3 just a matter of assigning them and paying for
4 them.

5 That's just a statement more so than a
6 question. Thank you.

7 CHAIR: Okay. All right, thank you, Mr.
8 Moquin, we appreciate it. I know we'll hear
9 from you again. Fifteen minutes. 12:45, and
10 we'll hear from DOE to keep them on their hard
11 deadline. Thank you.

12 (Thereupon, a break was taken off the record, and
13 the meeting continued as follows:)

14 CHAIR: We're going to hear again from
15 Jacob Oliva with the Department of Education,
16 followed by Nikki Zenn with SEDNET. And we're
17 going to talk about exceptional student
18 education, or ESE, and how SEDNET comes into
19 play. Welcome back, Mr. Oliva.

20 MR. OLIVA: Thank you. And also, I have,
21 Nikki Zenn is going to join me as I do this
22 presentation, because we're going to go through
23 it together, if that's okay.

24 CHAIR: And I'm mindful of your time. And
25 I know you got a 1:45 hard stop, so we'll make

1 sure we stop right at 1:45.

2 MR. OLIVA: I appreciate that. So,
3 welcome back. Good afternoon. I want to start
4 with the disclosure that we're doing an
5 overview on Exceptional Student Education,
6 which is also known as ESE. And we can go as
7 deep and as wide as we can with the components
8 that are made up with providing services with
9 students that need additional support. So, for
10 today we're just going to go over a few of the
11 major tenets I think here may be some further
12 questions that the commission has, which would
13 be possible future topics for us to go deeper
14 into based on the conversation that we have
15 today. So, we're going to give a very brief
16 overview on how students are identified and
17 supported for special education, and then some
18 of the multi-agency networks that support
19 students, with a focus on emotional/behavior
20 disturbed students.

21 The major tenets of the Individuals with
22 Disabilities Act was reauthorized in 2004.
23 It's a subset of public law 94142, which is a
24 federal initiative, and mandate. And at the
25 heart of what IDEA provides is something that

1 we call FAPE; and basically, no student with a
2 disability may be excluded from a Free and
3 Appropriate Public Education, which is FAPE.
4 Schools must conduct a full individual
5 evaluation for all students referred to it that
6 are suspected of having a disability to
7 determine if they need extra support to be
8 successful in school so that we can ensure
9 FAPE.

10 The evaluation must include a variety of
11 assessment tools to collect functional,
12 developmental, and academic information on the
13 students suspected of having a disability.
14 Students determined to have a disability must
15 be educated with their non-disabled peers to
16 the maximum extent appropriate. And that is
17 something that we refer to LRE, which is the
18 Least Restrictive Environment.

19 The least restrictive environment is a
20 continuum of services that can range anywhere
21 from consultation, where a student that is
22 identified as special needs has somebody that
23 checks on them once a month, once a year, all
24 the way to push in or pull out services. They
25 could be staffed in a special class, in a

1 special school, or even receive home
2 instruction. So, there's a continuum of
3 services that a child may need based on their
4 disability, and what supports would be put in
5 place for them to be successful in school.

6 When determining whether a student has a
7 disability, the school and the school district
8 must ensure parental and student involvement.
9 So, the identification process starts with
10 consent from the parent, the parent has to give
11 consent for the testing or evaluation to begin,
12 but they can also withdraw consent at any given
13 time, and they are one of the partners that go
14 through that process.

15 When a student is identified as having a
16 disability, or qualifying for exceptional
17 student education, there is an IEP developed,
18 which stands for an Individualized Education
19 Plan. After the evaluation of the student
20 suspected of having difficulty the school
21 conducts a meeting to determine eligibility or
22 ineligibility for specialized services and
23 interventions. If the student is deemed
24 eligible, the school team, designated school
25 staff referred to as the IEP team, the parent

1 and student, need to complete the IEP and
2 determine which special services, supports, and
3 intervention the student needs in order to meet
4 established goals. The IEP team will decide
5 and implement progress monitoring provisions
6 for the selected strategies and supports, and
7 at least once per 12 months develop a new IEP.

8 There's some components that make up the
9 IEP, which is the present level of academic and
10 functional performance, measurable annual
11 goals, special education and related services,
12 the frequency, duration, and location of those
13 services, any needed accommodations, and the
14 inclusion of the participation in state wide
15 assessments.

16 When looking at the provisions of
17 services, there's a wide range that are
18 eligible, or the students have an opportunity
19 to participate with. These services
20 intervention can include some of the following;
21 special teaching methods, materials and
22 strategies, adaptive equipment and technology,
23 therapy services such as counseling, behavior,
24 speech, physical therapy, special provisions
25 such as specialized transportation, and

1 accommodations or modifications that may need
2 to be made to the curriculum so that student
3 can be successful in the least restrictive
4 environment.

5 There are several categories that make up
6 the spectrum of students with disabilities, and
7 they range anywhere from students with learning
8 disabilities, which would be students that may
9 need support with reading, math, writing,
10 academic components. There's intellectual
11 disabilities, emotional/behavioral
12 disabilities, visually impaired, deaf and hard
13 of hearing, dual sensory, speech and language.
14 There are students that are on the autism
15 spectrum disorder, other health impaired,
16 traumatic brain injury, orthopedically
17 impaired, developmental delayed, or an
18 established condition, which is typically a
19 multi disabling condition, where they may
20 qualify for more than one exemption.

21 Based on 2017 breakdown, you can see the
22 majority of the students that qualify for
23 disabilities were students with learning
24 disabilities. And the second and third kind of
25 combined category with the most amount of

1 students being served was speech and language
2 impaired.

3 For today's topic of discussion, I think
4 the commission has an interest in how do we
5 support students that have been identified with
6 emotional/behavioral needs, and I'm going to
7 have Nikki start talking a little bit about
8 what that definition means, and how a student
9 qualifies, and what types of services are
10 afforded to them.

11 MS. ZENN: A student who is demonstrating
12 emotional/behavioral disabilities within our
13 schools is a student who was persistent and
14 hasn't responded sufficiently to evidence-based
15 interventions. Those students are considered
16 to have emotional and behavioral disabilities
17 that actually adversely affect their
18 educational performance, and the environment to
19 which they're supposed to be learning, and you
20 can't actually attribute that disability to
21 age, culture, gender, or ethnicity.

22 The students with EBD tend to be best
23 addressed within a multi-tiered system of
24 support. It's a school-based team that looks
25 at the child, or the youth, how they're

1 responding to those interventions. They look
2 at an integrated model to make sure that it is
3 -- that whatever difficulties they're
4 experiencing, both academic and socially, that
5 those interventions address what they're
6 experiencing. They make the referrals based on
7 what that data tells us.

8 Students who function within our tiers,
9 and there's three tiers of support in our
10 multi- tiered systems of support, who are
11 actually at our third level most likely will be
12 involved in something we call a functional
13 behavioral assessment. Our functional
14 behavioral assessment looks at the specific
15 behaviors that our students might be exhibiting
16 and tries to develop specific interventions to
17 address those behaviors. And then we monitor
18 those interventions to see what those specific
19 responses are.

20 Most students who have
21 emotional/behavioral disabilities will respond
22 to those interventions. However, there will be
23 those who do not, and a more escalated or more
24 intense type of intervention might be required.
25 Those would be out students who would have a

1 two prong -- they would both fit the criteria
2 of having emotional or behavioral disability
3 but also need assistance academically to be
4 able to perform within a school environment.

5 And at that point, as Mr. Oliva discussed,
6 we would be developing an IEP team with, with
7 the parents' consent. And the parents would
8 actually be involved within our multi-tiered
9 system, so beginning from tier one all the way
10 up through three through our evaluation.

11 MR. OLIVA: So, as students are identified
12 with needing additional supports, there's
13 academic, social, emotional, and other
14 variables that go into determining
15 identification, placement, resources, and
16 alignment, one of the questions that we get
17 often is, continuing perhaps on the
18 conversation we had yesterday with discipline
19 with students with disabilities, we receive
20 questions all the time, that there's this
21 notion that a student with disability can't be
22 suspended from school, whether in school or out
23 of school, or even expelled. So, I'm here to
24 tell the commission that they can, but there
25 are some safety nets and provisions put in

1 place.

2 So, once a student has been identified as
3 a student with disabilities, we owe them FAPE,
4 which we had talked about, which is a free
5 appropriate public education, and then the IEP
6 team may look at the placement and resources
7 that need to be put in place. And Nikki talked
8 a little bit about a functional behavioral
9 assessment. So, if a student is disruptive, or
10 they're impeding their learning, or the
11 learning of others, the first thing that would
12 happen is that student could be disciplined.
13 Just like students without disabilities can
14 only be suspended up to 10 days at a time,
15 those safety nets are in place with students
16 with disabilities, and during that time when a
17 student hits 10 days what happens is there's a
18 manifestation determination hearing that is met
19 through the IEP process to determine whether or
20 not that student's behavior is aligned with
21 their disability.

22 And if it's determined that it is, then
23 their functional behavioral assessment needs to
24 be reevaluated, the layers of support may be
25 need to be reevaluated, or even placement in

1 levels of intensity of services. If it's
2 determined not to be a component of its
3 discipline, or, excuse me, of those students'
4 disability, they would follow the discipline
5 matrix like any other student.

6 So, if it's determined that a student
7 needs a change of services, that it when a
8 meeting is determined to have a change of
9 placement. When the IEP is developed it's
10 specific on the types of services, down to the
11 number of minutes a day that a student is going
12 to be placed in any setting, and when a
13 determination happens that that student may
14 need to be in a different setting that happens
15 through the change of place process through the
16 IEP team.

17 MS. ZENN: I'd like to speak to you now
18 about our discretionary projects that we have
19 in Florida that address emotional and
20 behavioral disabilities, but also as a
21 preventative measure as well. We have Florida
22 AWARE, which is the Advancing Wellness And
23 Resilience In Education discretionary project,
24 and Florida AWARE actually has three districts
25 that are our pilot districts, Duval, Pinellas,

1 and Polk, and part of that pilot is having
2 youth mental health first aid trainings, and
3 train the trainers within those three, as well
4 as looking at the community collaborations and
5 connections that occur to help students in the
6 early identifications of emotional/behavioral
7 type difficulties.

8 Our next discretionary project, and one
9 that I'm most familiar with, is SEDNET. It's a
10 multi- agency network for students with
11 emotional and behavioral disabilities. We're a
12 -- we have an administration project, and
13 nineteen projects throughout the State, so we
14 represent -- our nineteen local projects
15 represent all of our school districts, and our
16 services are available to all students and
17 families within the State. And we were
18 actually created by the Florida legislature in
19 1984.

20 In response to our system of care, the
21 need for our agencies to actually talk to each
22 other, and collaborate, and work together to
23 provide a system of care where our students
24 with our highest emotional/behavioral needs
25 could actually function in our community and

1 receive services and supports that they needed.

2 We continue on the same mission today.

3 The map that you're seeing right here is
4 actually from our website, and if you go to
5 that website and you scroll over the map where
6 the little yellow dots are you'll see all of
7 the project managers, or contact information,
8 so if a parent or a teacher, or someone wanted
9 the information about what type of system of
10 care is available in that region where a
11 student is having difficulties, and what type
12 of services and supports are available within
13 the school district, they would be able to
14 contact that project manager or the state admin
15 project, and we would help assist and
16 facilitate whatever services might be needed.

17 Our next slide kind of shows the type of
18 things that SEDNET is involved in. We do
19 specific trainings. We provide trainings on
20 what emotional and behavioral disabilities are,
21 trouble informed care, behavioral management,
22 crisis de-escalation techniques,
23 self-regulation, restorative practices,
24 compassion, fatigue, resiliency, and youth
25 mental health first aid. Our services and

1 supports that we also provide our communities
2 are local resource guides, community and
3 systems of care facilitation, data review, and
4 recommendations, reviewing individual as well
5 as district wide data to make recommendations
6 to help improve student outcomes.

7 We're involved in many inter agency
8 collaborations with DJJ, with DCF, with
9 children's counsels, with providers, with NAMI.
10 We also provide and attempt to inform parents,
11 community, about wrap around services, and what
12 services and assistance are available for
13 families and students. And we actually
14 participate as a member of the interagency
15 review teams that is a function of the Florida
16 Children and Youth Cabinet.

17 And so, if you look at the graphic, and
18 Zach Gibson with the Governor's office was kind
19 to share this graphic, it kind of discusses, or
20 looks at how we function as an agency, but as a
21 school. As a team we thought agencies, DCF,
22 DJJ, has a different language, and school
23 districts have a different language. However,
24 our processes are very similar, our languages
25 are very different. And so if you look at the

1 circle you'll see that it has a child and a
2 parent, the child, and then we have the parent,
3 and when a problem exists we tend to, whether
4 it's a classroom teacher who is having
5 difficulties or issues, or the parent is having
6 difficulties or issues, we tend to go to our
7 agencies that rep us and ask for assistance.

8 And so, the first graphic is the child
9 with the parent, and of the agency or classroom
10 for us and the school districts, and the second
11 one would, in the school district would be our
12 multidisciplinary teams where we actually
13 address more escalating issues. And then for
14 the school districts as well as agencies, when
15 we have issues that we can't address because
16 they're beyond our scope, or they're
17 escalating, there is a local review team where
18 the SEDNET project managers are a member, and
19 DCF, DJJ, foster care, agencies throughout our
20 court circuit, actually are involved in, and
21 you can bring a case to that local review team
22 and try and determine if there's services and
23 supports that are needed.

24 If the local review team actually can't
25 find a support, needs something that's maybe

1 not available, then they can escalate that to
2 the regional review team, which is based on the
3 DCF circuits. And DCF actually is the lead
4 agency in this. And if that doesn't -- and if
5 there's not a resolution there then you can
6 escalate it to the state review team. So,
7 there is a mechanism that our agencies actually
8 can talk, talk to each other, and try and find
9 supports in an inter- agency method in a very
10 collaborative fashion.

11 So, that's kind of the SEDNET overview.
12 But there is two more discretionary projects
13 that specifically look at emotional/behavioral
14 disabilities or difficulties, and that is our
15 PBIS, our Positive Behavior Interventions and
16 Support projects, and our MTSS, Multi-Tiered
17 Systems of Support projects, who really lay the
18 groundwork, both in our tier one in providing
19 those general interventions and supports, as
20 well as intensifying them in our tier two and
21 our tier three levels.

22 And we also have our Florida school
23 transformation grant which really looks at our
24 school districts, and our classrooms, and our
25 schools to make sure that our environments are

1 those that are inviting, and assist in
2 graduating our student's career, college, and
3 life ready.

4 MR. OLIVA: So just to recap, when it
5 comes to the major tenets of supporting
6 students with disabilities the primary goal is
7 to provide FAPE where there is a free and
8 appropriate public education for all of our
9 students to be successful, the IEP team
10 process, which is a multidisciplinary approach
11 that meets together to determine that best
12 individualized education plan, with a goal of
13 staffing and supporting that student in the
14 least restrictive environment.

15 Talking about ESE is a very broad scope
16 that we could cover. We just zoned in a little
17 bit about dealing with students with
18 emotional/behavioral services. We'd be happy to
19 answer any questions, or if there's further
20 questions or topics of discussion that we'd
21 like to delve into as a commission in regards
22 to supporting students with special needs we'd
23 be happy to prepare that also at a future date.
24 Thank you, Chair.

25 CHAIR: Dr. Blackburn.

1 DR. BLACKBURN: Thank you, Mr. Oliva.

2 I'll start by saying some of my questions may
3 not be fair given this is a federal legislation
4 we're talking about, IDEA, but I'll ask some
5 question from the state perspective, and also
6 from the local district perspective.

7 I'm stuck on Page 2 of your presentation,
8 and two bullets in particular. The first one,
9 number one, no student with a disability may be
10 excluded from a free and appropriate public
11 education. That first bullet suggests that
12 there is never a moment or a space where the
13 greater good is served by the exclusion of a
14 student. Is that a fair assumption?

15 MR. OLIVA: Every student is afforded
16 FAPE. So before public law 94142, which came
17 out in 1974, which is a sub component of the
18 American with Disabilities Act in 1973,
19 students with disabilities weren't given a
20 chance to participate in school. They were
21 sent to residential facilities. They were just
22 denied services. So, what this is saying is
23 just because you have a disability doesn't mean
24 you are automatically allowed to not be
25 included in an opportunity to participate in a

1 general education environment.

2 DR. BLACKBURN: I want to spend a little
3 time on Bullet 5, districts -- the school and
4 the school district must ensure parental and
5 student involvement. What about when you don't
6 have cooperation from the parents in these
7 cases, so at the initial creation of an IEP in
8 the earlier grades if schools or school staff
9 members are identifying behaviors that are
10 threatening to the student, threatening to the
11 environment, and the parent refuses at that
12 initial phase, what do schools, or school
13 districts do?

14 MR. OLIVA: And that happens, so that's
15 not a, that's not a hypothetical situation.
16 So, what the school -- and it's different in
17 every community so I'm speaking very generally
18 -- would try to do their best to work with the
19 parents to get consent to move forward with an
20 evaluation; lots of school districts have
21 parent liaisons that can help provide
22 additional supports. But, there is a due
23 process hearing, or a due process pathway that
24 if a student really needs access to services
25 and the parent refuses, and loco parentis comes

1 into place, and then they would follow down
2 that pathway.

3 DR. BLACKBURN: So, school districts can
4 initiate the due process, and that is a way to
5 somewhat override parent refusal.

6 MR. OLIVA: It's a hard -- depending on
7 that situation and those student's needs that
8 school district would determine whether not
9 they need to go down that process, yes.

10 DR. BLACKBURN: Do you know how often that
11 happens, where school districts initiate due
12 process, they're not successful in overriding
13 parent refusal?

14 MR. OLIVA: I don't have that data right
15 now.

16 DR. BLACKBURN: Thank you.

17 CHAIR: Mr. Petty.

18 MR. OLIVA: It happens. Just to
19 reiterate, it does happen. I don't know if we
20 aggregate that.

21 MR. PETTY: I have a question here. Thank
22 you for your presentation. You mentioned a
23 couple of times least restrictive environment.
24 Could you explain what that means?

25 MR. OLIVA: Sure. So, least restrictive

1 environment is a continuum of services. So, a
2 general education student that let's just say
3 shows up to elementary school, they're with
4 their non-disabled peers for the entire day in
5 second grade. They show up at 8:30 and they
6 leave at 3:30. That would be the least
7 restrictive environment, where a student can be
8 successful getting standard based instruction,
9 participating in state assessments, going to
10 recess, going to lunch, and not needing any
11 additional support. So, probably the most
12 least restrictive environment on a continuum
13 would be something that we call consultation,
14 where a special educator might meet up with the
15 student once a month, once every six months,
16 make sure their needs are being met, and that
17 student is able to be successful without
18 additional layers of support.

19 Through that spectrum, some students may
20 be successful for parts of the day with their
21 non- disabled peers without any additional
22 support. Some students may need the presence
23 of a paraprofessional in order to be successful
24 in that least restrictive environment. Some
25 students might need to be pulled out maybe for

1 reading or math support; while the rest of the
2 class is working on one lesson they'll have
3 some individualized lessons. Some students
4 might need to spend an entire day away from
5 their non-disabled peers because they're not
6 able to be successful in a general educational
7 environment. Some students need support even
8 at home, or in a hospital. So, depending on
9 what the severity of the disability is, the
10 classification, the goals that are determined,
11 written for that student in the IEP, would
12 determine the type of supports and placement
13 for that student so that they can be
14 successful.

15 MR. PETTY: Okay. And I want to be
16 careful how I, how I ask this.

17 MR. OLIVA: Sure.

18 MR. PETTY: But the calculation for least
19 restrictive environment, so it's a formula, if
20 you will, right, at some level? It balances
21 the needs of the child that's being evaluated
22 versus the classmates, or the teacher and
23 classmates that the -- you said non-disabled.
24 What if -- how does that calculation work, and
25 how is that evaluated? The needs of that

1 student versus the needs of the class, let's
2 say.

3 MR. OLIVA: So, I'd be careful to say that
4 it's a formula. So every, every student is
5 looked at individually based on program, and
6 based on the goals that are developed at the
7 IEP. So, during the IEP team process, it's a
8 multidisciplinary approach where they look at
9 academic, social, and emotional, it could even
10 be mobility access to whatever that child
11 needs, those goals are written with the hope to
12 serve that student in the least restrictive
13 environment. So, based on what that student
14 needs, based on what those goals are, based on
15 the program that's going to best serve that
16 need, that conversation collaboratively would
17 determine the appropriate placement.

