School Environmental Safety Incident Report (SESIR) Workgroup

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Office of Safe Schools

www.FLDOE.org
Introductions
Workgroup Committee Composition

The SESIR Workgroup is composed of representatives from a wide range of perspectives and areas of expertise.

- Superintendents
- Office of the Attorney General
- Florida Department of Law Enforcement
- Florida Department of Education
- Marjory Stoneman Douglas High School Public Safety Commission
- District and School Administrators and MIS Directors
- State Attorney
Government in the Sunshine
Sunshine Law

• Florida’s “Open Meetings Law,” often referred to as the “Sunshine Law” protects the public from “closed door” decision making and provides a right of access to meetings of boards and commissions.

• Codified in Chapter 286, F.S., the Sunshine Law applies to all meetings of “any board or commission of any state agency or authority.” Examples include:
  • State Board of Education, local school boards
  • Applies equally to elected or appointed boards or commissions.

• May apply to committees or workgroups, depending on their function.
Sunshine Law – Key Requirements

• Meetings of a public board or commission must be open to the public;
• Minutes of the meeting must be recorded;
• Public must be given reasonable notice that such meetings are going to occur; and
• Public must be given a reasonable opportunity to be heard on the matters being considered at the meeting.
What is a meeting?

- Defined very broadly.
- The Sunshine Law applies to all discussions or deliberations, as well as the formal action taken by a board or commission.
- Applies to any gathering, whether formal or casual, of two or more members of the same board or commission to discuss some matter on which foreseeable action will be taken by the public board or commission.
- Quorum is not required.
What is a meeting?

• “Meeting” can also include:
  • Telephone Conversations
  • Virtual Meetings (Zoom, Teams, GoToMeeting, etc.)
  • Text Conversations
  • Emails
  • Microsoft Teams Chat or other Instant Messaging

• What about social events?
  • Members of a public board or commission are not prohibited under the Sunshine Law from meeting together socially, provided that matters which may come before the board or commission are not discussed at such gatherings.
Practical Duties of Sunshine Law Compliance

• Never be a conduit between members of a public board or commission.
  • Written reports must not be circulated to convey a board member’s position to other board members.
  • Staff must not convey the opinion of one board member to another board member.

• Communications between just two board members triggers the Sunshine Law.
  • Discussions about agency business between two or more board members (including telephone calls or email exchanges) are subject to the Sunshine Law.
Florida School Safety: Five Years in Review
Florida School Safety: Five Years in Review

Marjory Stoneman Douglas (MSD) to Present

2018
Senate Bill 7026
MSD Tragedy

2019
Senate Bill 7030

2020
Senate Bill 70

2021
Senate Bill 590
Safety Rule

2022
House Bills 1421 899

www.FLDOE.org
Marjory Stoneman Douglas H.S. Public Safety Commission

Chaired by Pinellas Sheriff Robert Gualtieri and tasked with monitoring implementation of school safety legislation.

Called for a SESIR Workgroup to:

- Review the law, SESIR data collection and reporting across Florida’s school districts, and
- Make recommendations on how to achieve accurate reporting at the school level, data collection at the school level, and accurate reporting to FDOE.
Grand Jury Report

In 2019, Governor DeSantis petitioned the Florida Supreme Court to impanel a Grand Jury to examine:

- a) Whether refusal or failure to follow the mandates of school-related safety laws results in unnecessary and avoidable risk to students across the state;

- b) Whether public entities committed – and continue to commit – fraud and deceit by accepting state funds conditioned on implementation of certain safety measures while knowingly failing to act;

- c) Whether school officials committed - and continue to commit – fraud and deceit by mismanaging, failing to use, and diverting funds;

- d) Whether school officials violated – and continue to violate – state law by systematically underreporting incidents of criminal activity to the FDOE.
“Concealing the fact of the existence of negative and/or criminal behavior, whether as an inadvertent consequence of misguided policies or as a direct result of intentional malfeasance has, unfortunately, become a disturbing pattern in Florida’s schools in more recent years.”
MSD Commission & Grand Jury Report

• Two separate, but similar calls to action

• Utilizing this SESIR Workgroup to address both:
  • Improving SESIR data (accuracy, consistency, and uniformity across the state)
  • Providing recommendations to both MSD Commission and FDOE for purposes of rulemaking
What is SESIR?
What is School Environmental Safety Incident Reporting (SESIR)?

• SESIR collects data on **26 incidents** of crime, violence, and disruptive behaviors.

• This collection is limited to incidents that occur **on school grounds**, **on school transportation**, and at off-campus, **school-sponsored events**.

• It includes any **24-hour** period, **365** days per year.

• Incidents are reported by schools via their district’s data system which uploads the data to the Florida Department of Education.
• Initially approved in May 2020.

• Current Rule approved by the State Board of Education on July 14, 2021.

• The Rule establishes incident definitions and what incidents must be reported in SESIR.

www.flrules.org/gateway/ruleNo.asp?id=6A-1.0017
## SESIR Categories

<table>
<thead>
<tr>
<th>Level 1 - Most Serious</th>
<th>Level 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aggravated Battery</td>
<td>Disruption On Campus</td>
</tr>
<tr>
<td>Arson</td>
<td>Drug Use/Possession</td>
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<tr>
<td>Homicide</td>
<td>Hazing</td>
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<tr>
<td>Kidnapping</td>
<td>Fighting</td>
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<tr>
<td>Sexual Battery</td>
<td>Larceny/Theft</td>
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<td></td>
<td>Sexual Harassment</td>
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<tr>
<td></td>
<td>Sexual Offenses (Other)</td>
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<tr>
<td></td>
<td>Threat/Intimidation</td>
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<td></td>
<td>Trespassing</td>
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<tr>
<td></td>
<td>Vandalism</td>
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<tr>
<td></td>
<td>Other Major Offenses</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Level 2</th>
<th>Level 4 - Least Serious</th>
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<tbody>
<tr>
<td>Burglary</td>
<td>Alcohol</td>
</tr>
<tr>
<td>Drug Sale/Distribution</td>
<td>Tobacco</td>
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<td>Physical Attack</td>
<td>Bullying</td>
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<