18 MR. PETTY: And in that, I won't use the
19 term formula, but in that calculus, is there --
20 are the needs of the other students, or the
21 needs of the teacher a part of that evaluation?

22 MR. OLIVA: Yes. And those decisions are
23 made locally, just so that, just so that you're
24 clear, in that IEP process. So, if that
25 conversation needs to happen, especially if

1 you're talking about behavior, and if they're
2 writing a functional behavior assessment, so
3 let's say a student is disruptive, we're not
4 going to say they're wheelchair bound, but
5 we'll focus on behavior. Those conversations
6 need to happen as part of that functional
7 behavior assessment, that that student can't
8 just be disruptive to themselves, but disrupt
9 the learning of others, and if that's happening
10 then that level of support, the types of
11 services that are provided need to be reviewed,
12 and if those accommodations aren't being
13 successful, you can do down that change of
14 placement and say this isn't, we tried maybe
15 here, but it's not really working, they're not
16 being successful, we may need to revisit where
17 that child is receiving services.

18 MR. PETTY: Okay, fair enough. And I
19 appreciate that, because I was thinking of the
20 disruptive example more than --

21 MR. OLIVA: Right.

22 MR. PETTY: So, and then, the inertia, if
23 you will, is to move back into that -- it's
24 always least restrictive environment so there's
25 an effort, if you will, to bring that student

1 back into the regular classroom, if that's the
2 least restrictive environment, is that --

3 MR. OLIVA: If It's appropriate. So, I
4 think one thing that we need to be careful of
5 is program doesn't determine placement. So,
6 just because you're identified as a student
7 with autism, that does not mean you need to be
8 in a self-contained autistic multi-sensory
9 classroom all day long, because there's
10 different levels. And that's why it's a
11 spectrum of services based on what that student
12 needs. So, if that least restrictive
13 environment is the general education setting
14 where that student can have accommodations or
15 modifications to be successful, then that would
16 be the best place for that student to be
17 learning at their instructional level.

18 CHAIR: Commissioner.

19 MS. LARKIN SKINNER: So, I don't have an
20 opinion about this, but over the years I've had
21 people tell me that specific schools or
22 districts are somewhat reluctant to identify
23 children with disabilities, having to do in
24 their opinion with the amount of work, the
25 additional requirements, the compliance with

1 IEP once it's developed. And so, what I'm
2 wondering is if the SESIR system -- I'm
3 assuming that's where it would be -- if there
4 is any type of tracking that maybe kicks out an
5 alert that says, you know what, this child has
6 all of these incidents and so far there's been
7 no movement to identify does this child have a
8 disability. So, I'm wondering if DOE does have
9 that kind of system, and I think I know the
10 answer to this question, and the authority to
11 perhaps let the school or the district know,
12 hey, there's this child, we're getting an
13 alert, and, you know, somebody needs to take a
14 look at this child.

15 MR. OLIVA: Right. So, that's determined
16 locally, as we've stated before. And I would
17 start by saying I think it's disheartening to
18 say that people don't want to provide services
19 for students because it's too much paperwork,
20 because our goal, and I think every -- I hope
21 every districts goal is for 100% of our
22 students to be able to graduate successfully,
23 ready for college and career, and just because
24 you need additional supports to get there,
25 paperwork should not be a hindrance or a

1 deterrent.

2 MS. LARKIN SKINNER: Yeah, and I'm not
3 sure that it's paperwork. I think, just as a
4 for instance, I've heard, you know, needing an
5 extra staff like the paraprofessional to be
6 with the child in the classroom time, stuff
7 like that, because it's additional work, it's
8 additional expense, et cetera. And like I said
9 I don't personally have an opinion about it,
10 but people have brought that to me over the
11 years.

12 I work in the mental health side, and so
13 that's one of the struggles that families tend
14 to experience from their perspective. And I
15 was just wondering is there in the SESIR system
16 an alert for kids who have multiple incidents
17 of whatever type to say this kid might have a
18 disability and maybe they need to be assessed.

19 MR. OLIVA: I don't know if SESIR would be
20 that place, but at the state level we measure
21 disproportionality, especially with discipline
22 and/or maybe over identification, or perhaps
23 under identification, where the Department of
24 Ed would be contacting and working with school
25 districts to see if there's some barriers that

1 they need to be removed, because when you're
2 looking at a federal initiative, and federal
3 funding, there's sometimes different
4 guidelines, and there's different agencies that
5 we're responsible of reporting to, and
6 supporting as well.

7 MS. LARKIN SKINNER: So, like most things,
8 that is at the local level is where the
9 decision is actually made, and the action is
10 actually taken, while DOE tries to provide
11 support and technical assistance.

12 MS. ZENN: There is something called an
13 early warning system that most of our schools
14 actually do have, and our districts review, and
15 they look at attendance, they look at
16 discipline, they look at academics, and really
17 looking at which students might be at risk of
18 not graduating, or failing, or dropping out,
19 and so that starts in middle school. There is
20 discussion about it beginning earlier, but
21 right now it is in middle school, it is in high
22 school, and that could trigger a multi-tiered
23 system of support, a team meeting at the school
24 level to discuss what extra supports there are.

25 So, we try not to wait for a child to

1 fail, or to need exceptional education
2 services, but rather to provide those prior to,
3 so there really is an early warning system that
4 we're looking at trying to figure out who might
5 have some difficulties, who might need some
6 support, so they don't fail.

7 MS. LARKIN SKINNER: And then do your --
8 does that system, or wherever you're looking
9 for that information, track that information
10 over the lifetime of the child in the Florida
11 school system, unlike the PROMISE program where
12 we've heard it's for a year, and then the next
13 year starts and the slate is wiped clean
14 essentially? So, is it over the entire
15 academic career in Florida of each child?

16 MR. OLIVA: That would be done at the
17 district level. So, when we talk about the
18 early warning system, we like to say it's the
19 ABCs of success; attendance, behavior, and
20 course performance. It doesn't have to be all
21 three of those per se to trigger a student,
22 child study team, or to initiate an academic
23 intervention plan. But that data is collected
24 locally, and aggregated, and is used to drive
25 those decisions.

1 MS. LARKIN SKINNER: I just have one
2 request.

3 CHAIR: Go ahead.

4 MS. LARKIN SKINNER: I've been thinking a
5 lot about it over the -- because of the
6 information we've heard for the last two days,
7 is -- I'm very concerned about accountability.
8 And I was wondering if we could hear from a
9 representative from the Broward County School
10 Board, because it seems that most of the
11 accountability rests --

12 CHAIR: That's next. That's next. Next
13 presentation.

14 MS. LARKIN SKINNER: Okay. But is it
15 specifically about what is the accountability
16 system?

17 CHAIR: Well, we can ask. It's going to
18 be on ESE, and it's going to be on the
19 counseling system, and it is Director Dr.
20 Hickman, and if he doesn't answer your
21 questions then we'll find somebody who will.

22 MS. LARKIN SKINNER: Okay, thank you.

23 CHAIR: Anybody else? So, when a child
24 with emotional and behavioral disability is
25 deemed appropriate for ESE, what's the level of

1 practitioner or clinician who is making that
2 decision; is it a licensed person, is it, who's
3 making that determination?

4 MS. ZENN: So, it's a multi-team decision,
5 but the person who would actually be doing the
6 evaluation and the review would be a certified
7 school psychologist. A licensed clinical
8 social worker may be involved.

9 CHAIR: Okay, so a licensed person.

10 MS. ZENN: Yes.

11 CHAIR: So, once somebody gets the
12 designation, I know you say that the IEP is
13 reviewed every 12 months, there has to be an
14 evaluation of the IEP every twelve months, is
15 the designation itself reviewed, or once you
16 are designated then that carries throughout
17 with the idea that, or is it, how does that
18 work?

19 MS. ZENN: Every three years it's
20 reevaluated, our reevaluation kicks in. At
21 that point the team decides if they need
22 further testing, further assessment, or what
23 the needs might be for that particular student.
24 So, there's a reevaluation that occurs every
25 three years. The IEP occurs at minimum once a

1 year, but any time that there's an issue or
2 difficulty any members of that IEP team can
3 request a meeting.

4 CHAIR: So, I don't know if you can answer
5 this question from a state level perspective,
6 but you'll tell me if you can or can't, is it
7 that who makes the decision if a child
8 qualifies for ESE, especially with
9 emotional/behavioral disability, and the team
10 is making a determination, which is going to be
11 unique to that individual, and you're going to
12 have varying levels of disability, and varying
13 levels of behaviors that are coming into play
14 in making that determination, correct?

15 MR. OLIVA: Correct.

16 CHAIR: So, who makes the decision about
17 what, if any, school based extracurricular
18 activities that child can or cannot participate
19 in?

20 MR. OLIVA: Well, it's part of that
21 multidisciplinary conversation. So, even when
22 a child turns 16 transition plan has to happen,
23 in that conversation of can this child
24 participate in band, can this child participate
25 in extracurricular activities, that can be

1 written into the plan, but the goal, depending
2 on the disability, depending on the spectrum of
3 services, is for students to be able to
4 transition successfully into the community post
5 the K-12 system as well.

6 CHAIR: So, in a hypothetical, if we have
7 a child that's got, that qualifies, that the
8 team determined that they do have a disability,
9 let's say it's emotional/behavioral, let's say
10 part of it is coping, anger management, and
11 this is a hypothetical, and some of those
12 behavioral things that are disruptive, et
13 cetera, it maybe even appears volatile at
14 different times, and that child then becomes
15 involved in ROTC and is exposed to guns, et
16 cetera; is there anybody that's going to say
17 maybe that's not a good idea?

18 MR. OLIVA: That would happen at the IEP
19 team. So, they -- when they're determining
20 placement, it could be one period a day,
21 they could be put on half day, they could be
22 recommended full general education programs
23 with no supports, or they could say this would
24 not be an appropriate program for that student
25 to be in.

1 CHAIR: Would they know that?

2 MR. OLIVA: Based on the data they have,
3 they should be reviewing the academic
4 performance, the social/emotional performance,
5 the functional behavior assessment, and that
6 team of people that have been working with that
7 child should know that. Now, I'm not going to
8 say they get it 100% right every time, because
9 that's part of that review process as well; so,
10 a child could be placed in an environment where
11 they're not being successful which would
12 trigger that change of placement process.

13 CHAIR: Could a child end up, you know,
14 say participating, in that scenario I gave you
15 could a child end up participating, let's say,
16 in that ROTC program without this team knowing
17 about it?

18 MR. OLIVA: Yeah, I mean I guess if that
19 was -- if they were placed in that classroom.
20 That's why -- it's a hard --

21 CHAIR: Yeah, I get it.

22 MR. OLIVA: It's a hard question to
23 answer.

24 CHAIR: Well, let me ask you one more, and
25 then Commissioner Stuart can pipe in on it.

1 Would that team have the authority -- let's say
2 the team found out about this, and the child
3 had the designation, and was on IEP, et cetera,
4 and they found out, and thought it wasn't a
5 good idea, would that team have the authority
6 to go to somebody, or make the decision
7 themselves to remove the person from that
8 program, or that extracurricular activity that
9 they felt was not healthy and inappropriate for
10 that child?

11 MR. OLIVA: So, I would hope, since we're
12 speaking hypothetically, that that team, or the
13 people that are concerned, would have met with
14 the instructor, said, hey, this child is going
15 to be in your classroom, are there things that
16 we can make accommodations for them to be
17 successful? If so, we want to try this, if not
18 then we might need to look at a different
19 program. So, that classroom teacher can be
20 part of that, that multidisciplinary
21 conversation when determining that placement.

22 CHAIR: I understand what you're saying.
23 They could say, well, we should do this, or we
24 can look at something else, but is there any
25 one person that can say that's not appropriate,

1 he doesn't need to be in that, and he will not
2 be in that? Is there anybody, does the buck
3 stop with anybody that can make that
4 determination?

5 MS. STUART: Let me just try for just a
6 second. Any of the course work that a student
7 is involved the team would be aware of that and
8 would be making decisions. So, ROTC, the
9 course, it may include some extracurricular but
10 it is a course, so it would be in that
11 student's schedule, so they would talk about it
12 then. Probably a better example would be
13 football, where that volatile situation might
14 occur, and could potential slide through
15 without someone knowing, but it would quickly
16 become something of an issue. And then if at
17 the IEP meeting, so let's say that the football
18 coach says something's wrong here, we've got to
19 do something, they go to the counselor, and the
20 counselor then calls for an IEP meeting. And
21 if, in fact, the student and/or their parents
22 said, no, they're going to participate in this,
23 there would be that, just as Dr. Blackburn
24 mentioned, there would be the ability for the
25 school district to initiate due process if in

1 fact that was completely inappropriate, and
2 then there would be an external decision that
3 would be made with regards to --

4 CHAIR: So, who would make that external
5 decision? I mean it sounds like it's a big
6 long process?

7 MS. STUART: Well, due process, there is a
8 process, and you can speak to what that entire
9 process is better than I, but I think you end
10 up with someone from IDEA that comes in, you've
11 got attorneys that are involved.

12 CHAIR: So, if somebody saw -- so if
13 somebody, if the team saw a child who was
14 exhibiting behaviors, and were concerned about
15 those behaviors, like I said with anger
16 management, behavior, acting out,
17 disruptiveness, and things that were leading
18 them to believe that this is not a healthy
19 activity for this person to be participating
20 in, and if the parents and the student refused
21 to accept that and insisted that the child
22 participate in that, then you've got to go
23 through an entire, it sounds like a pretty
24 extensive bureaucratic process in order to
25 deprive that child of his or her ability to

1 continue in that what the team believes in
2 their best judgment is an inappropriate
3 activity?

4 MS. STUART: Theoretically, yes. In
5 practicality that would happen, you know, out
6 of 2.87 million students it might happen twice,
7 twice a year.

8 CHAIR: Okay, that's why I'm asking.

9 MS. STUART: So, it would be rare indeed
10 where it would actually have to go that far.
11 There would be a resolution that would be
12 reached prior to that in all likelihood in
13 almost every situation.

14 CHAIR: Because of dialogue between the
15 parents and the school?

16 MS. STUART: Correct. Correct.

17 MR. OLIVA: And also, if I could, Chair,
18 in that example that you're using with say a
19 student is put in a ROTC class where they're
20 not being successful, that teacher can even
21 call an IEP review as well. So, they can pull
22 the team together and say this kid's in my
23 class, it's not working, we need to come up
24 with a resolution, as well.

25 DR. BLACKBURN: In essence though,

1 Sheriff, what you're talking about is, and
2 speaking of accountability, we're talking about
3 the team, right, and until you get to the end
4 of the journey and you're at that due process
5 judgment, up until that point I'm a firm
6 believer that in order to have accountability
7 you need either a single source of truth, or
8 you need some entity with at least 51% decision
9 making authority, and you don't get to that
10 until you've finished that journey that very
11 rarely happens.

12 MR. SCHACHTER: I've spoken to principals
13 that say that process is a two-year process, by
14 the way.

15 CHAIR: Is that mandated by federal law or
16 state law?

17 MR. OLIVA: Yes, sir.

18 CHAIR: Federal law. Anybody else have
19 any other questions?

20 MR. OLIVA: Thank you.

21 CHAIR: Okay, thank you, appreciate it.
22 All right. So, the next and final presentation
23 will be from Dr. Antwon Hickman from the
24 Broward County Schools to talk about ESE in
25 Broward County. And also, we've asked Dr.

1 Hickman to talk about the school counseling
2 system in Broward County schools.

3 DR. HICKMAN: Good afternoon. My name is
4 Antwon Hickman. I'm the Executive Director of
5 Exceptional Student Learning Support. We're
6 going to go just a little, we're going to
7 change the order just a little bit and talk
8 about the school counseling piece first. We
9 feel that in our district what we love to do is
10 think about all first, then some, and then a
11 few. So, my colleague is going to share with
12 your school overall counseling process. He's
13 going to talk about -- he's going to pretty
14 much clear up some myths about the counseling
15 process, and then share some of our different
16 roles, and various positions throughout the
17 district, and then I'll come back and share
18 more about the ESE process.

19 MR. AIELLO: Good afternoon, ladies and
20 gentlemen. First of all, thank you. Thank you
21 for recognizing the importance of school
22 counseling and mental health services in our
23 schools.

24 CHAIR: I'm sorry, before you go, would
25 you just identify, just --

1 MR. AIELLO: Yes, I'm doing it. My name
2 is Ralph Aiello, and I'm the Director of School
3 Counseling and BRACE Advisement for Broward
4 County Public Schools. My presentation today
5 is intended to provide you with an overview of
6 the school-based system in our, school-based
7 counseling systems in our school district.
8 We'll cover how our schools are staffed with
9 various mental health providers, their
10 functions within our schools, state
11 requirements, and student to counselor ratios.

12 This portion of the presentation will
13 focus on the counseling services available to
14 all students regardless of their individual
15 classifications. Then I'll turn it over to Dr.
16 Hickman, who will expand upon the previous DOE
17 presentation and share how Broward addresses
18 the needs of students with disabilities.

19 I'd like to reiterate the knowledge that
20 all students deserve a free and appropriate
21 public education. When families select their
22 schools, staff are assigned to provide both
23 primary and supplement supports in compliance
24 with state laws and available local resources.

25 These foundational supports are available

1 to all students, then interventions are
2 provided to some students based upon need, and
3 then for a few students as part of a formal
4 plan such as an IEP or 504 plan. All of these
5 interventions are carried out by a variety of
6 mental health practitioners in Broward County
7 Public Schools. And I'd like to begin
8 clarifying some of that terminology using my
9 own title, Director of School Counseling and
10 BRACE Advisement.

11 It was during our preparatory briefing
12 with the Chairman we learned that the term
13 school counselor, the role, and school
14 counseling, the program, are potentially being
15 used as umbrella terms for all mental health
16 services and providers in the school district.
17 That's understandable, because in most school
18 districts the school counselor is the sole
19 provider of mental health services at their
20 schools. However, schools counseling is a
21 specific profession whose duties are carried
22 out by a certified school counselor, and as we
23 will share there are several types of school
24 based mental health staff in Broward who are
25 not school counselors, each the their own

1 titles, credentials, and roles. So, it's
2 important to clarify that school counseling is
3 only a portion of our system of providing
4 counseling services in BCPS.

5 Many of you may recognize the school
6 counselor by its traditional name, the guidance
7 counselor. Historically, guidance counselors'
8 main role was to provide a service, and guide
9 students to a career pathway or college,
10 through such activities as writing letters of
11 recommendation or sending transcripts. But,
12 the profession has evolved, and counselors now
13 address much more than just post-secondary
14 access.

15 The school counselor provides a
16 comprehensive data driven program that helps
17 all students acquire the knowledge, attitudes,
18 and skills they need in the areas of academic,
19 career, and social emotional development, so
20 they're prepared to succeed in tomorrow's
21 world. Broward's school counseling program is
22 based upon the American School Counselor
23 Association's national model. This
24 research-based model standards form the basis
25 for service delivery in all district schools

1 grade levels K-12.

2 School counselors provide direct services
3 through individual counseling, which is one on
4 one, small group counseling, which is generally
5 six to eight students at a time, and through
6 large group counseling, such as classroom
7 lessons, school wide initiatives, and community
8 initiatives. Indirect services are provided on
9 behalf of students as a result of the school
10 counselor's interactions with others, including
11 referrals for additional assistance, as well as
12 consulting and collaborating with parents,
13 educators, and community organizations.

14 Although the district has taken steps
15 towards a formal name change, at this time the
16 school counselor is still officially referred
17 to as the guidance counselor in Broward County
18 Public Schools. So, I may refer to school
19 counselors as guidance counselors
20 interchangeably through the presentation
21 because they are one and the same. And to
22 circle back around to my title, you may be
23 probably wondering what BRACE advisement is,
24 and BRACE stands for Broward Advisers for
25 Continuing Education. These staff are

1 paraprofessionals, or teacher's aides. They
2 are unique to Broward, and support the guidance
3 department, and help students, mostly seniors,
4 with addressing post-secondary opportunities
5 and facilitating matriculation to whatever
6 choice the student makes.

7 Although they're highly valued members of
8 the school-based guidance teams, BRACE advisers
9 do not provide counseling services. So, to
10 summarize so far school counseling is a
11 specific profession that is often still
12 referred to as guidance counseling, BRACE
13 advisers are paraprofessionals who support the
14 school counselors but do not provide counseling
15 services, and there all right several other
16 mental health professionals in the district
17 that we will soon discuss who should not be
18 misclassified as school counselors, as they
19 play their own specific role in school based
20 mental health services.

21 One of the commissions' questions asked if
22 the staffing of school counselors is a state
23 mandate or if it is left to individual
24 districts. Unfortunately, there is not a state
25 requirement to staff school counselors. In

1 fact, according to the Florida School Counselor
2 Association, over 200 schools across the state
3 do not employ a school counselor. Annually,
4 the law only requires each district to submit a
5 district guidance report to the commissioner by
6 June 30th.

7 BCPS has annually submitted this report,
8 that includes information on student access to
9 school counselors, training available for
10 staff, and incorporation of best practices in a
11 guidance plan for the district. Again, the law
12 requires submission of an annual guidance
13 report but does not require hiring guidance
14 staff.

15 As there isn't a requirement to hire
16 school counselors, there isn't a specific
17 funding allocation in the Florida educational
18 finance program dedicated for the district to
19 hire school counselors. Despite the lack of
20 dedicated funding over the past several years,
21 Broward County Public Schools has restored our
22 allocations of school counselors to
23 pre-recession levels with at least one school
24 counselor at every elementary school, two
25 school counselors and a school counseling

1 director at each middle school, and at least
2 one school counselor per grade level, including
3 a director, at each high school. Additionally,
4 each high school has now allocated a full time
5 BRACE adviser.

6 As full time multi-tiered intervention
7 specialists, school counselors provide brief
8 solution focused counseling to assist with or
9 prevent learning and adjustment problems.
10 School counselors also work collaboratively
11 with school and district staff, as well as
12 community agencies, to provide additional or
13 more intensive mental health support that
14 requires specialized treatment.

15 Broward employs several types of mental
16 health practitioners to address all tiers of
17 support services. School social workers
18 function as a liaison between the school,
19 family, and community. They provide mental
20 health interventions, address issues of
21 non-attendance and truancy, provide behavioral
22 assessments, crisis intervention, and
23 consultation in addressing the barriers to
24 student achievement.

25 School psychologists conduct psychological

1 and academic assessments that help to identify
2 the needs of students with disabilities, and
3 those who are gifted. They are important
4 members of the school based collaborative
5 problem-solving teams, as they help to collect
6 and interpret student and classroom data.
7 School psychologists promote positive behavior
8 in mental health by serving on crisis
9 intervention teams, working to improve school
10 wide practices and policies, as well as
11 providing ongoing small group counseling in
12 their schools.

13 There are two roles within BCPS that are
14 referred to as family counselors. The first is
15 a part of a substance abuse grant with the
16 United Way, and these staff provide
17 preventative services that are within that
18 specific subject area. However, family
19 counselors are more prevalently known
20 throughout Broward schools as our mental health
21 therapists from the family counseling program.
22 These clinically licensed mental health
23 practitioners provide in-school and individual
24 counseling to address a variety of school,
25 family, and emotional challenges, including

1 anger management, eating disorders, anxiety,
2 bullying issues, hyperactivity, and many other
3 mental health issues.

4 An advantage of in-school family
5 counseling is the unique relationships the
6 therapists have with school personnel.
7 Families feel comfortable and secure attending
8 counseling in their own neighborhoods. Because
9 of their physical locations on school campuses,
10 and because they're employed by the district,
11 the therapists have the ability to serve as a
12 liaison between parents and the school while
13 providing support to teachers and other school
14 personnel. These family therapists are
15 partially funded by a grant through the Broward
16 County Community Partnerships Division, and
17 annually provides over 17,500 hours of mental
18 health services.

19 ESE counselors provide counseling as a
20 related service to students with disabilities
21 to assist in their success as part of an IEP.
22 Data is collected and documented in the present
23 level of performance prior to an IEP meeting to
24 determine the need for the counseling service
25 and the actual goal. ESE counselors then work

1 with classroom teachers, ESE teachers, and
2 other school-based providers on implementing
3 the IEP goal throughout their academic day.
4 Similar to school counselors, ESE counselors
5 provide brief counseling services to students,
6 and would refer to other mental health
7 practitioners for more intensive services.

8 Another critical member of our student
9 initiatives team that's not on the list on the
10 screen would be our school nurses. Often times
11 when students experience mental health issues
12 they will manifest as physical symptoms, and
13 where do students go when they're feeling sick,
14 to the nurse's office. There are also
15 supplemental roles related to mental health
16 that are assigned to school-based staff to
17 implement within Broward schools.

18 Typically, one of the mental health
19 practitioners listed on, listed here, are
20 selected for those duties. Internally schools
21 may refer students to our family therapists for
22 these intensive mental health supports, but the
23 demand for services is so great that our
24 behavioral health partnership includes 21
25 approved mental health agencies to which

1 schools may refer students for intensive mental
2 health services.

3 Each of these mental health providers are
4 highly qualified staff requiring advanced
5 degrees, as well as state educator
6 certification and/or clinical licensure. Their
7 certifications must be renewed every five
8 years, just like other educational
9 professionals in the state, and this includes
10 the school nurses as well.

11 At this point, I'd like to pause and
12 summarize again for clarity. Although the law
13 requires us to report on our guidance services,
14 there are not specific requirements to hire
15 school counselors or dedicated funding for
16 staffing these roles. Although school
17 counselors are the primary front-line
18 interventionists, there are several types of
19 mental health professionals across Broward,
20 including school social workers, school
21 psychologists, family therapists, and ESE
22 counselors. Each of these positions plays its
23 own important role in the schools and should be
24 differentiated from one another within the
25 total system of providing counseling service in

1 Broward County.

2 In 2015, legislation was proposed to
3 require every school to have at least one
4 school counselor, and that these staff would be
5 required to spend at least 80% of their time on
6 direct or indirect services to students.

7 Although those bills failed to become law the
8 Office of Program Policy Analysis and
9 Government Accountability, otherwise known as
10 OPPAGA, conducted a comprehensive research
11 study on the status of school counseling across
12 the state.

13 They found that in the previous school
14 year, which was 2013/2014, the average student
15 to counselor ratio across the state was 531:1.
16 This current school year the average student to
17 counselor ratio in Broward is 524:1, and more
18 specifically the student to counselor ratio at
19 Marjory Stoneman Douglas High School is 531:1,
20 so our ratios are similar to those across the
21 state.

22 The commission also asked if these ratios
23 are adequate, and in answer to this the
24 American School Counselor Association
25 recommends a 250:1 student to counselor ratio,

1 and all data just provided is over double those
2 rates. So, when we consider that hiring these
3 staff are not required, nor specifically funded
4 by the state, the district is investing a
5 significant amount of resources on school
6 counselors, school counseling programs, and
7 other mental health practitioners. However,
8 the district fully recognizes that these ratios
9 are inadequate to comprehensively meet all
10 students' academic, social, emotional, and
11 college and career readiness needs.

12 To illustrate this formidable task of
13 effectively servicing a case load of this size
14 I often ask people to count to 524, and while
15 you do so please imagine if each of those
16 numbers represented a child you needed to get
17 to know on a personal basis and provide
18 preventative and developmental counseling
19 services.

20 And just as important as the number of
21 school counselors available, and their ratios
22 to students, is how these human resources are
23 utilized in schools. And this commission asked
24 if staff are dedicated to the counseling
25 function or if it is a collateral

1 responsibility. For most of the mental health
2 practitioners in Broward schools, they spend
3 the majority of their time providing counseling
4 services to students, however our school
5 counselors, also known as the guidance
6 counselors, typically carry a heavier load than
7 others.

8 In a position statement, the American
9 School Counselor Association recommends that
10 school counselors spend 80% or more of their
11 time in direct and indirect services to
12 students. These direct and indirect students'
13 activities should come from the ASCA national
14 model, rather than inappropriate duties that
15 are assigned to school counselors. The other
16 20% or less of the school counselors' time
17 should be focused on program management and
18 planning, including developing the annual plan,
19 generating data and reports, conducting program
20 assessments, and any other activities as
21 determined by the principal and the school
22 counselor when they're developing their plan.

23 Duties that fall outside of the school
24 counselor framework should be limited. Fair
25 share responsibilities should not preclude

1 implementing and managing a comprehensive
2 school counseling program. In that same 2015
3 OPPAGA study, they found that 56% of school
4 counselors across the state only spend an
5 average of 42% of their time on direct services
6 to students. More than half of school
7 counselors reported spending non-counseling
8 time on student testing and assessment and
9 coordinating 504 meetings. The OPPAGA study
10 findings also indicated that 78% of school
11 counselors across the state reported they spend
12 too little, or far too little time providing
13 direct services to students.

14 Reciprocally, 80% of school counselors
15 reported that they spend too much, or far too
16 much time on non-counseling duties.
17 Ultimately, 2/3rds of school counselors
18 reported that how they spend their time
19 negatively affects their ability to serve
20 students. In Broward, our school counselors
21 are not immune from these other duties as
22 assigned. Around the same time as the OPPAGA
23 study, Broward informally surveyed counselors
24 and found that approximately the same amount of
25 counselor time was not spent on direct services

1 to students. But recognizing the significant
2 impact of these other duties on school
3 counselor time the district has created and
4 staffed a student assessment specialist in
5 every high school.

6 This assessment specialist serves as the
7 test coordinator, managing the preparation,
8 administration, and submission of various
9 standardized tests. Although school staff are
10 still needed to proctor the actual test
11 administrations, the assessment specialist
12 assumes the responsibilities that previously
13 fell on the high school counseling director's
14 workload, allowing for additional time to be
15 provided for direct services to students. Due
16 to the success of this role in the high
17 schools, the district is exploring ways to fund
18 assessment specialists in all schools.

19 Again, I'd like to pause and reiterate a
20 few important points. That student to counselor
21 ratios in Broward and MSD are in line with
22 state wide averages, but far above the American
23 School Counselor Association recommended
24 average of 250:1. These ratios are
25 insufficient to meet student needs, but are the

1 best districts can do with the resources
2 available. While our ratios are so high the
3 additional duties assumed by counselors are
4 often times inappropriate and consume a
5 significant amount of time that interferes with
6 their ability to provide high quality services
7 to students. The district has not only
8 invested in hiring additional school
9 counselors, but also related positions to
10 improve their working conditions.

11 As a district, we have prioritized the
12 social emotional needs of our students through
13 our strategic plan. Within each school's
14 school improvement plan they are required to
15 also complete a social/emotional learning plan
16 to address students' mental health needs. They
17 are also required to develop a positive
18 behavior intervention plan to outline how they
19 will address students who are exhibiting
20 behaviors that are not responding to the tier
21 one social emotional learning program.

22 Within policy, Broward schools also
23 require schools to develop an annual school
24 counseling plan. This plan outlines the
25 proactive activities and services the school

1 counselors will provide for students each
2 month, and the goal should be aligned to those
3 included in the school improvement plan.
4 Although some of these activities are
5 pre-identified by the district the principal
6 always maintains the flexibility to determine
7 how they are going to be implementing those
8 requirements at their schools.

9 Schools are also encouraged to plan
10 additional activities to address the specific
11 needs of their particular school. Some schools
12 may need to focus more on test anxiety, others
13 struggle with attendance issues, and still
14 others for discipline. Best practice and
15 additional resources from other schools are
16 available within the annual schools counseling
17 plan for schools to identify and select their
18 required and optional activities. Counselors
19 and other mental health providers deliver these
20 services within a tiered model, which you've
21 heard used repeatedly in the presentations over
22 the past two days.

23 Students are identified for interventions
24 with increased intensity and frequency based on
25 how they're responding to the interventions

1 provided. This case be based upon feedback
2 from teachers, referrals for additional
3 support, collaborative problem solving, or
4 formal data such as credits attendance, and
5 behavior. After receiving services at the
6 various tiers, if students still need
7 additional support than this may be an
8 indication that they have a disability that is
9 interfering with their education, so after
10 exhausting our counseling intervention options
11 through this tiered approach students may be
12 referred to the exceptional student learning
13 supports for evaluation and possible staffing
14 into ESE with an IEP.

15 It is at this point that the student
16 transitions to receiving both the mainstream
17 and special education services, and Dr. Hickman
18 will walk you through these processes and
19 services now.

20 DR. HICKMAN: Good afternoon again. So,
21 thank you for allowing me to provide you with
22 an overview of the exceptional student learning
23 support program in Broward County Public
24 Schools. This is in other districts called the
25 ESE program, or the ESE, the EFE program. In

1 this program is where we serve some of our most
2 fragile students, and they're provided with
3 services that they're entitled to serve, and
4 that's what our department governs. Vice
5 Chancellor Oliva shared with you the major
6 tenets and key points from IDEA, and those are
7 the governing policies, the laws, regulations,
8 and the things that help impact the decisions
9 in regards to educating our students with
10 disabilities.

11 He also explained the evaluation process,
12 the components of an IEP. I will share with
13 you how Broward County Public Schools
14 implements three aspects of the law, the very
15 important ones. Similar to what he spoke to,
16 free appropriate public education, least
17 restrictive environment, and IEP.

18 Now, I'll provide you with an
19 understanding of the population we serve, how
20 we're structured to meet their needs, the
21 continuum of services that we provide, and our
22 perspective on inclusion, a review of our
23 performance regarding FAPE in the LRE, or free
24 appropriate public education, and the least
25 restrictive environment, and how we provide

1 guidance, monitoring, and staffing support to
2 our schools and our students. And then we'll
3 talk about how decisions are made for our ESE
4 students.

5 So, that guidance and direction, we've
6 already discussed it, the first stated purpose
7 of the Individuals with Disabilities Education
8 Improvement Act is to ensure that all students
9 with disabilities have available to them a free
10 appropriate public education. I know that you
11 heard a lot about that from my colleagues, but
12 I want to emphasize that in IDEA 2004, it's
13 special education and related services, they're
14 designed to meet their unique needs and prepare
15 them for further education, and independent
16 living, employment, and IDEA requires that
17 schools must provide regular reports of a
18 child's progress toward their annual goals and
19 objectives to parents, at least as often as
20 report cards are provided to students without
21 disabilities.

22 Additionally, the IDEA regulations provide
23 specific discipline procedures for students
24 with disabilities. Now, again, the three
25 important aspects of the law are provision of

1 free appropriate public education in the least
2 restrictive environment through an IEP, or
3 individualized IEP. I'm going to say
4 individualized again because sometimes we
5 forget that there's an IEP, an I in IEP, and
6 that does mean individualized, and that is the
7 focus of the department, that's the focus of
8 our schools, and that's what's most important
9 when dealing with our students with
10 disabilities. And that does present a host of
11 concerns and problems on its own. But we are
12 to provide those services as close to the
13 regular classroom setting as they would have
14 attended had they not had a disability.

15 Now, at the local level in accordance with
16 IDEA and Florida statutes and state board rules
17 and -- State Board of Educational Rules, school
18 districts in Florida are required to update and
19 review the exceptional student educational
20 policies and procedure annually, and in our
21 district that's policy 6000.4, and I refer to
22 that as SP&P. IDEA, or I-D-E-A has been
23 reauthorized several times since 1975. Now, a
24 key component in their original law, and in the
25 most recent reauthorization, is to ensure

1 parents and students are more involved in
2 planning their students' educational program
3 and planning for the future. Now, the type of
4 educational services that will be provided for
5 a student with a disability is outlined in that
6 IEP, and the programming services provided is
7 determined by the IEP team generally on an
8 annual basis, at least once every twelve
9 months.

10 Briefly talking about FAPE, in our
11 district all means all. We have students with
12 disabilities, but we do have over 270,000
13 students in the district, but all means all.
14 We believe that all students are entitled to a
15 free appropriate public education. Now,
16 however, IDEA has said that those students with
17 disabilities are the ones that are entitled to
18 a free appropriate public education, and it's
19 the cornerstone, it's the entitlement of each
20 eligible child with a disability for FAPE and
21 emphasizes special education and related
22 services be designed to meet their needs.

23 Now, specially designed instruction
24 ensures that access to the general education
25 curriculum, and it requires that related

1 services, and it requires us to put things in
2 place so that a student can take full advantage
3 of the general education curriculum, as well as
4 school. Now, under the IDEA, the primary
5 vehicle for providing that is through the IEP,
6 and an IEP must take into account a child's
7 present level of academic achievement, their
8 functional performance, and the impact of the
9 child's disability, or his or her involvement
10 in, and progress in the general education
11 curriculum.

12 Now, other points to consider when we're
13 developing an IEP, and we're looking at the
14 individual needs of a student, that may be the
15 physical, the behavioral, the social, the
16 emotional, whether a student has a specific
17 learning disability, if they have a visual
18 impairment, maybe a physical impairment, or
19 hearing impairment, or a developmental delay, a
20 traumatic brain injury, or autism. Those
21 things are taken in consideration when
22 developing that individualized educational
23 plan, and I do hope that you remember that
24 number one on Vice Chancellor Oliva's
25 presentation was that these children cannot be

1 excluded, and so we have to make sure that we
2 put services in place, and make sure that we
3 provide programming, and give them
4 opportunities to have access to that.

5 Now briefly, just the demographics I
6 shared with you, that in our district, the
7 learners in Broward, you are already familiar
8 that Broward is the sixth largest district in
9 the country, and the second largest in Florida,
10 which means we have the second largest
11 population of students with disabilities in
12 Florida. There's about 35,000 students with
13 disabilities, or with IEPs. There's another
14 approximately 5,500 students that have 504
15 plans, or a medical condition requiring some
16 accommodations.

17 Why I'm sharing this with you is because
18 90% of our 12,000 teachers have at least one
19 student with a disability in their class,
20 meaning that they should be -- they have to be,
21 we have to familiarize them with what the I in
22 IEP means. We have to familiarize and continue
23 to train them on the services and the needs of
24 our student population and prepare them and our
25 students for the future.

1 You've already reviewed the 13 categories,
2 but I'm going to just share with you briefly
3 just to refresh your memory, this is a list of
4 the thirteen, thirteen disability categories in
5 IDEA, and in order for a child to qualify for
6 special education a student must have a
7 disability in one of these categories and need
8 specially designed instruction, not just
9 reasonable accommodations provided in the
10 classroom, but specialized instruction.

11 These disability categories are very
12 clearly defined in IDEA, the state rules, and
13 in our SP&P as I referred to. Now, in
14 determining whether a child has a disability
15 under IDEA, which was reviewed previously, the
16 child, and if eligible to receive special
17 education services, the local agency, which is
18 the school, we must conduct a comprehensive
19 evaluation. That evaluation requires the use
20 of a variety, not just one consistent
21 assessment, but the use of a variety of
22 assessment tools and strategies together to
23 relevant functional, developmental, and
24 academic information about the child.

25 Again, we can't minimize the importance of

1 parent involvement. Parent involvement in this
2 process is extremely important in determining
3 whether the child is a child with a disability,
4 whether they're going to need some specialized
5 services in the general education classroom,
6 and in helping to develop that IEP. And
7 throughout the year we need that parent's input
8 on determining the progress, and determining if
9 there's a need to -- any kind of readjustment
10 that needs to be done to the IEP. A
11 reevaluation also must occur at least every
12 three years unless the parent and the school
13 agree that it's unnecessary to do so.

14 So, exceptionalities come in many forms.
15 I share with you the thirteen disability
16 categories, but in front of you, but not on the
17 screen for some reason, the disability
18 categories are -- the primary disability or
19 exceptionalities in Broward are as follows: We
20 have a 35,000, again, the total ESE enrollment,
21 which is about 13% of our population. 33% of
22 those students have a specific learning
23 disability. 11% have other health impairment.
24 I won't review all of them, but 15% have our
25 students with autism spectrum disorder. And

1 then we have the 3% of our population, which is
2 about 1,000 out of that 35,000 that are
3 identified as a student with an
4 emotional/behavior disorder disability. About
5 4,000, approximately 3,800 of our students who
6 are ESE are also English language students as
7 well, and then approximately 71% of that
8 population of students receive free or reduced
9 lunch.

10 However, with all that going on we still
11 have a 64% graduation rate for our students
12 with disabilities, and we are meeting the state
13 target, and in many instances, we are exceeding
14 that. So, moving on to the next slide, 77% of
15 our students with disabilities are in the
16 general education setting. That's the current,
17 currently. For the past few years we have
18 excelled and exceeded the state's target for
19 inclusion. We're going to go with inclusion,
20 77% of our students in a general education
21 setting for 80% or more of their school day.

22 In this particular setting, we also have
23 maybe 52%, or 52 ASD special sites, this shows
24 where the students who aren't in the general
25 education setting are. The 23 remaining are

1 either in a special program or identified in
2 one of our 5 ESE centers. We have about 52 ASD
3 special program sites, 16 intellectual
4 disability program sites, and then 7 EBD
5 special program sites.

6 So, least restrictive environment. The
7 least restrictive environment requirements have
8 existed since the passage of the Educational
9 for All Handicapped Act in 1975. These
10 requirements reflect the IDEA's strong
11 preference for educating students within --
12 with disabilities in regular classes with
13 appropriate aids and services. IDEA requires,
14 to the maximum extent appropriate, that
15 children with disabilities, including children
16 in public or private institutions, or other
17 care facilities, must be educated with students
18 who are not disabled. So, to the maximum
19 extent appropriate we must provide programming
20 for students with disabilities who have IEPs as
21 close to home as possible, as close to their
22 home school as possible, in the classroom as
23 much as possible, as their typically developing
24 peers without a disability.

25 So, further, special classes, separate

1 schooling, and any of our other removal with
2 disabilities from the regular education
3 environment occurs only, only when the nature
4 of severity of the disability is such that
5 education in a regular class with the use of
6 supplementary aids and services cannot be
7 achieved successfully. So, in our district
8 when it comes to the continual services, and
9 you'll hear about the continuum, first of all,
10 the classroom, the general education classroom
11 is the right of a student. It's not a
12 privilege, so many times we say we're trying to
13 work them, get them, they have to earn their
14 way back into the classroom if they've been
15 removed, well, it's already a right in
16 accordance to IDEA. That is the placement that
17 they're supposed to be, and our children with
18 disabilities, and all children are entitled to
19 their free appropriate public education.

20 Now, the general education classroom is
21 the first on the continuum, with full time with
22 the ESE staff that can be consulting or
23 collaborating with the teacher to provide
24 strategy and interventions. The second option
25 would be the general education classroom full

1 time with an ESE teacher, or special education
2 teacher pushing in services and supports for
3 their student. A third on the continuum would
4 be the general education classroom for the
5 majority of the day, and so as I shared with
6 you, we have 80% of our students are in the
7 classroom for 80% or more of the school day,
8 and they may be pulled out for a special ESE
9 resource classroom, or a special accommodation,
10 or unspecific services such as OTPT speech
11 related services, such as that.

12 The ESE classroom for the majority of the
13 day is option four, is the fourth option that
14 we may have, and that means they're going to a
15 special education classroom for specific
16 services, and for specific subjects, I'm sorry,
17 several times a day. Another is the ESE
18 classroom full time on the general education
19 campus. So, we do have schools that have
20 specialized programs as I shared with you
21 previously. And then there's the option of the
22 ESE classroom full time in the separate day
23 school. And we do have 5 ESE centers in our
24 district where there are no general education
25 disabled peers at that location.

1 And then hospital/homebound is a hospital
2 or homebound, the student is confined to the
3 hospital or to their home for a result of a
4 medical need, and has not contact with any
5 students, and so that would be the continuum.
6 And then you see an asterisks on the bottom
7 that other options could be on the basis of
8 need, and it could be residential, it could be
9 private school placement at public expense, and
10 again residential treatment facility.

11 So, in one of our chief strategies towards
12 addressing the inequities in special education,
13 particularly the graduation rate, is to
14 minimize the amount of time students with
15 disabilities spend outside their general
16 education classroom. Since the state
17 legislature eliminated a special diploma in
18 2014, students with disabilities must master
19 the same concepts as the general education
20 students in order to receive a diploma. Now,
21 although in IDEA, and you heard the term
22 inclusion a lot, but in IDEA the term, the word
23 inclusion is not listed, however the state of
24 Florida defines inclusion as follows: It's a
25 student that's receiving an education in a

1 general education class setting reflecting
2 natural proportions, and age appropriate
3 groups, in a co-academic and elective areas.
4 And so that would, that natural proportion for
5 many would be, if we have 13% of our students
6 in the district are students with disabilities
7 then we, or in your particular school, then a
8 natural proportion for a classroom would be at
9 13%, or at 10%.

10 A student with a disability is a valued
11 member of the classroom and the school
12 community. I heard some questions earlier
13 about the children, and what inclusion, and
14 should they have opportunity to participate in
15 certain class in certain subjects, inclusion,
16 meaningful inclusion means that a student with
17 a disability is a valued member in any of the
18 subjects. We're talking about PE, field trips,
19 cafeteria, lunch, being able to participate in
20 extra -- intramural or extramural
21 participation, and that is what inclusion is,
22 and that is part of what the requirement.

23 Now, in order for that to be successful,
24 the teachers and administrators must support
25 universal education and knowledge, and support,

1 have support available to enable them to
2 effectively teach our children. That is where
3 we come in as a district, to help provide that
4 support, to provide the technical assistance,
5 to be able to have opportunities for our staff
6 to go in and maybe provide some modeling, or to
7 be able to just provide support to the student
8 or the teachers. And then our teachers are
9 provided access to that technical assistance,
10 and we do that on multiple instructional
11 methods. And we have a number from, from using
12 technology to face to face, to even allowing
13 them to travel and participate in professional
14 learning opportunities based on current
15 research.

16 So, I shared with you a highlight that
17 we're pretty proud of, that the district has
18 met the state's goal and outperformed the state
19 average in the last four years in terms of free
20 appropriate public education and least
21 restrictive environment. As you see from the
22 data in front of you, for the past four years
23 we've had 80% or more of our students who have
24 been participating in the general education
25 setting for 80% or more of the school day. We

1 have some other challenges, and our goal is to
2 minimize the separate classes. You'll see from
3 the next slide that the district did not meet
4 the goal of having no more than 9% of students
5 with disabilities placed in separate
6 environments.

7 Students who spend 60% or more of their
8 school week with disabled peers, so more than
9 12% of Broward's students with disabilities are
10 placed in a separate class. Although the
11 district did not meet the goal, our rate of
12 separate classroom placement was lower than the
13 state's placement, which is still close to 14%.
14 Another goal of ours is to minimize, to
15 minimize separate schools. Now, the district
16 did not meet the goal of having less than 1.75
17 of our students ages 6-21 placed in another
18 separate environment, such as public or private
19 separate schools, residential placements, or
20 hospital homebound placements? Some of those
21 things are beyond our control being as large as
22 we are and being that these students can be
23 placed into a residential facility, or
24 homebound, or a placement without our
25 involvement, we are still -- we are responsible

1 for serving them, and that's because of the
2 rule of or the law of Child Find, and so if
3 there's a child that's suspected of having a
4 disability in our district, we're responsible
5 for at least evaluating them. And if there's a
6 child that's in our district, we are required
7 to serve them. There's a zero-reject policy in
8 IDEA.

9 Again, the goal to ensure LRE for all
10 students, you'll see that the state set the
11 goal of having no more than 48.3% of students
12 with disabilities ages 3-5, so we're talking
13 about our pre-k population, placed in separate
14 environment, separate class, school, or
15 residential facility, but Broward's rate of
16 students placed in separate environments was
17 much higher than the goal of the state, and the
18 overall state performance. So, more than 66%
19 of our students in ages 3-5 are placed in
20 separate environments.

21 Now, we find that this may be in part due
22 to Broward's higher identification of students
23 with pre-k. 50% of Broward's pre-k students
24 are identified as students with disabilities,
25 compared to close to 20% in Miami, and 45% in

1 West Palm Beach, so this is an area of need and
2 growth for us, and we're working to address
3 that, and how and who are going provide that
4 assistance.

5 So, there was a question earlier about
6 providing guidance monitoring and staff, and so
7 the slide in front of you shares with you that
8 in our, in the -- at the district level, we
9 have, we have several staff that oversee other
10 groups of staff. So, there's about 430
11 particular staff in the ESLS division wide.
12 Some of them would include maybe 130-140 of
13 those are school psychologists.

14 They range from curriculum specialists,
15 behavioral specialists, field coaches, and
16 curriculum supervisors. But on the, in front
17 of you you'll see that SEDNET is part of our
18 department, and it creates and facilitates a
19 network of key stakeholders committed to
20 assisting on the provision of quality care for
21 our students with emotional/behavior
22 disabilities, our psychological services, which
23 I mentioned. Our preschool evaluation teams
24 are doing a great job, and our data shows that
25 over the past few years we've increased the,

1 we're at 99% in terms of getting our
2 evaluations timely. That's is a credit to
3 them, the psychological services, and some of
4 our other staff.

5 FDLRC, is the Florida Diagnostic and
6 Learning Resource Center. That supervisor, and
7 that team, it's a discretionary project that
8 helps us with our professional development for
9 our staff, district and school staff, and we
10 have OTPT and SLP. So, please pardon our
11 acronyms, I know I throw them out because I'm
12 living this, but occupational therapy, physical
13 therapy, and speech. And then the other
14 guidance monitoring, we have a compliance and a
15 dispute resolution department that provides
16 oversight, and we meet monthly with our ESE
17 specialists who are in the schools to provide
18 that guidance.

19 And we also participate in the principals'
20 meetings. Our Office of School Performance and
21 Accountability is the office that oversees the
22 principals and the schools, so we have built a
23 great relationship in providing training and
24 ongoing professional learning and mentoring,
25 and modeling along with them. We do not

1 operate in a silo, and we try to move forward
2 with them.

3 But then we have our ESE curriculum
4 supervisors, and our ESLS counselors, who are
5 also providing guidance monitoring and staff,
6 but ultimately within the schools the
7 principals are mostly responsible for the staff
8 that are in their schools, but we provide that
9 guidance and oversight to assist them.

10 So, how do the schools receive the
11 support? So, in front of you, I mean you've
12 seen multiple times, we use this three-tier
13 model a lot, but it goes to the term of all,
14 some, and few, for our tier one there's some
15 things that all of our students receive, and
16 monthly consultation, support is needed, we
17 review the data for our district and for our
18 schools, we identify comparative data, the LR
19 reconsiderations. We provide and review
20 program standards.

21 For two is more, a little bit more
22 targeted, for tier two. In tier two we're
23 going to get some, we provide some assistance
24 with scheduling for our students. We review
25 the program models to see if their effective.

1 We look at the data. We help do some data
2 checks with our, with our schools. As recent
3 as this year we started participating in
4 walk-throughs on Monday morning, walk-throughs
5 with our other Office of School Performance
6 Accountability, and multiple departments to
7 actually go into the schools, meet with the
8 principal, observe some classrooms, come back,
9 and give feedback, and then create some
10 essential actions for them to follow up on.

11 For tier three is more targeted, it's for
12 more specialized group of students in our,
13 students or schools, in which we provide their
14 progress monitoring, targeted coaching, and
15 then the school-based data checks again, and
16 direct services. So, those things are how we
17 provide that tier support to our, to our
18 schools.

19 So, with that said for our things that are
20 priorities in our district, we get this list of
21 priorities from our involvement with our
22 parents, our ESE advisory, our ESLs community
23 roundtables, we participate and do parent
24 surveys, we receive information, and we send
25 information out so that we know how we're

1 performing, but in accordance with
2 recommendations for next year we're going to be
3 looking at district and school staffing and
4 support, the number of students and staff that
5 we have in our schools, and if we want to
6 increase that inclusion rate -- let me get away
7 from that.

8 It's not necessarily the rate that we want
9 to increase, it's that we want to provide more
10 meaningful, deliberate, and intentional
11 inclusion and services in our schools, and
12 support. And with that said we will need
13 additional support, be it support facilitators,
14 be it ESE teachers, or mental health providers.

15 Then professional development is a
16 priority for us at the administrative general
17 education teacher and ESE level. It's just not
18 something that, it's not that easy but it's
19 something that's truly, truly ongoing, and in
20 order for us to be able to work with and do
21 what's better, and provide our children with
22 disabilities, that free appropriate public
23 education, we have learned that we do a lot of
24 teaching with our ESE staff, but we definitely
25 need to work with our general education

1 teachers and administrators so that they
2 understand our students a little better.

3 Another priority is the parent engagement,
4 and involving our parents in the discussions,
5 and involving our parents in getting feedback,
6 and getting ideas on how to serve our
7 population well. That goes to the
8 communication with stakeholders as well. I've
9 shared the inclusionary practices are
10 definitely where we want to go, and then
11 transition from pre-k through 21 is a
12 responsibility of ours. So, those are just a
13 few of the implementation priorities that we
14 have.

15 And I'm using -- I'm going back to this
16 slide about the learning accommodations by the
17 IEP team. There is no decision that could be
18 made unilaterally from the district impacting
19 students with disabilities. The decisions are
20 made in the IEP team with those members of the
21 team. Those members include the parent, the
22 transition person, the general education
23 teacher, a special education teacher, an LEA or
24 administrator, and anyone else who can provide
25 or interpret evaluation results.

1 Many times, we are contacted at the
2 district level to make a change, to move a
3 student, to do some of those things that may
4 help support, but those decisions are made in
5 the IEP by the IEP team. We can support and
6 provide guidance based on what IDEA and the
7 state rules say, but it's a decision that's
8 made at school, and the local school has that
9 autonomy.

10 So, just to fine -- to end, I've shared
11 with you that the IEP team must reconvene
12 annually, that the reevaluation of diagnosis
13 must occur at least every three years. The
14 interim IEP meetings can be called any time at
15 the request of a parent or a teacher if someone
16 identifies that there is a weakness or a need,
17 or the child isn't making progress on a goal,
18 that can be called at any time for academic
19 behavior or emotional incident. And then this
20 cycle, or determination, monitoring and
21 adjustment occurs until final matriculation or
22 exit from ESE services. And a child is
23 entitled from the ages 3 up to 22 years old.

24 And so, if, in closing, if you have any
25 questions, I'll more than happy to answer.

1 CHAIR: Did I hear you right, that 50% of
2 the kids in Broward County schools K-3 have a
3 disability? Did I hear that right?

4 DR. HICKMAN: Did you? No, 13% of our
5 students in Broward County have a disability.

6 CHAIR: You mentioned something that, that
7 Miami-Dade had lower, and Palm Beach had 45. I
8 thought you said 50% of the kids in, I thought
9 it was K-3, had a disability. It was a very
10 high number.

11 DR. HICKMAN: It is a high number. Let me
12 get to that for you.

13 CHAIR: It was 50%, I believe is what you
14 said. I just want to clarify that because --

15 DR. HICKMAN: Placed in separate, separate
16 class, less than 50% of non-disabled peers.
17 Broward's regular students with disabilities
18 placed in separate environments was much
19 higher, not, no, just the separate
20 environments, not the population. I'm sorry.

21 CHAIR: Okay. So, those are the kids that
22 are not in the --

23 DR. HICKMAN: General ed or --

24 CHAIR: General Ed. So, 50%, was that
25 limited to just K-3, or is that all of them,

1 everybody?

2 DR. HICKMAN: That was K-3.

3 CHAIR: K-3. Okay. Okay. All right,
4 Commissioners. Senator Book.

5 SEN. BOOK: Thank you so much, Mr. Chair.
6 And thank you for your presentation. How many
7 IEPs did you say that the district generates
8 for students?

9 DR. HICKMAN: 35,000.

10 SEN. BOOK: 35,000. And you said they're
11 all in a database.

12 DR. HICKMAN: They are. IEP system.
13 There's an IEP management systems, Easy IEP,
14 and all the, all the IEPs are managed that way.

15 SEN. BOOK: Is that through the district,
16 through state, federal?

17 DR. HICKMAN: It's through the district.

18 SEN. BOOK: It is. How do you keep track
19 of those?

20 DR. HICKMAN: Well, we have a Easy, it's
21 called a Easy IEP. It's a management system
22 that keeps track of the IEPs. Every IEP is
23 inputted. The meetings are held through that.
24 It's conducted, it's monitored. We have a IEP
25 manager in our department who keeps track and

1 helps track of the data. And the schools as
2 well, so ESE specialists in every building
3 helps.

4 SEN. BOOK: And then you talked a lot
5 about the multi-disciplinary team that helps
6 consult on IEPs. Do they have access to the
7 IEP database?

8 DR. HICKMAN: Yes.

9 SEN. BOOK: And they can access that.

10 DR. HICKMAN: Yes.

11 SEN. BOOK: So, it's done in like within
12 the system successfully.

13 DR. HICKMAN: They have access.

14 SEN. BOOK: And it's done successfully, is
15 that --

16 DR. HICKMAN: Yes.

17 SEN. BOOK: The other question I had --
18 sorry, Mr. Chair, you're good. Thank you very
19 much.

20 CHAIR: Commissioner Swearingen is next.

21 COMM. SWEARINGEN: Thank you, Mr. Chair.
22 I want to follow up on a question that
23 Commissioner Blackburn asked our previous
24 presenter, and I think in my opinion you may be
25 more appropriate to answer this question, or at

1 least I want to get your input.

2 I understand the intent behind IDEA and
3 FAPE, and I know they're well intended
4 initiatives. And I understand that they're
5 prescribed mandates that you guys follow when
6 it comes to disciplining a student with a
7 disability. My question is, is that as an
8 administrator are you confident that there are
9 mechanisms in place under these two, whether
10 it's IDEA or FAPE, which allow for the removal
11 of a student whose behavior is deemed to pose a
12 threat to other students, and are you aware, or
13 do you have any knowledge that this has ever
14 been done in Broward County?

15 DR. HICKMAN: Am I aware that which part
16 has been done?

17 COMM. SWEARINGEN: Are you aware of a
18 student that has ever been removed from public
19 school because he posed a threat to -- it was
20 deemed he posed a threat to other students?

21 DR. HICKMAN: I'll share with you, sir,
22 that I am a former principal of a regional
23 alternative program in Virginia. I've been in
24 Broward County for three years. And I only
25 share that with you to say that, yes, students

1 can be removed from their educational setting,
2 but you must remember that they cannot -- we
3 cannot just remove them totally from receiving
4 services. So, then I have to go back and share
5 with you that the continuum of services that I,
6 or continuum of services that I shared with
7 you; so a removal could be to a separate day
8 school. It's very limited, but we have some
9 students who have received some doctor's notes
10 for anxiety or for behavior who have gone
11 homebound. And there are some students who are
12 placed in residential facilities, and even when
13 they're placed there, we do have to provide
14 education.

15 So, IEP, I mean IDEA says no child can be
16 excluded, but it doesn't say that they can't --
17 their placement can't be moved. So, the
18 setting can be changed, but the services still
19 have to be provided.

20 COMM. SWEARINGEN: Understood. Thank you.

21 CHAIR: Dr. Blackburn.

22 DR. BLACKBURN: Staying on that line, and
23 being redundant to some of the questions I
24 asked the Vice Chancellor on parental rights
25 around refusing the school, or the district,

1 feel as though that student needs to be
2 removed, or services need to be altered,
3 placements need to be changed, what rights do
4 parents retain in that scenario?

5 DR. HICKMAN: The parents, again, since
6 1975 all the way to the reauthorization of
7 2004, it has been very important, and it is a
8 key component of IDEA state regs that a parent
9 involvement is of utmost importance. It is a
10 key component. And so, for -- a parent can
11 deny services, they can revoke consent, they
12 can deny to find a child eligible. They can,
13 they can -- a parent can deny their child to be
14 evaluated. But if we feel that strongly, and
15 we feel that a child is suspected of having a
16 disability then we can file for due process to
17 have an impartial hearing officer make a
18 decision about the testing, the evaluation, the
19 eligibility.

20 The only time that we can't do anything
21 about it, well, I'm sorry, I say like the only
22 time that we can't file a due process is when a
23 parent revokes consent, or a child that's 18
24 years old revokes consent. We don't have the
25 same due process rights, that's a part --

1 that's just one instance when a parent can say,
2 I no longer want my child to receive special
3 education services; they revoke consent, then
4 immediately there's nothing that we can do as
5 far as getting support from the courts. But
6 what we can do is review and try to work with
7 the parent to provide services.

8 DR. BLACKBURN: Even though these services
9 are meant to improve the well-being of the
10 student and the learning environment that
11 parent can revoke consent.

12 DR. HICKMAN: Correct, yes, sir.

13 DR. BLACKBURN: A similar question around
14 non-disabled students. I don't know if Mr.
15 Aiello can speak to this, but he mentioned a
16 series of mental health components in the
17 districts. Staff members identify problems
18 with students, recommend or suggest mental
19 health interventions. Can parents refuse those
20 as well?

21 DR. HICKMAN: Can parents refuse the
22 mental health interventions for a student --

23 DR. BLACKBURN: For a non-disabled.

24 DR. HICKMAN: For a non-disabled student.

25 DR. BLACKBURN: Yes, sir.

1 DR. HICKMAN: I wouldn't -- I couldn't
2 answer that, honestly, but I would say yes.

3 MR. AIELLO: That would depend on the
4 service; but generally speaking, yes, a parent
5 can refuse some form of services. But it
6 doesn't preclude a counselor from working with
7 that student at that school.

8 DR. BLACKBURN: Thank you.

9 CHAIR: Mr. Petty is next.

10 MR. PETTY: Thank you, Mr. Chair. Dr.
11 Hickman, you described, or in one of your
12 slides, I think it was Slide 15, there are
13 thirteen disability categories, but how should
14 we think about an IEP and, and LRE, and FAPE,
15 with regards to students that exhibit
16 discipline issues versus disability issues; do
17 the same rules apply? If there's a student
18 with a discipline issue that's not disability
19 related are they treated, or handled by the
20 district in the same fashion? Is there an IEP
21 created? Are they temporarily relocated to a
22 different school and then brought back to the
23 school closest to where they reside? Is that
24 how that works?

25 DR. HICKMAN: Yes. First of all, when you

1 mentioned LRE, yes, a student must, you know,
2 IDEA clearly says that a child should be,
3 should receive a free appropriate public
4 education in the least restrictive environment,
5 which is as close to home as possible. That
6 was number one. Number two, when it comes to
7 discipline we can discipline a child with an
8 IEP, or with a disability, up to ten days,
9 which would be the same number of days for a
10 general education student. Prior to the
11 eleventh day if we're considering changing that
12 child's placement then we need to have conduct
13 a manifestation determination review, and a
14 manifestation determination review is simply
15 that, is it a manifestation of the child's
16 disability or is it not.

17 If it is, then we do have to provide
18 services, provide an FBA, conduct a, I'm sorry,
19 functional behavior assessment, a behavior,
20 provide a behavior intervention plan, that
21 would be through IEP team as well, and making
22 sure that the child, or attempting to, you
23 know, make sure the child is successful. If
24 the child is not, if it's not a manifestation
25 then we can provide discipline, and that has

1 some parameters to it as well, but we can
2 discipline them, but we still need to provide
3 service.

4 So, if we change their setting -- not
5 providing service is not an option, so, yes,
6 you change a setting, you can change a
7 location, you can even change a placement if
8 parents agree, but you must still provide
9 services.

10 MR. PETTY: So, that's regardless of, but
11 is that a requirement for a disabled child
12 under the, under the categories you defined, or
13 is that required for every child?

14 DR. HICKMAN: That's required for, I just
15 spelled out the process for a student with
16 disabilities.

17 MR. PETTY: What about students that are
18 discipline issues, but are not disabled? That
19 was, that was really my question.

20 DR. HICKMAN: Oh, I'm sorry. Well, the
21 students that are not disabled, then there's a
22 matrix of discipline, and so we follow that
23 discipline matrix that was shared yesterday in
24 a previous presentation.

25 MR. PETTY: And so again then my question

1 is, is does LRE and FAPE apply in that, in that
2 instance, the same way it would for a child
3 with a disability?

4 DR. HICKMAN: No, the exact, the
5 difference is that a student with a disability
6 is entitled to FAPE, LRE, and that's the
7 process. That is the entitlement. So, what
8 that is saying is that a student with a
9 disability shouldn't, can't be, shouldn't be
10 excluded, or put out of school. They're
11 already starting off, they're already at a
12 disadvantage. They're already, yeah, they're
13 already at a disadvantage, so that is part of
14 the law.

15 CHAIR: I think there's a --

16 DR. PETTY: Distinction here I'm trying to
17 make.

18 CHAIR: But just make sure, because I
19 think there's a disconnect communication wise.
20 Is that if a child has not been designated as
21 one with disability all these terms, all this
22 terminology, and everything you're talking
23 about is inapplicable, correct?

24 DR. HICKMAN: It's not applicable. It's
25 only, only for a student with disabilities.

1 CHAIR: All right, go ahead.

2 MR. PETTY: That was the point I was
3 trying to get at, because I'm trying to
4 understand, for children that present a
5 discipline issue but are not disabled under --

6 CHAIR: Right, it's inapplicable.

7 MR. PETTY: Yeah, not applicable here.
8 What, do you understand -- does LRE and FAPE
9 apply generally to every student regardless of
10 whether or not they're disabled?

11 DR. HICKMAN: No.

12 MR. PETTY: Okay, thank you.

13 CHAIR: Go ahead, follow up.

14 SEN. BOOK: Thank you. To follow up, also
15 to, just kind of talking through trauma, and
16 thinking through some of these things, let's
17 say hypothetically you had a young student who
18 had been through trauma, you know, they
19 highlight, we talked a little bit about, you
20 know, whether somebody has been abused,
21 neglected, and then there is a manifestation of
22 behavior that could be identified as, you know,
23 an issue, like a disability, a mental health
24 issue; for example a lot of the young girls
25 that I work with go to PACE Center for Girls

1 because of traumatic events that have happened
2 to them, and they have alternative placement
3 for school. Is that sort of the same? I mean
4 where does that kind of fit into all of this,
5 too?

6 DR. HICKMAN: Are they a student, are
7 they, do they have IEPs?

8 SEN. BOOK: Well, I mean I don't -- I
9 can't speak to whether or not all of them have
10 IEPs, but they are in an alternative placement
11 within the public school system, within the
12 system. Maybe the Commissioner, she's kind of
13 giving me the face.

14 MS. STUART: So, they are not mutually
15 exclusive. There is some overlap, but just
16 inherent in being at the PACE School for Girls
17 does not mean that they have an IEP. Some of
18 them might, just like in a regular school, some
19 might. And I think that the first -- what was
20 the first part of your question, because I did
21 want to address that? No, that was it?

22 SEN. BOOK: A manifestation of --

23 MS. STUART: So, the manifestation would
24 be, for instance in, in most instances it would
25 be number four, their emotional/behavior

1 disability, it could be number one, where what
2 you are seeing as the behavior in the classroom
3 is strictly a result of their exceptionality,
4 and therefore that should be taken into
5 consideration when considering discipline or
6 change of placement.

7 DR. HICKMAN: That's correct.

8 MS. STUART: Describing that accurately --

9 SEN. BOOK: But is that -- how is -- is
10 that different than a traumatic event, PT, an
11 abuse, trauma, affecting the brain chemistry
12 and creating adverse childhood experiences,
13 post- traumatic stress, all of those things.

14 MS. STUART: Those things could, in fact,
15 elicit an exceptionality, but it would not be
16 until that process is determined and they are,
17 they have an evaluation, and they have an IEP,
18 and they are then labeled as that, and
19 receiving the services for that. Otherwise
20 it's the therapeutic help that they may need,
21 as anyone would with a PTSD.

22 SEN. BOOK: Got it.

23 CHAIR: So, is it fair to characterize it
24 this way, is, is that not everybody who has
25 behavioral and discipline issues has a

1 disability, and not everybody who has a
2 disability has behavioral issues.

3 MS. STUART: Right.

4 DR. HICKMAN: Correct.

5 CHAIR: Right. And then on top of that,
6 if somebody has a disability and they have an
7 IEP it is more difficult to address behavioral
8 issues at times because of the restrictions
9 that are in place, and you're not as free, as
10 an example, to take somebody who has an IEP in
11 place and invoke the matrix, invoke normal
12 discipline, because you are constrained by the
13 least restrictive environment, et cetera; is
14 that fair?

15 DR. HICKMAN: I'm going to go with you on
16 the discipline part, but not the behavior part,
17 because it's, the supports and services are put
18 in place to address the behavior. Now the
19 discipline matrix, yes, you are constrained
20 because the students are entitled to be served.

21 And to clear up a question, I think, I
22 hope this helps, when you said it's FAPE for
23 all, free appropriate public education, yes,
24 that's for all. The least restrictive
25 environment is IEP. And not all students that

1 have a condition, you used PTSD, not all
2 students have an IEP that may have that, so.

3 CHAIR: And if the parents revoked -- even
4 if they had an IEP and the parents revoked, and
5 they were not longer part of an IEP, then they
6 fall back into mainstream, whatever the right
7 terminology is, and they can just be handled
8 like anybody else. They may have something,
9 but if the parents have revoked and their no
10 longer cooperative then they're outside of
11 this.

12 DR. HICKMAN: Correct. Correct.

13 CHAIR: Secretary Daly first.

14 SEC. DALY: Thank you so much for your
15 presentation.

16 DR. HICKMAN: Yes, ma'am.

17 SEC. DALY: And my question might be for
18 the gentleman that spoke earlier. And I
19 apologize, I didn't get your name.

20 DR. HICKMAN: Mr. Aiello.

21 SEC. DALY: So, one of the things that you
22 talked about is the student to guidance
23 counselor ratio, and, you know, 534 kids to 1
24 counselor is extremely high. And I think you
25 had mentioned that it's either a national best

1 practice that the ratio is about half of that.

2 MR. AIELLO: Correct.

3 SEC. DALY: There's an additional \$69
4 million that is coming down for school
5 districts for mental health. Have you all
6 discussed what you're going to do with the
7 dollars that you all received? And as a follow
8 up kind of to that question is have you
9 already, or are you planning on working with
10 your local managing entity for mental health on
11 their services?

12 MR. AIELLO: I have not been personally
13 involved in some of those discussions. Some of
14 my focus lately has been on hiring staff,
15 trauma staff for the Marjory Stoneman Douglas
16 High School in the zone in order to provide
17 recover services. But I know that we are going
18 to be looking into hiring many more mental
19 health staff in order to meet the needs of our
20 community.

21 CHAIR: Mr. Harpring, you're next.

22 UNDER SHER. HARPRING: Dr. Hickman,
23 regarding the disability categories, it would
24 seem that there is a substantive difference
25 between some of the items listed in those

1 categories, and in that regard does the
2 behavioral standard, will that be subject to
3 modification depending on the particular
4 disability? In other words, could the same
5 action be addressed differently in terms of
6 discipline depending on what the disability is?
7 In other words, is there going to be a variant?

8 DR. HICKMAN: It could be, because the
9 disability, the disability doesn't determine
10 the behavior, you do a functional behavior
11 assessment to determine what the function of
12 that behavior is, and then therefore you
13 determine how you address it, be it discipline
14 or behavior modification. And so, some
15 behaviors present the same for, I'm going to
16 look at, I'm going to use autism and
17 emotional/behavior disability, some acting out
18 behavior at the surface could seem like some
19 defiance --

20 UNDER SHER. HARPRING: But it's a natural,
21 it's a natural occurrence with the disability.

22 DR. HICKMAN: -- but for a child with
23 autism it could be a communication, they're
24 trying to communicate something else, so --

25 UNDER SHER. HARPRING: Right, that's just

1 a natural occurrence of the disability.

2 MR. HICKMAN: Yeah, correct.

3 UNDER SHER. HARPRING: In regards to
4 tracking discipline, is there any issues
5 relative to tracking the discipline because
6 there is a disability involved? In other
7 words, is discipline tracked the same way
8 regardless of whether you've been identified as
9 falling into one of the thirteen disability
10 categories? And the reason I ask is because I
11 think it's important relative to the
12 communication piece associated with entry of
13 behavioral activities into a particular
14 database.

15 If someone's got an emotional/behavior
16 disability that could be manifested in violent
17 behavior, is that going to be able to be
18 shared, made known to other parts of the
19 system, or are there any preclusions to that
20 because the person has been identified as
21 having a disability in one of the categories?

22 DR. HICKMAN: I'm going to respond to that
23 by saying it's still going back to all, meaning
24 all students are entitled to the general
25 education curriculum, the first, the behavior

1 matrix applies to all. If they're being
2 disciplined, then you must follow the behavior
3 matrix. There is certain databases that you
4 must provide input. It's spelled out
5 specifically on where to go.

6 Now, you have the option as a teacher, as
7 an instructor you don't report, and you don't
8 discipline for everything, and you don't refer
9 a child for everything. There is some
10 behaviors, and behavior management processes in
11 the classroom that may not rise to that, and
12 so.

13 UNDER SHER. HARPRING: But is having a
14 disability an impediment to the communication
15 of any behavioral or disciplinary issues with
16 the rest of the system, so to speak, with SROs,
17 or with the school system?

18 DR. HICKMAN: I don't think so.

19 UNDER SHER. HARPRING: No.

20 CHAIR: Secretary Carroll, and then
21 Sheriff Ashley.

22 SEC. CARROLL: I want to follow up real
23 quickly on Secretary Daly's question. Back to
24 those ratios, on Page 3 you laid out, and you
25 kind of bifurcated, because you were very clear

1 that we shouldn't mix up guidance counselors
2 with folks who do other stuff like therapists,
3 like social workers, like school psychologists.

4 MR. AIELLO: Correct.

5 SEC. CARROLL: So, when I see that line
6 item budget -- first of all, do you have a line
7 item budget currently that comes to the Broward
8 County schools specifically for the purpose of
9 mental health services?

10 MR. AIELLO: I'm not sure about that
11 answer. I'd have to check with our budget
12 department.

13 SEC. CARROLL: And when you gave us that
14 ratio of 547:1 did that include all three of
15 these? Did that include the school social
16 workers, school psychologists, family
17 counselors, does that include that staff in
18 that ratio?

19 MR. AIELLO: The numbers in the PowerPoint
20 are specifically for the school counselors --

21 SEC. CARROLL: Just for the, what you
22 could call the guidance --

23 MR. AIELLO: That's correct. I didn't
24 call -- my preference is school counselor.

25 SEC. CARROLL: Okay. So, the school

1 counselors. All right, and so you don't know
2 then when like this \$60 million, or \$69 million
3 additional money that was appropriated, which
4 would, next fiscal year specifically for mental
5 health services, you don't know whether it
6 would go to fund that whole big picture, or
7 whether it would specifically go to the fund
8 those folks that fell in that second bucket,
9 school psychologists, social workers,
10 therapists, family counselors.

11 MR. AIELLO: Personally, I have not been
12 involved in that level of discussion as to how
13 those funds are going to be utilized. However,
14 it would be my understanding that they would be
15 spread throughout their different positions.

16 SEC. CARROLL: So, it would include
17 funding for additional school counselors.

18 MR. GOHL: Through the Chair. Good
19 afternoon, everyone. My name is Daniel Gohl,
20 G-O-H-L. I serve as the Chief Academic Officer
21 for Broward County Public Schools. Of the \$69
22 million in statewide allocation, Broward County
23 is anticipating approximately \$6 million of
24 that. We are negotiating -- negotiating --
25 discussing with the School Board how that will

1 be spread out.

2 But particularly you asked a minute ago
3 about do we line item mental health. The
4 answer is yes, but in several ways. It does
5 not come as a single mental health line, but
6 every position is outlined in our budget
7 descriptions, and most of those reside at the
8 school level, or a department level. So, for
9 example, Dr. Hickman has within his exceptional
10 student education budget an allocation of
11 school psychologists. There are also social
12 workers within the executive director of school
13 support initiatives department. There are
14 social workers who sit on school level budgets.

15 We can provide the committee, and in your
16 discussions this afternoon please inform us how
17 you would like that information presented; by
18 school, by position, by both.

19 SEC. CARROLL: Okay. And we can do that
20 later. I don't want to have you do that now,
21 but I was just interested because I do -- I see
22 a big difference between the school counselors
23 and the folks who are specifically working
24 around mental health issues, and it's related.
25 The thirteen disabilities that you outline, do

1 we do any work, or do you do any work, any
2 correlation around, is this group over
3 represented in the discipline process?

4 And the reason I ask you that is, when I
5 look at some of these disabilities, and I think
6 we as a committee need to really narrow our
7 focus because I don't think that, you know,
8 deaf and hard of hearing, blindness, vision
9 impaired, physical disabilities, orthopedic
10 impairment, and I'm looking at all these
11 disabilities, I don't have the data, but
12 anecdotally I tell you I would not expect those
13 kids to be disproportionally represented in a
14 discipline process.

15 Now, folks you had emotional/behavioral
16 disability, I probably would expect them to be
17 over represented because of the nature of their
18 disability. Kids with autism, it depends what
19 setting you have them in. I could see where
20 they have challenge in behaviors around
21 transitions, or lack of structure, so depending
22 on what type of setting you have them in maybe,
23 maybe not.

24 What I'm really interested in, when I
25 looked at the kids with emotional disturbances,

1 and I think the Sheriff made a good point,
2 because you list 3% of your disabilities with
3 emotional disturbance, or 3% to the kids, but
4 when I do the math that's less than half of 1%
5 of your overall student population. I will bet
6 that more students than that have a behavioral
7 health issue that have not been classified as
8 having emotional and behavioral health
9 disturbance, and so they're not even captured
10 in those numbers, but they certainly have some
11 mental health or conduct disorder type issues
12 that you're addressing.

13 But do you do any work around looking at
14 those discipline numbers by disability, and can
15 you provide us any insight on how that breaks
16 down?

17 MR. AIELLO: Yes, we do do disparity
18 analysis by demographic descriptor, including
19 ESE status, and then from within there, within
20 the various classifications within ESE of the
21 thirteen categories. We will provide you with
22 the EBD data, which is what I hear underlying
23 your question, so that you can see that
24 historically over time.

25 DR. HICKMAN: As far as, the state

1 provides the LEA profile, so they do, the state
2 also tracks that information. That's how we
3 can say that, well, we say that's we're graded,
4 thought the LEA profile, and what is the, is
5 there over representation over, over
6 identification of students that have
7 disabilities, and so, yes, we're at like 3%.
8 Our students with disabilities are, are three
9 times more likely to be suspended or
10 disciplined for behavior, so, and isn't again,
11 not all the categories --

12 SEC. CARROLL: When you say my kids with
13 disability, because I really want that broken
14 down, because I don't want to be unfair to kids
15 with disabilities. This -- this -- we need to
16 narrow our focus on the types of things that
17 would facilitate challenges around behavior,
18 and particularly escalating behavior, because
19 not all disabilities fall into that category.

20 DR. HICKMAN: I think that's fair.

21 SEC. CARROLL: I would like to ask you
22 another question though, and very basic. For
23 those folks who don't know, like what is -- how
24 do you define an emotional and behavioral
25 disability? What is the definition of that,

1 how do you get into that --

2 DR. HICKMAN: Off the top of my head I
3 don't know. I used to, but I have that for
4 you.

5 SEC. CARROLL: But you can -- that's okay
6 because I don't want to put on the spot, but
7 could you -- because I would like this
8 commission to see that. And the Sheriff asked
9 it several times, like who makes that
10 determination, because I know that there are
11 kids within your system that have behavioral
12 health issues that don't have that
13 classification. So, what would trigger (a),
14 the assessment, and (b) the classification of
15 that?

16 DR. HICKMAN: So, the definition of a
17 student with an emotional/behavior disability
18 in accordance is right in our SP&P that I
19 mentioned. A student with an emotional or
20 behavioral disability has persistent and is not
21 sufficiently responsive to implemented
22 evidence-based interventions, which means they
23 haven't been responsive to the things that were
24 put in place before they were identified or
25 referred for special education services, and

1 consistent emotional or behavioral responses
2 that adversely affect performance in the
3 educational environment that cannot be
4 attributed to age, culture, gender, or
5 ethnicity.

6 So, I know I said a lot, but the
7 definition can be found in our SP&P. It can be
8 found in IDEA, and it can be found in the state
9 rules.

10 CHAIR: Okay. Sheriff Ashley.

11 SHER. ASHLEY: Thank you. I just wanted
12 to ask along those same lines, the ESE
13 students, what percentage of Broward County
14 students fall within ESE? And of that number,
15 take away the gifted, take away all the other
16 issues that we're discussing; what number
17 represents the EBD students, and on top of that
18 what is the discipline or expulsion ration of
19 EBD students compared to the norm? Can you,
20 can you answer those?

21 DR. HICKMAN: I could, but not right at
22 this moment. If can go back to my folder I
23 could. The number of EBD students -- where are
24 you, Beth? This is Beth Williams, she knows
25 all the answers off the top of her head. The

1 number of EBD students?

2 MS. WILLIAMS: Hi. Our number of EBD
3 students with the primary exceptionality of EBD
4 is 1,047. What was the other question?

5 SHER. ASHLEY: And the other question is
6 in regards to discipline and expulsion, what is
7 the ratio of EBD students versus the norm; is
8 it a higher percentage of EBD students being
9 suspended farther than normal, or is it lower?

10 MS. WILLIAMS: Within our various
11 exceptionalities our higher rate is with
12 students who have a specific learning
13 disability.

14 SHER. ASHLEY: And I've asked these
15 questions leading to this, this one primary
16 question, is there a reluctance in our schools,
17 or Broward County schools specifically, to find
18 alternate individual education plans, because
19 they're much more costly once you take them out
20 of the public school environment that you have
21 to provide if you're mandated to provide an
22 education. They're much more costly when you
23 take the out of this environment, and I just
24 wonder if that's the reluctance in removing a
25 problem or violent kids from the normal

1 atmosphere or normal environment. Do you see
2 any evidence of that?

3 DR. HICKMAN: I wouldn't say that there's
4 a reluctance. I'm going to go back to IDEA and
5 the requirement for a child to be served in the
6 least restrictive environment, also the
7 requirement in Florida for a child to be
8 included, and to receive his services as close
9 to home as possible. Also, the reluctance
10 would be to inappropriately identify and
11 inappropriately discipline a student because of
12 their disability, but not a reluctance because
13 of any of those reasons.

14 SHER. ASHLEY: Well, I would only disagree
15 that, you know, there may -- a student may have
16 -- all students have a right to a free
17 education in the least restrictive environment
18 until you become chronically disruptive or
19 violent, and then I think you forfeit that
20 right. And I think, you know, it's all open to
21 interpretation, but I see a reluctance in
22 school districts that I'm aware of to issue any
23 sort of discipline or separation when it comes
24 to ESE students. Thank you.

25 CHAIR: Mr. Dodd.

1 MR. DODD: I know in our district, we've
2 seen an increase in the number of students that
3 are being Baker Acted, especially students at a
4 younger age. And so, my question is where does
5 that fall with an IEP, if a student that does
6 not have an IEP who is Baker Acted, is that a
7 criteria, or is that a flag for looking at an
8 IEP, number one, and number two, what is the
9 school district doing on the counseling side
10 dealing with those younger, well, dealing with
11 all students, but I'm especially interested in
12 the younger students that are being Baker
13 Acted.

14 DR. HICKMAN: So, the first question would
15 be would that be a flag for a child to be, if
16 they didn't, if they weren't already a student
17 with a disability of course that would be a
18 concern, and the team at the school knowing the
19 student would have any, any type of data, or
20 any type of incidents prior to that particular
21 one, then they would make that recommendation,
22 or that referral. They have to go through that
23 process before, the eligibility process, the
24 evaluation process --

25 MR. DODD: But who would make the

1 referral?

2 DR. HICKMAN: The referral for evaluation
3 would come from --

4 MR. DODD: Yes.

5 DR. HICKMAN: It could be from the, it
6 could be from the parent. It could be from a
7 teacher. It could be from a principal. It
8 could be from, it could be from a friend of the
9 family, who can make the referral to the school
10 that they suspect the child has a disability,
11 and then it would be up to the school to start
12 their process. That was the first part of your
13 question. The second one is what are we doing
14 in our district. We're doing -- it didn't
15 start with February 14th in terms of addressing
16 Baker Acts and, and the services.

17 I'd like to take a time to just share with
18 you if you can, at any point you can go to
19 BCPS-mentalhealth.com. That's our, our portal,
20 our mental health portal, and it will share
21 with you, it will show you that what have we
22 been going over the years in terms of providing
23 services to combat that. So, to do, in looking
24 at Baker Acts, and in looking at suicide
25 prevention, and looking at threat, how we are

1 putting services in place. We took a whole
2 year or more of putting that together, and it's
3 been quite, kind of successful. So, anyone can
4 access that.

5 CHAIR: Senator Book, did you have
6 something? No, okay. Anybody else? Yes, go
7 ahead.

8 MS. LARKIN SKINNER: I have several
9 questions, and one of those is just regarding
10 the Baker Act. Are those kids, I mean if
11 they're not identified necessarily to go
12 through the disability determination process,
13 are they at least identified to go through the,
14 I don't know, tier one, tier two, tier three
15 counseling process that you have?

16 DR. HICKMAN: I might just -- if you can
17 clarify I probably could answer that. What's
18 your -- one more time the question, what's your
19 --

20 MS. LARKIN SKINNER: So, if a student goes
21 -- they're Baker Acted, they're at a hospital,
22 or a crisis stabilization unit, when they come
23 back to the school, do the counselors then
24 reach out to them, and they potentially become
25 a part of that tiered counseling process, tier

1 one, tier two, tier three, whatever, whatever
2 part of the process?

3 DR. HICKMAN: I'd say in a perfect world
4 if it's communicated to the school, and it's
5 communicated that there's a concern, then that
6 referral, or some services, or some type of
7 plan, because it may not be a referral for
8 special education, but it may be a referral for
9 a plan of monitoring or some support from a
10 counselor, or mental health counselor, or even
11 a meeting with the psychologist, or something
12 like that.

13 MS. LARKIN SKINNER: So, it sounds like
14 Broward County Schools position is we would
15 like to know so that we can provide the
16 counseling to these students who probably need
17 some extra attention because they were just in
18 a hospital.

19 DR. HICKMAN: Yes.

20 MS. LARKIN SKINNER: And I was also
21 curious about the tier one, tier two, tier
22 three. So, tier two and three, what is the
23 frequency of contact?

24 DR. HICKMAN: And you're referring
25 specifically to which part of tier two, three?

1 MS. LARKIN SKINNER: The counseling, it
2 said tier two, it just sort of had a vague
3 description of more frequent contact, and then
4 tier three was ongoing continuous. But I don't
5 know what that is in numbers.

6 MR. AIELLO: We have an RTIMTSS manual in
7 the district which outlines exactly how many
8 sessions and the length of the services
9 provided. So, I don't know them off the top of
10 my head, but we do have an RTIMTSS manual that
11 identifies that.

12 MS. LARKIN SKINNER: Okay. That would be
13 something I think we'd be interested in. And
14 then I was also wondering how did the ESE and
15 counseling staff, the school counselors,
16 interact with school administration, who I
17 think hands down the discipline, the SROs, and
18 then the PROMISE program?

19 MR. AIELLO: It would depend on the
20 particular need of the student. So, if the
21 counselor needs to work with the student on
22 coping skills, anger management, or some other
23 interpersonal skill they can handle that, or
24 anything else that the student might need. If
25 the counselor doesn't feel it's within their

1 realm of expertise they can always make a
2 referral to the appropriate other mental health
3 practitioner, whether it's internal or
4 external.

5 MS. LARKIN SKINNER: Actually, I think it
6 would be probably good if I gave you an
7 example. So, in the case of alcohol use or
8 intoxication at school, one of the things I
9 noticed in the matrix that disturbs me is that
10 they can actually be expelled on the second
11 offense, whereas there are more violent
12 offenses like fighting where expulsion doesn't
13 even come into play on the matrix until the
14 fourth or fifth time, and threats it doesn't, I
15 don't think it ever came in on the matrix. So,
16 my, my question would be, you know, alcohol use
17 and intoxication is indicative of a larger
18 problem of addiction, which is a disease and
19 requires treatment; so are those kids referred
20 to a counselor so that they can start receiving
21 some sort of service in the school?

22 DR. HICKMAN: If --

23 MR. GOHL: Dr. Hickman, we're going to let
24 Ms. Kerns speak.

25 MS. KERNS: Good afternoon. My name is

1 Deborah Kerns, and I work with our district in
2 our expulsion advanced intervention programs.
3 So, I wanted to, if you would let me address
4 the question? Okay. So, if you look to the
5 discipline matrix, if you look to the
6 discipline matrix you notice on the second
7 offense D5 infraction, the A1 infraction for
8 possession, use or under the influence of a
9 mood-altering substance, right? It reads that
10 expulsion shall be mandatory on the second
11 offense.

12 If you delve a little deeper into our
13 school board policy 5006 you'll see that there
14 are intervention programs in place even there.
15 Those students become eligible to be placed on
16 a substance probation agreement requiring that
17 they engage in substance program, and if they
18 do it successfully they remain in the
19 educational environment. Okay. So, we have
20 interventions in place with the intent that we
21 want to provide the wrap around services to
22 positively shape the behavior and maintain a
23 continuum of academic engagement.

24 MS. LARKIN SKINNER: Okay.

25 MS. KERNS: Do you have another question

1 about it?

2 MS. LARKIN SKINNER: No, that was it.
3 Thank you. So, the answer is yes, they do get
4 an intervention.

5 UNDER SHER. HARPRING: Are they subject to
6 expulsion. Ma'am, excuse me. Are they subject
7 to expulsion or not because it seems a little
8 contradictory to me?

9 MS. KERNS: No, I'm happy to speak to that
10 too. So, if a child is placed on a substance
11 probation agreement, which is an opportunity to
12 maintain academic engagement while getting the
13 support services to shape the behavior, if they
14 violate that agreement then they are subject to
15 the expulsion rules of our district. We
16 practice, as you heard yesterday we practice
17 expulsion with continued services, so they
18 would be able to engage in that programming.

19 UNDER SHER. HARPRING: But they're
20 expelled after the second time.

21 MS. KERNS: We expel a student with
22 continuing services, and of course if we're
23 speaking about a child that has an IEP or a 504
24 everything that Dr. Hickman explained would
25 apply. Okay?

1 MS. LARKIN SKINNER: Okay, one other
2 question. One of these slides has school
3 Medicaid listed as, it says ESLs provides
4 guidance monitoring and staff, and there are a
5 bunch of things there, and school Medicaid is
6 listed, and I'm not familiar with what that
7 might be.

8 DR. HICKMAN: So, we have opportunities to
9 be reimbursed for services, such as OTP,
10 nursing services, transportation, and
11 opportunities for reimbursement for some
12 behavior counseling services as well. So, the
13 Medicaid program, we have, we can have
14 administrative reimbursement or fee for
15 service, and so it's a significant amount of
16 funds, maybe about 60% of what we spend out can
17 be reimbursed to us through the Medicaid
18 program.

19 MS. LARKIN SKINNER: Thank you.

20 CHAIR: So, to your first question one of
21 the things, and we'll more about it next time,
22 on the Baker Act, but, and somebody will
23 correct me if I'm wrong on this, but I don't
24 think I am, is that when a kid is Baker Acted,
25 the majority of the Baker Acts are done by law

1 enforcement. There's about 192,000 Baker Acts
2 annually in Florida. I imagine here without
3 knowing the number specifically probably about
4 15,000 plus in Broward County, we'll assume
5 done by law enforcement. And when they're done
6 outside of the school system, the school
7 setting, so a good amount of the time the
8 school system isn't even aware the kid was
9 Baker Acted and released, because unless it's
10 self-reported by the child, or by the child
11 parents to the school system, and there's
12 probably no opportunity for them to even
13 intervene with it, but I guess we'll follow up.
14 Dr. Hickman, is that your experience?

15 DR. HICKMAN: Yes. And I was going to
16 look back to Charlene Gresser to see if she
17 agrees that that is true. I don't see her.
18 This is Dr. Gresser.

19 DR. GRESSER: So, indeed we use the school
20 resource officers and law enforcement to
21 initiate the involuntary examination under the
22 Baker Act, but we have worked with our local
23 receiving facilities to communicate with
24 caregivers should they sign consent to
25 communicate with us, and then we provide that

1 support for the student once they return to
2 school if that occurs.

3 CHAIR: If it, if it occurs. If you find
4 out about it.

5 DR. GRESSER: If we find out about it.
6 But we have a lot of increased communication
7 with our local receiving facilities, especially
8 through the SEDNET project, which is what I'm
9 over, and we have that interagency
10 collaboration agreement with them, and working
11 closely with our projects.

12 CHAIR: Okay, that's good to know. Mr.
13 Schachter, do you have a question?

14 MR. SCHACHTER: Yes. Thank you very much.
15 If they have an IEP, and they have discipline
16 problems, are you, at what point is law
17 enforcement, and the ESE department able to see
18 law enforcement record, are you able to take
19 that into consideration when you're
20 recommending services and trying to help the
21 individual?

22 DR. HICKMAN: Would we be able to see the
23 law enforcement record?

24 MR. SCHACHTER: Is there a coordination?

25 DR. HICKMAN: If necessary we could do

1 that, but as far as if it's reported to us --
2 I'm not following your question.

3 MR. SCHACHTER: So, we heard, we heard
4 earlier that they're, you know, they're not
5 able to, you know, BSO is not able to look at
6 the PROMISE program. Inversely, are you able
7 to, you know, look at law enforcement records
8 and, you know, just try to -- if you don't know
9 what's going on obviously you're not going to
10 be able help the, you know, the individual,
11 especially with what the Chairman said, that
12 you might not know if they were Baker Acted,
13 and --

14 DR. HICKMAN: Well, I know that earlier,
15 that Mr. Moquin did come and share that law
16 enforcement can have, they do have access to
17 our terms, and our database. I would not,
18 don't know if we have access to law
19 enforcements.

20 CHAIR: They wouldn't have access to that.
21 They would not have direct access. They would
22 have to ask maybe the SRO, or somebody else to
23 query. They do not, would not have direct
24 access to that where they could query it
25 themselves.

1 MR. SCHACHTER: And then the only other,
2 the only other question I have is if we have an
3 individual with an IEP, other than medical
4 reasons, and through manifest determination you
5 figure out that his behavior is as a result of
6 that, are you able to remove that child if he
7 is a threat, you know, and how would you go
8 ahead and do that?

9 DR. HICKMAN: You can have an IEP meeting.
10 You can have a discussion, and you're going to
11 review the behavior, you're going to review the
12 level of threat, and you can make --

13 MR. SCHACHTER: And even if the parent,
14 even if the parent declines, I don't want my
15 child removed, you have to do it through due
16 process?

17 DR. HICKMAN: If that parent, that, that's
18 the issue there, the parent consent. That
19 would definitely be needed.

20 MR. SCHACHTER: The parent refuses, you're
21 able to issue due process even with a child
22 with an IEP?

23 DR. HICKMAN: If the child has committed
24 an offense that is not a manifestation of his
25 disability.

1 MR. SCHACHTER: And if it, if his offense
2 is a result of his disability are you able to
3 remove that child even if the parent objects?

4 DR. HICKMAN: No.

5 MR. SCHACHTER: Even if the kid's a
6 threat?

7 DR. HICKMAN: There is an, this is the
8 discipline of IDEA section 504 eligible, and
9 this is the flow chart for that, and special
10 circumstance applies to IDEA eligible students
11 only. If the conduct that the student is being
12 disciplined for involves the special
13 circumstances of a weapon, illegal drugs,
14 controlled substance, or serious bodily injury,
15 then we can remove that child, but it's still
16 going to be for 45 days only. So, the special
17 consideration is, it's weapons, illegal drugs,
18 substance abuse, or serious bodily injury, but
19 not the threat of it, it has to happen. We
20 can't do a pre-removal on the feeling of the
21 child may do something.

22 CHAIR: Okay, Dr. Hickman. Thank you very
23 much for your presentation. We appreciate it.

24 DR. HICKMAN: Thank you.

25 CHAIR: All right, that concludes the

1 presentations for today. I'm going to ask
2 Assistant Commissioner Pritt to pass out to you
3 the summary sheet of your comments that you all
4 provided, and what we're going to do is take no
5 more than a ten-minute break to give you an
6 opportunity to read through those, and then
7 we're going to come back and hear public
8 comment. And then we'll look at those and see
9 if there's anything that is on those sheets of
10 your requests that need further clarification,
11 or additions, or anything we didn't capture.

12 And so, what we have left is just public
13 comment, and to discuss the input, and then a
14 few housekeeping matters, and then we'll
15 adjourn. So, it's 3:11. We'll come back, ten
16 minutes. 3:20 - 3:21 we'll come back. So,
17 we'll be adjourned for the next ten minutes.

18 (Thereupon, a break was taken off the record and the
19 meeting continued as follows:)

20 CHAIR: The first comment card is Tony
21 Montalto. Again, as we did yesterday, I'd ask
22 everyone who is going to speak in public
23 comment to please try and limit your comments
24 to three minutes or less.

25 MR. MONTALTO: Ladies and gentlemen,

1 thanks again for allowing me the opportunity to
2 address you. Today we heard a lot of
3 information about the dollar figures involved
4 with SROs. We heard some dollar figures thrown
5 out regarding a guardian program, all of which
6 is designed to safeguard the students that are
7 in school.

8 I can't help but notice as I drove in
9 today, as I entered the building, as I look
10 around this room, I can easily count a dozen
11 law enforcement officers, not counting the ones
12 who are on the commission that are guarding
13 this room and this commission. That's more law
14 enforcement protection than in all five of our
15 schools in Parkland on any given school day.

16 So, I guess the point I'd like to make is
17 it appears to me there's dollars available to
18 protect what we choose to be important to our
19 society. I would like to remind you that our
20 students are the most important asset this
21 country has. They are your future. The future
22 of my family was forever affected by the events
23 on February 14th of this year. We need to
24 prioritize protecting our most important
25 assets. Thank you.

1 CHAIR: Thank you, Mr. Montalto. Next is
2 Lori Aldaheff.

3 MS. ALDAHEFF: Hi. My name is Lori
4 Aldaheff. I'm a mother, and I have two boys
5 that will be going to West Glades Middle School
6 next year in Parkland. I need the PROMISE
7 program to work, and I want the PROMISE program
8 to work with appropriate revisions to it. I
9 have a copy for you of West Windsor Plainsboro
10 High School's North students discipline policy
11 as a best practice in New Jersey which clearly
12 communicates in a child's handbook, the student
13 planner, their discipline policy.

14 Please look at it as a best practice.
15 When my daughter Alyssa was shot in the heart,
16 shot in the hand, and shot in the femoral
17 artery, and shot in the spine, and five other
18 times, BSO did not, and still does not have
19 direct live time access to the cameras at
20 Stoneman Douglas High School. I want you to
21 remember that when you are here asking the
22 tough questions; please hold people accountable
23 for what happened on February 14th where
24 seventeen lives were tragically taken.

25 Please remember my Alyssa could be your

1 daughter, your granddaughter. We must take
2 actionable steps to get to specific details on
3 February 14th, and to make sure that this does
4 not happen again. We must start protecting the
5 victims, and all students, for their rights to
6 a quality education, and for them to go to
7 school in a safe learning environment. Thank
8 you.

9 CHAIR: Thank you. The next comment card
10 is Thomas James.

11 MR. JAMES: Good afternoon, everybody.
12 Thank you so much for giving me the opportunity
13 to address you again. You guys are doing
14 fantastic work. I know it's an ugly day, you
15 guys want to get back to where you're from. I
16 just had a couple of quick questions. I also
17 brought a friend with me. Come on, Dyese.

18 MS. ALVAREZ: Hi, I also signed up. My
19 name is Dyese Alvarez, and I am a teacher for
20 Dade County Public Schools, and I'm also an
21 attorney, and he wanted me to be here because
22 he does have some, I guess, borderline legal
23 questions, and in case he had any questions for
24 me, he wanted me to be here. But I also have a
25 few comments that I'll make later.

1 MR. JAMES: Just a couple of quick
2 questions, guys. Do we have the complete file
3 on Nicolas Cruz's discipline record, and all of
4 his school records from Broward, and if we
5 don't why?

6 CHAIR: Mr. James, this is your
7 opportunity to make public comment. We're not
8 going to engage in question and answer. So, if
9 you want to make comments you're welcome to
10 make them.

11 MR. JAMES: Okay, I'm sorry. I'm just
12 trying to see if that information has been
13 delivered.

14 CHAIR: We are conducting our business,
15 and our investigation. This is your
16 opportunity to make public comment. You're
17 welcome to say whatever you want for three
18 minutes.

19 MR. JAMES: Would that be public record,
20 or?

21 CHAIR: You're at a minute and twenty-one
22 seconds.

23 MR. JAMES: Sir, I'm not trying to be
24 adversarial here; I'm just asking a question.
25 I also wanted to find out have any subpoenas

1 been issued yet, has the superintendent, school
2 board members been subpoenaed, the principal of
3 Stoneman Douglas High School, the PROMISE
4 administrator, the Chair of the ESE program at
5 Douglas. A lot of those issues, you know, and
6 how long we're going to wait for BSO and
7 Broward School District to provide this
8 information, so those would be some questions I
9 have.

10 Also, just a couple of parting comments on
11 PROMISE. Mark Twain once famously said there
12 are lies, there are damn lies, and there are
13 statistics. You guys are smart people. This
14 isn't rocket science, as somebody on the
15 commission said before. The reason why
16 Broward's arrest numbers dropped so much was
17 because they stopped arresting kids who
18 committed campus crime. Right now, these
19 policies are being dismantled in Washington, DC
20 by President Trump, and Secretary DeVos. I'm
21 asking this commission to recommend to the
22 governor and the state legislature we do the
23 same thing here in the state of Florida. Thank
24 you.

25 CHAIR: Okay, Ms. Alvarez, you filled out

1 a card. You're next.

2 MR. JAMES: Yes, we did. We did, sir.

3 MS. ALVAREZ: Well, I just want to say
4 that as a teacher, I personally don't have any
5 discipline problems in my classroom, but I
6 constantly hear other teachers complaining
7 about that one or two children in their
8 classrooms that are messing it up for everybody
9 else, and as I'm sitting here listening to
10 everything that was said about the ESE
11 students, I totally get that those children,
12 people, have rights, but I think often times we
13 forget about the rights of the rest of the
14 students who actually do want to learn.

15 And I have personally seen many
16 circumstances where there is that one clown, or
17 two. And I know I'm talking about behavioral
18 issues now, but whether it's a behavioral issue
19 or a mental disability, or whatever the case
20 may be, I think it gets to a point that it's
21 irrelevant. I think we also need to start
22 focusing on the rights of all the other
23 children and their parents, because what's
24 happening these days is just, it's unfortunate.
25 Thank you.

1 CHAIR: The next comment card is from
2 Michael Sirbola.

3 MR. SIRBOLA: Hello. I'll be quick here.
4 Sorry, a lot of things to go over here. Some
5 things I wanted to cover just real quick, and
6 I'm going to be posting this on your website.
7 I'm going to list these as bullet points.
8 There's about nine. I'm going to be quick. I
9 don't see a timer here. There it is.

10 What we're talking about here is
11 behaviorally transmitted neurotoxic stress and
12 CPTSD. We're dealing with an epidemic. We are
13 the most social creatures on the planet. This
14 is very similar to the days of sanitary hygiene
15 in the 1800's when some poor guy had to go up
16 to a doctor and say, listen, after you perform
17 that autopsy, when you deliver that baby wash
18 your hands, because there are millions of
19 invisible living creatures on your hands. Take
20 my word for it. Can you imagine the difficulty
21 that was in getting that across; but we've seen
22 the huge dramatic effects of that knowledge.

23 We have knowledge not in the same way we
24 are revolted by millions of invisible living
25 creatures, and find it rather surreal, I am

1 telling you that our brains change. We're the
2 most social creatures on the planet. We are
3 suffering an epidemic. The proof of it is we
4 don't even want to look to see if we have an
5 epidemic. Eh, it's pretty sure signs, like,
6 oh, I really ache but I don't want to look and
7 see what the ache is.

8 Okay. We had seventeen kids die. We're
9 not the only place this happened. This is
10 national. We need to be discussing what we
11 have done to cause this. The kids didn't
12 suddenly change, all of the sudden they're
13 being born as sociopaths. What have we done?
14 I'll tell you what we did. And it was
15 suggested that this was the wrong forum to
16 discuss this, and that's totally wrong.

17 There's a separation between culture and
18 security; well, there's school culture and then
19 there's the school security. News flash, it's
20 the culture, the security that we're bringing
21 that is changing the culture, so you are part
22 of the culture, a big part. In fact, how did
23 we get here? What is the answer to that
24 question I just asked as to what has changed
25 that our kids are kids are acting in a

1 sociopathic manner? What has changed is how we
2 treat them.

3 We treat them like they're little
4 miscreants. They're guilty, presumed guilty
5 first. We disrespect them, okay? We came up
6 with something called zero tolerance. No
7 studies, no nothing. By the way, if you're not
8 aware of it, the Department of Education spends
9 zero on education research, it's only for
10 matters of equity and ESE that research is
11 done, okay, so what we're talking about is
12 implementing nationwide zero tolerance policies
13 because we saw that the kids weren't learning
14 well.

15 We also implemented at the same time a
16 testing regiment. Well now we're blaming the
17 testing regiment for our troubles in schools.
18 News flash, the testing regiment was
19 exacerbated by our zero tolerance policies,
20 okay, it's the culture that we're creating, and
21 as we continue to double down we're going to be
22 making it worse, okay? It's straightforward,
23 and it's that simple, we are the problem. And
24 there is a Dr. Blum. She's done a number of
25 studies on this.

1 It's not just our schools. All of our
2 first responding organizations, and I could
3 talk to you about each of them, by the way, in
4 detail, our hospitals, our sheriffs, our jails,
5 our prisons, the first responding organizations
6 are composed of humans as well. And it's
7 easier to see, especially in the psychological,
8 Dr. Blum started out in the psychological field
9 and she saw her organization mimicking the
10 cognitive dissonance of the people she was
11 treating.

12 That's what we're seeing here. We're
13 seeing our organizations do some pretty strange
14 looking things. And we as humans tend to say,
15 oh, well, they were incompetent, or they had an
16 ulterior motive, or they're the wrong political
17 party. None of that, okay, what we're talking
18 about here, just as unappealing it is to
19 discuss invisible things on our hands, there's
20 invisible things we're transmitting by our
21 thoughts and actions to each other.

22 CHAIR: Sir, you're at four minutes, so
23 you need to wrap it up.

24 MR. SIRBOLA: Thank you for that. Let's
25 not be overwhelmed by this. We are looking at

1 an epidemic. Ralph mentioned to you, I'll give
2 an example, did any of you catch that he said
3 that we're putting exactly 1/4 or less -- he
4 said that --

5 CHAIR: Okay. All right, thank you for
6 your comments, sir. You're done.

7 MR. SIRBOLA: Okay, thank you.

8 CHAIR: Keith Santiago.

9 MR. SANTIAGO: Thank you, and good
10 afternoon. Thank you for taking the time to
11 take this forum. I thank everyone for being
12 here, and your courage. I just wanted to touch
13 on a couple quick things. Going back to what
14 the first gentleman said about having the
15 amount of sworn officers we have here, I made a
16 really critical mistake this morning coming
17 into this building, I didn't come through the
18 checkpoint. I didn't get scanned. I didn't
19 get searched, and I had a 16x16 box.

20 I walked in, walked right to the bathroom,
21 came out, and about fifteen minutes later an
22 agent from FDLE came up and said how did you
23 get in here, so I was removed and searched.
24 About fifteen minutes. Now we've probably, I
25 count about thirty sworn, a lot of guns.

1 Nothing would have stopped it. Nothing.

2 The other thing I want to talk about is
3 how can we cultivate an IEP for being at risk
4 youth, gangs, drugs, bullies; we tie it all in
5 to thirteen. I think it's time to expand that
6 and look at it deeper. Also, how, as an
7 educator, do I encourage my students to trust
8 the SRO due to the stigma with my target
9 population, I'm Palm Beach County, to my target
10 population how do I get that trust to be
11 reestablished? My at-risk population does not
12 have a good relationship with law enforcement
13 in Palm Beach County, so we're working
14 diligently to try to, to make that happen, so
15 I'd like to see something on that also.

16 And I'll just end with this. How does a
17 student leave a school with a school guidance
18 counselor case worker information officer, and
19 then information not be passed along to the new
20 school? It's a lack of prevention. I was a
21 witness to it when I worked for the school
22 district. Numerous times violent people come
23 to the school, we wouldn't know for three
24 weeks, three weeks. And this is charter
25 school, so we're sort of the step children, we

1 get it, but still.

2 So, thank you for your time, God bless
3 you.

4 CHAIR: Thank you. And the last card we
5 have is from Kristina Braziel.

6 MS. BRAZIEL: This is such important work
7 that you're doing. A lot has been discussed
8 today, and it's difficult for me, I have so
9 many of my own thoughts about what we need to
10 be doing or not doing to protect our children,
11 and to educate them, and to give them the lives
12 that we so desperately, that I so desperately
13 want for them, and for our future.

14 I have a huge amount of respect for law
15 enforcement even though I have seen how a
16 culture and a system can negate the law if they
17 want to. I have experienced it. My daughter
18 just graduated from this district, Broward
19 County. I'm not one of the parents that lost a
20 child, but in my experience in educating her in
21 the last year and a half I could have felt like
22 it could have happened because of the process,
23 because of the adults in the room that are
24 supposed to listen to children and support them
25 in their growth that find other things that

1 they need to do with their time.

2 Probably about six years or so ago, I
3 understand the importance of surveillance in
4 our school district. As a parent, hugely, I
5 want to advocate that we do look at the way
6 that the funding sources are coming, and that
7 we would actually utilize those sources.
8 Surveil the perimeter. Immediately when we saw
9 that, and if you have an outside -- again, law
10 enforcement should be connected, to be able to
11 be connected to our cameras. This is
12 futuristic kind of stuff or not, big brother,
13 nobody really wants us to be able to see it,
14 but we -- and that should have alerted that you
15 had a kid dropped off in a Lyft at a school
16 going in before kids should be exiting, right,
17 I mean if they would have been able to see to
18 just see it. And I think we probably have
19 technology already that could show that.

20 But that being said -- there's so much,
21 but one of the huge things is the disconnect
22 that we have between law enforcement in the
23 school level, principal autonomy, them being
24 able to have decision making when, when they're
25 going to call law enforcement, and that I

1 started I think in the district when we brought
2 the PROMISE program in, which I think reducing
3 the school to prison pipeline is definitely
4 what we want to do, but we have to implement
5 things with fidelity. We have to implement the
6 law. We can't choose to make up the law as we
7 go.

8 So, but we also have to track. If a child
9 gives you a statement of something that
10 happened and that never goes forward to be put
11 in a teacher's file, another student's file, we
12 can't follow that information, heinous things
13 can then happen, and we can let perpetrators
14 go. And then we can also harm children when
15 we're supposed to be giving them services.

16 There's a lot of work that we need to do.
17 There's a lot of things that are not -- and you
18 can start with your budget lines and look at
19 where the money is going, when it's coming in,
20 if it's supposed to be for suicide services
21 then that's what it should be going for. You
22 shouldn't bulk it up in these big things. If
23 it's supposed to be for arming staff then
24 that's what it's for, it's for arming staff.
25 That's what you're, that's what you're doing.

1 CHAIR: Okay --

2 MS. BRAZIEL: I don't want to see more
3 arming. I want to see us using the technology
4 and the resources that we have, but we have to
5 communicate with each other, and we have to get
6 best practices in. Before this all happened
7 the people from --

8 CHAIR: You need to conclude your
9 comments.

10 MS. BRAZIEL: Yeah, I know. There's so
11 much, and I want to be helpful to this
12 community. I have a lot of experience in this
13 district, and I've seen a lot, and I appreciate
14 a lot. There's been amazing work done, but we
15 need to fix things. Thank you.

16 CHAIR: Thank you. Okay. Commissioners,
17 in the handout that you have we were able to
18 take your comments that you submitted and put
19 them all in one page, except for, Secretary
20 Carroll, we have yours, but they didn't get
21 included here, so we'll get those from you.
22 Does anybody have any additional items,
23 anything that you don't see there? And you can
24 submit something afterward too, but we want to
25 try and let you all see now what others have

1 submitted. That way we'll hopefully be more
2 efficient and eliminate redundancy. And you
3 can see what's already been requested. Does
4 anybody have anything that they want to add to
5 this list from what you see that we've been
6 able to put together?

7 Sheriff Judd?

8 SHER. JUDD: My take away from this
9 meeting that I want to focus on for a second is
10 I'm significantly concerned with the pace at
11 which the School Board in Broward County is
12 moving toward having armed school SROs on the
13 campus on August 13th, or guardians. At the
14 pace that they're moving, the only way that
15 they're going to be able to accomplish this is
16 to have deputies come work special details at
17 time and a half, which is going to be hugely
18 expensive for the taxpayer, or the cities and
19 the sheriff can donate on duty resources.

20 But I don't -- I certainly don't know that
21 it's appropriate at this point in the council's
22 work, other than I want to say publicly that
23 the pace at which I see them working, or that's
24 been reported to us, causes me pause.

25 CHAIR: Anybody else? Secretary?

1 SEC. SENIOR: One thing I'd like to add,
2 thank you, Mr. Chairman, is that we had a slide
3 from the Broward County Sheriff's Office on
4 their school resource officers that said that
5 they have active killer training on a
6 three-year cycle, and I was just wondering if
7 we could get the materials for that training,
8 or who did the training, and more specifics
9 about that.

10 CHAIR: So, we do have it. We did request
11 that as part of their, and they call it active
12 killer, active assailant, active shooter, it's
13 all the same, and we have requested those
14 policies. I believe we received them as part
15 of what we're cataloging now, and as we get
16 into the thick of things you will get that.
17 And it's in the stack, but I know we requested
18 it. I believe we already have it.

19 SEC. SENIOR: Thank you.

20 CHAIR: Mr. Schachter.

21 MR. SCHACHTER: Have -- or have we, or can
22 we request the curriculum for the PROMISE
23 program when they get referred over there?

24 CHAIR: The curriculum for the PROMISE --

25 MR. SCHACHTER: What -- what they do --

1 what they do when they get to the --

2 CHAIR: Oh, so you mean -- what they do,
3 yes, we need to get that. The other thing that
4 we don't have, and I think I made a note
5 before, I'm going to make one again, is that,
6 the actual discipline matrix too, is that we
7 didn't see the actual matrix itself. I think
8 we need to see that.

9 And what are, the curriculum meaning what
10 are the sanctions. So, in other words if
11 you're, you know, you get assigned to, quote,
12 assigned to the PROMISE program, exactly what
13 does that comprise, this number of hours of
14 community service, this type of course, this
15 type, right, you're talking about the substance
16 of what they do?

17 MR. SCHACHTER: What I mean, when they go
18 to those other locations and they get removed
19 from the general population. When they're at
20 that other facility, what is the curriculum
21 there, and what happens.

22 CHAIR: Okay, we'll get that fleshed out.
23 Anybody have anything else that you don't see
24 in what you have in front of you? Mr. Petty.

25 MR. PETTY: And this may be already on the

1 agenda, I don't know, but in my day job I spend
2 a lot of time in the field trying to understand
3 the impacts of the things that I decide at the
4 corporate headquarters, how they actually work.
5 It'd be interesting to talk with principals and
6 teachers, particularly in Broward, to
7 understand how the policies that they are
8 subjected to are implemented, how they
9 understand them, and how they're actually
10 implemented at the school level.

11 CHAIR: Anybody else? Secretary Carroll.

12 SEC. CARROLL: Not necessarily additional
13 information, but just a point of clarification,
14 and I think I know the answer to this, but I
15 want to know. I know that folks are doing the
16 investigation behind the scenes, and this is
17 the work that's laying the groundwork so that
18 we have the background information, but at some
19 point, are we going to get detailed information
20 that begins to connect the dots? Like we heard
21 a lot about the PROMISE program, and disabled
22 kids, and ESE, and all of that, but what I
23 don't know is how that directly relates to the
24 killer in this case, or the training related to
25 SROs, how it relates to, you know, what the SRO

1 in this question had.

2 Is there going to be some type of meshing
3 of this material at some point?

4 CHAIR: Absolutely, you know, and so let's
5 talk about it for a second. Is, is that, and
6 let's do it in the context of the PROMISE
7 program. So, before we -- and I was going to
8 have this discussion maybe a little bit next
9 time, but let's just have it right now, is --
10 is that as it relates to the PROMISE program
11 before we go way down into this hole, and we
12 get deep dive into it, one of the first
13 questions is, what you're asking is how
14 relevant is it, and this isn't a commission
15 about the PROMISE program, so it's got to be
16 relevant to the work, and it has to have
17 affected and impacted what happened on February
18 14th.

19 So, we just got the records. We're going
20 to go through those. If we find that Nicolas
21 Cruz was referred to the PROMISE program one
22 time six years ago for criminal mischief, and
23 that's it, and nothing else, then I'd suggest
24 to you that it's a red herring, it's
25 meaningless, because it wouldn't have had any

1 impact on the outcome here, because if Nicolas
2 Cruz six years ago committed a criminal
3 mischief and he was arrested, and charged
4 criminally, and had a criminal mischief arrest
5 six years ago, the most that would have
6 happened to Nicolas Cruz was community service
7 and any restitution that's due.

8 And if he was referred to the PROMISE
9 program and he got community service and
10 restitution it doesn't make any difference, and
11 a criminal mischief, it would have no bearing
12 whatsoever on his ability to acquire and
13 possess firearms, and so the PROMISE program
14 becomes a complete red herring in this.

15 Now, if we find in these records that
16 Nicolas Cruz was referred to the PROMISE
17 program, but let's say as an example he really
18 committed an aggravated assault, and it was
19 something serious, and somebody short circuited
20 something, sidetracked something, and it was an
21 inappropriate referral, and perhaps would have
22 had a different effect on the outcome, then
23 that's a different story.

24 Probably a related part of that topic is,
25 is that do we want, is the PROMISE program

1 really limited to these very, very minor
2 offenses for largely first or second time
3 offenders, and if that's the case how far do we
4 want to go down that path as far as peeling it
5 back. If there's more to it, and there is, are
6 indications that it is not being applied as it
7 should, and there are kids who are being
8 referred to the program because there were more
9 serious offenses then it's a different story.

10 ESE, the purpose of the ESE presentation
11 is, and people commented on it, someone in the
12 public comment. We can't affect that, that's a
13 federal law. The United States Congress has to
14 make any changes to that, we have no authority,
15 no influence on that, and cant' make any
16 recommendations regarding it at all. But
17 Nicolas Cruz from day one, I think since he was
18 about three years old, was designated as an ESE
19 student. So, as we give you briefings on the
20 school records, and we pour through all of
21 this, we wanted everybody to have some
22 understanding -- because we have varying
23 degrees of knowledge of this whole ESE system
24 and what it is -- that is something that unless
25 somebody wants more on I would envision that we

1 got what we got here today. It will help
2 inform us as we learn the facts, but that's
3 probably not much, there's probably not much
4 further that we can do as far as ESE is
5 concerned. So, yes, it will all start coming
6 together. And does that answer your questions?

7 SEC. CARROLL: No, it does. And I
8 appreciated what you opened up the meeting with
9 too, because a lot of what I know I know from
10 press reports, and I know some of those press
11 reports not to be totally accurate, and so it
12 will be interesting when we get to the point
13 where we start matching data with actual
14 events.

15 CHAIR: Right, and they're not, and
16 they're not accurate. And the, and the
17 perception, or, you know, some of the
18 commentary about the PROMISE program, and that
19 it would have made a difference. It's just
20 like we're going to hear next time from Judge
21 Leifman, and we're going to hear from some of
22 your staff about Baker Act and mental health,
23 you know, and I said it before, I said it at
24 the first meeting, I'll say it again today, and
25 I'll say it next time, is, is that somebody

1 being Baker Acted for an evaluation is not
2 going to affect the outcome in 99.9% of these
3 cases. And people have a misperception and
4 misunderstanding of what the Baker Act is, what
5 its effects are.

6 You can be Baker Acted 1,000 times. You
7 can be Baker Acted for an evaluation 1,000
8 times and it is not going to affect your
9 ability to possess or purchase a firearm. Most
10 people think, oh, if he was Baker Acted, well
11 if somebody along the line had Baker Acted him
12 it would have changed the outcome of this. No,
13 it wouldn't. It absolutely would not,
14 absolutely would not.

15 And so those are the things, and that's
16 why, you know, we're doing this, but we need
17 to, and I know in your comments that there are
18 a lot, a lot in here about more information on
19 the PROMISE program. We're going to, we're
20 going to get data, we're going to do what
21 you've asked, but there will have to be -- and
22 I can't share anything with you right now
23 because I don't know until we go through this,
24 but there may be a point where we say enough as
25 far as the PROMISE program, because this isn't

1 the PROMISE program commission, and leave that
2 to somebody else for a different day, because
3 it wouldn't have had any bearing on what Cruz
4 did or didn't do in the whole situation that
5 we're charged with investigating.

6 But I can't give you that information
7 right now because I don't have enough. And if
8 the consensus is, and the desire of the group
9 is, is to go further into it, then we'll go
10 further into it, it's your call. But, yes,
11 there are certain things we're going to have to
12 make decisions on about how far we go, and we
13 have to be careful of rabbit holes and red
14 herrings.

15 UNDER SHER. HARPRING: Sheriff, I just --
16 along those lines, I know that relative to the
17 data and the information, I recognize the
18 importance of the background for a lot of
19 people depending on the knowledge of the
20 systems and things that we're evaluating, but
21 what I anticipate, and I'm drawing directly
22 from your comments, and, you know, from other
23 commissioners, what I would anticipate and hope
24 is that progressively we would rapidly and
25 substantially narrow the focus of our, of our

1 information gathering here, the information
2 that we have specifically relative to the
3 statutory mandate so that we can have a product
4 of importance and substance in January, because
5 the January time frame, it probably isn't lost
6 on the Senator, but, and I don't think it's
7 lost on anywhere, is sufficiently in advance of
8 the legislative session to potentially be
9 relevant to issues that the legislature may
10 want to bring up.

11 But I echo your concerns about displaced
12 energy, especially with, especially for the
13 staff. And certainly, I don't have to tell
14 you, Sheriff, how amazing the staff, I know the
15 heavy lift that they have, the amount of work
16 that they're doing, and, you know, your
17 personnel and FDLE are doing a great job, and,
18 you know, we're looking forward to seeing the,
19 you know, the products of their, you know,
20 their very intensive labor.

21 And then also I think some of the, both
22 the read ahead material, and I expressed before
23 in a conversation I had about some of the other
24 material that will be confidential and exempt
25 otherwise, but that I think is going to be

1 critical for us to, to see. And that may just
2 simply be a closed meeting where we're just
3 reviewing it independently or, or otherwise,
4 however that's going to be fashioned. I think
5 that's, that's going to be important also.

6 CHAIR: There's -- I know there's a desire
7 to move this. I can't tell you strongly enough
8 the Yeoman's work, the monumental lift that is
9 being done, and it is, can only go so fast. I
10 know everybody wants to get into the meat of
11 it, but I still say, and if you all, you know,
12 if people don't want to hear we can go in a
13 different direction, but I can tell you that
14 like next time what you're going to hear is,
15 one of the topics has to do with 911
16 communications and the radio systems.

17 I don't know how we can get right into
18 what happened on February 14th without a whole
19 bunch of you having background information,
20 because I don't think you have the knowledge of
21 the systems and the processes, and we have to
22 go through this I think, unless, you know,
23 unless you all tell me you don't want to do it,
24 then, you know, we don't have to do it. But I
25 think that the idea of it is, is to, again

1 provide that backdrop so that people have that
2 when we, because the investigators are doing
3 their work, you know.

4 While we're doing this, they are doing the
5 investigation, and I too am concerned about the
6 January time frame, and because it's a lot, you
7 know. We're going to get there one way or
8 another. Go ahead Secretary.

9 SEC. DALY: Are we being realistic in that
10 we're going to be able to get this done when we
11 have meetings that are two days with the amount
12 of information? I know we're all extremely
13 busy, but I don't -- I know for me personally
14 there's nothing worse than that feeling that
15 we're rushing through something, especially of
16 this magnitude, so have you all talked about
17 that, if --

18 CHAIR: So, great segue, because that's
19 one of the things I was going to raise here, is
20 I want to just share -- and I'm thinking, and I
21 was going to ask this question of you all. I
22 think that we have to consider adding a third
23 day to the July meeting, if that is the group
24 consensus. The stuff we need to cover in July
25 is mental health and the Baker Act, which is

1 going to extensive, like a lot of these topics
2 were, and I anticipate there'll be a lot of
3 questions about it, about that whole system.

4 All of the privacy laws, FERPA, HIPAA,
5 state privacy laws. I know you all are going
6 to have questions on that because it goes to
7 the information sharing ability, the silos, and
8 the inability legally of people to share
9 information. Big, big discussion is going to
10 be, and big presentations on the threat
11 assessment teams as they exist in the Broward
12 County schools behavioral threat assessment, a
13 presentation from the Secret Service, a whole
14 series in front Virginia, the state of
15 Virginia, which is implementing the Secret
16 Service model, which is more proactive. That's
17 going to be an extensive presentation, law
18 enforcement data sharing.

19 And then we get into the 911
20 communications, and the radio communications.
21 I've met with the county administrator. I
22 believe she wants to present herself. We've
23 got from a state perspective. We got Coral
24 Springs perspective. We've got Broward County
25 Sheriff's perspective on both of those topics.

1 911 communications and radio communications are
2 two separate topics. They're interrelated but
3 they're separate.

4 So, you know, so I think we either have to
5 make a decision to either potentially add a
6 third day to July or add another session and
7 come back. What's the thought? I mean if we
8 look at the schedule and we say, look, there's
9 no way we're going to get through this, and
10 would you rather add a third day, or would you
11 rather add another two-day session? Sheriff
12 Judd?

13 SHER. JUDD: I think we probably need to
14 add another two-day session later in the year.
15 I understand the frustration of the commission
16 because everyone is ready to get into the meat
17 of what occurred. But before we can have
18 testimony before the commission we've got to
19 give these detectives and investigators time to
20 work or else we're no better off than reading
21 the newspaper article. And that's the
22 frustration right now.

23 We are trying -- and for those of you who
24 are not familiar with an investigation, there's
25 not two sides to every story, there's three, or

1 four, or ten, or fifteen, or twenty, and then
2 they get all these stories together, and then
3 they have to try to get through what was
4 presented as fact that was perception or rumor,
5 and while we're doing the background, there's
6 huge amounts of investigative effort going
7 forward, so rather than adding like a day in
8 July I think we may be better off to, I think,
9 because we're really going to get into some
10 deep questions once the investigators come
11 forward.

12 CHAIR: I think you're going to have to do
13 both, because the problem is, is that we need
14 to get, we need to wrap up, this background
15 information, we got to wrap it up. I don't
16 want to take this background information into
17 August, and I'm concerned that we're not going
18 to get into -- if we do two days in July with
19 all that's here either I got to cut some of it
20 short -- there's no way we're going to get
21 through it all, and I do think it's important
22 that you all have the ability to ask as many
23 questions as you want to vet it all through,
24 and the way that it is going is, is that it
25 takes time, so I'm kind of inclined --

1 So, John, on the, just to give them an
2 idea on the interview list that we have now,
3 and it's a work in progress, how many names are
4 on that interview list right now? So, 6 --
5 right now going through everything we have 600
6 people on the interview list that we have
7 developed based upon review. Now, we're going
8 to try and narrow that down, and we're
9 certainly going to prioritize it, and there's
10 going to be an A and a B list, but, and we're
11 not even through all records yet and we got 600
12 people.

13 So, you know, I think we're going to have
14 to do both, Sheriff Judd, to tell you the
15 truth. But I really think that it would be in
16 our interest to get beyond this background
17 information in July and start getting into the
18 meat of it in August. And if we don't add a
19 little bit of time in July I'm telling you, is
20 from what I know these presentations are going
21 to be on these topics, if there's any of these
22 topics that I just went through with you that
23 you don't to hear about tell me, but these are
24 all topics that you have all asked to hear
25 about.

1 Dr. Blackburn, go ahead.

2 DR. BLACKBURN: Mr. Chairman, I just to as
3 one commissioner really support the tone and
4 the spirit that you articulated a few minutes
5 ago around the impact of potential rabbit holes
6 and red herrings, and using decision making to
7 make us, whether we add more time or not, will
8 make us as efficient as possible. So, I guess
9 as one person I just want to support your
10 sentiments on that.

11 CHAIR: Thank you. Secretary Carroll.

12 SEC. CARROLL: I just want to circle back.
13 If had to vote I would say add a third day,
14 because I think it is important we get through
15 the background information. But I do want to
16 clarify, I think the path that you have set in
17 place is the right one. And I understand the
18 work that these guys are doing on the
19 investigation. I totally understand that. My
20 concern was more about that we not while that
21 process is going on get into over litigating
22 something we think is a root cause and it may
23 not even be a factor.

24 CHAIR: That's right. That's right.

25 SEC. CARROLL: So, the information has

1 been very helpful to me. I've learned a lot in
2 the days that I've been here, but I just want
3 folks -- I don't want us to fall in the trap of
4 not being able to put that in context, that's
5 all.

6 CHAIR: And I agree with you, and your
7 point is spot on, and I agree with you, we need
8 to be aware of that, be careful of that. We
9 don't need to go too far in certain things.

10 SEC. CARROLL: And, you know, fully
11 cognizant of the fact that our priority is
12 getting that report our January 1st. Couldn't
13 we, after we do that, and if we still wanted to
14 go into PROMISE do it after that?

15 CHAIR: You know, potentially to the
16 extent it's relevant. So, it is a, quote, and
17 it is in the statute, and, quote, a preliminary
18 report that is due in January, but as I think
19 you have said in order for it to be
20 meaningfully used by the legislature is, is
21 that it needs to be as comprehensive as it
22 possibly can be. So, anything that we were to
23 submit, and can supplement it, and we can
24 submit reports after that certainly, and we're
25 required to on an annual basis, but you know,

1 the longer you get into that process, and the
2 session starts in March, is, is that it's going
3 to make it much more difficult for the senators
4 and the representatives to evaluate it and
5 consider bills, and get them into the bill
6 wrapping process, and get it moving.

7 And remember all the bills generally,
8 except for committee bills, but generally have
9 to be filed by the first day of the session, so
10 it's a short window. Commissioner.

11 MR. SCHACHTER: Thank you, Mr. Chair. And
12 I'm getting ahead probably for one of the next,
13 next month's presentations. When you hear from
14 the Secret Service, and you hear from Virginia,
15 when I got assigned to this committee I read
16 the after-action reports for Columbine, for
17 Sandy Hook, for Newtown, for Virginia Tech, and
18 I've said publicly I don't think we're going to
19 learn anything new here. The lessons learned
20 just weren't implemented.

21 I think programs like PROMISE, if -- the
22 research has shown that incidents of this
23 targeted violence, they're rarely the result of
24 impulsive actions. These are -- these are
25 planned. There is a pathway to violence. It

1 starts with a perceived grievance, ideation,
2 they start planning, there's preparation, and
3 then the attack.

4 There's an opportunity to stop that
5 anywhere along the way if you know what to look
6 for, and you'll learn from the presenters
7 probably, I'm sure that's one of the things
8 they'll talk about, is there are so many
9 indicators that have been researched and this
10 is not, I mean LAPD, there are people that have
11 been doing this for years and years and years.
12 So, there's fixation, there's identification,
13 novel aggression.

14 There's always an energy burst right
15 before they act, there's leakage, where they're
16 -- all of these things have been documented,
17 and they're observable. So, if the threat
18 assessment teams have this training, have this
19 knowledge, I think programs like PROMISE are
20 going to be irrelevant. If they do their jobs
21 those other ancillary, whatever they stick
22 these kids into, if the threat assessment teams
23 are doing their jobs those things will be
24 irrelevant, so I don't want to waste a lot of
25 time on something that may or may not even

1 impact the ability for these kids to be spotted
2 later on.

3 But if PROMISE led to this I agree, then
4 absolutely we should, we should make sure that
5 whatever the problems if it's kept that --

6 CHAIR: Well, I agree with you, you know,
7 and, you know, my gut is from what I know, and
8 I, having been at that school three times, and
9 going through that building, and seen and heard
10 a lot of this stuff, to be honest with you I
11 don't think the PROMISE program has a hill of
12 beans to do with the outcome of this. I think
13 what has to do -- one of the things I know has
14 to do with the outcome of it is, is why that
15 kid was able to get out of that car, walk into
16 an unlocked door and get into a building
17 totally unchallenged, and you've got, you know,
18 access that was free and unfettered.

19 Those are things that can make a
20 difference, you know, why are there not ingress
21 and egress points, and choke points, and you go
22 down the whole list of things. Those are
23 things that make a difference. But we'll find
24 out, you know, I don't know for sure. And I
25 don't think that, you know, the fact that

1 Henderson evaluated him fifteen months, sixteen
2 months before the incident -- you know, there's
3 a case to be made, and we're going to hear
4 about it, and you're going to go through all
5 this, and see it all, and make decisions.

6 But, you know, the Baker Act, you know,
7 what's the Baker Act for. The Baker Act is not
8 an evaluation to determine what you're going to
9 do fifteen months from now, it's to do what
10 you're going to do fifteen hours from now.
11 What are you going to do right now, because are
12 you an immediate danger, and that's the
13 criteria in the statute, are you an immediate
14 danger to yourself or others, and should you be
15 taken into custody to be evaluated by a mental
16 health professional, and then do you have a
17 diagnosable mental health condition that
18 warrants an involuntary that you can go to a
19 judge for if he won't voluntarily agree to
20 treatment.

21 And so, there's an argument to be made
22 that Henderson got it right, because he didn't
23 do anything in October, November, December,
24 January, et cetera, when you get into '17, he
25 did it in February of '18. So, the fact they

1 didn't Baker Act him, and people were making
2 issues about that, that he wasn't Baker Acted,
3 so what, because he wasn't even under
4 treatment. They never even saw him for
5 fourteen months before he acted.

6 So, that gets into the rabbit holes. That
7 gets into the stuff that matters, and the stuff
8 that makes a difference in this. And this is
9 what we're trying to flush out, and hopefully
10 this is where some of the data starts coming
11 into play, and we can separate it into the
12 right lanes, as to what is extremely relevant
13 and what is going to make a difference with it.

14 But some of it's fresh, and it unfolds,
15 and it evolves, and it's still evolving as, as
16 we're, you know, uncovering and learning more.
17 And that's why I also think it's important that
18 as soon as we can, and hopefully August, is
19 that we need to start getting this information
20 out to you all. And that's why, again, I
21 really want to get through this background
22 stuff in July and put that aside, use it to
23 help educate and inform, but start getting into
24 the presentations.

25 And as an example, one of the first ones

1 I'd like to do, and there's going to be
2 several, but one of the ones I'd like to do is
3 to do a presentation on the entire Henderson
4 file, to go through that A-Z and let you see
5 what happened, to get into some of these school
6 records and start taking this chronologically.

7 SEN. BOOK: So, I think that every single
8 one of us here, this is our number one
9 priority, and it's very important that we do
10 this work, and in light of the Chair's
11 comments, and some of the others, not that I
12 want to make any enemies at the table here, but
13 I'd like to make a motion that we extend the
14 July meeting to an additional day.

15 MR. SCHACHTER: Second.

16 CHAIR: Second, okay.

17 MR. DODD: I didn't hear what the Senator
18 said.

19 SEN. BOOK: Extend the meeting, not that
20 I'm trying -- not today, in July to a third
21 day.

22 CHAIR: That we add a third day. And
23 perhaps, and if we can, and if everybody is in
24 agreement with that, we'll take a vote on it
25 here, is, is that perhaps it doesn't have to be

1 a full third day, perhaps a half a day, but at
2 least give us the room that if we need to add
3 that third day. Right now, we're scheduled
4 Tuesday and Wednesday, so perhaps we added on,
5 you know, Monday or Thursday, that we'll look
6 at it.

7 So, we have a motion. We have a second.
8 All in favor?

9 (Aye.)

10 CHAIR: Any opposed? Okay.

11 SEN. BOOK: And, Mr. Chair, don't worry,
12 this Senator is working already on some drafts,
13 so --

14 CHAIR: I'm sure you are. I'm sure you
15 are.

16 SHER. JUDD: That's a lesson so the Senate
17 can learn to act that quick.

18 CHAIR: Yes, Sheriff Ashley, go ahead.

19 SHER. ASHLEY: Yes, I would also echo
20 Sheriff Judd in that probably our bigger
21 deadline other than January is our August
22 deadline to ensure we have SROs and guardians
23 in every school, because the biggest mandate
24 that I see for this commission is making policy
25 recommendations to prevent this from happening

1 again. I mean each and every one of us are
2 going to be held accountable if somehow we
3 don't make recommendations that prevent this
4 sort of thing, and the systemic things that
5 occurred in the Cruz case from happening again,
6 I think our citizens -- I mean it may be the
7 end of public schools, because I don't want to
8 send my kid to a place that's unsafe.

9 Certainly, the recommendations that we
10 make disciplinary an expulsion and arrest and
11 everything else that might be happening at a
12 school public record where parents and citizens
13 can see what's happening at schools and make
14 their own determinations of whether they're
15 safe environments to send their children.

16 This commission has very important work,
17 and if you want to have three days, four days,
18 or a week, then I'm certainly all for that.

19 CHAIR: Well, I don't think there's
20 anybody sitting here at the table that I've
21 heard say anything other than they concur with
22 the requirements of 7026, and that there needs
23 to be a good guy with a gun on every campus
24 come August 13th, or 15th, or whatever the date
25 is in different districts when these kids go

1 back to school. It's not up to us, it's up to
2 the individual districts and law enforcement
3 agencies in those districts to ensure that that
4 happens.

5 We can't affect that other than to say we
6 encourage it, but we are in no position to
7 affect it or implement it. And it's got to
8 happen, it's not an option, it's A or B, there
9 is no C, and, you know -- and I agree with
10 Sheriff Judd, is, is that it's troubling that
11 there are some places that are not where they
12 need to be to get this implemented by August
13 13th. And let's hope that they can get there,
14 because it's important.

15 Anyway, I'll tell you, I'll tell you what
16 I've said to some, and this is my feeling, I've
17 said that, you know, is, is that if anybody
18 thinks that come August 13th that they don't
19 have a police officer, a deputy sheriff, a
20 school board police officer, or a guardian, a
21 good guy with a gun on campus, and something
22 bad happens the second day, the third day, the
23 fourth day, or whatever it is after these kids
24 go back to school, and you end up with a
25 shooting, you end up with a bunch of dead

1 seven-year-olds, that you're going to survive
2 this, you won't, and you shouldn't; resign,
3 pack your bags and go home, because you're
4 done.

5 And this isn't an option. And the fact
6 that some people think it's an option, and
7 they're playing games with it, and not
8 implementing it is, is equally frustrating to
9 me as it is to you, Sheriff Judd, as you've
10 said, and to others, is that they need to do
11 this. It's not an option. Put the bickering
12 aside. Put the politics aside and figure out a
13 way to get this thing over the finish line now,
14 get it implemented, because that is an
15 effective way that is meaningful that is going
16 to protect the kids.

17 And it's required by law. It's not an
18 option, it's require by law. Go ahead.

19 SHER. JUDD: And I can't even believe that
20 we're having to have that conversation at this
21 point. I can't believe that there's folks out
22 here that are pushing back against all of this.
23 That's just editorial comment, but, you know,
24 once again I'm just -- my illustration is based
25 on a great deal of experience of how long it

1 takes to select -- recruit, select, evaluate,
2 and train folks. But, you know, people need to
3 be pushing on the gas.

4 And my last comment is as we add our third
5 day, I vote for Thursday so at least I can be
6 in the office on Monday and Friday, if --

7 CHAIR: I wrote it down. Anybody else,
8 thoughts, comments? All right, thank you very
9 much. We're adjourned.

10 (Thereupon, the above meeting adjourned.)
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C E R T I F I C A T E

(STATE OF FLORIDA)

(COUNTY OF BROWARD)

I, NIDELIS GONZALEZ, Reporter, certify
that I was authorized to and did report the
foregoing proceedings and that the transcript is a
true and correct transcription of my notes of the
proceedings.



NIDELIS GONZALEZ, Reporter

Commission Number: FF188630

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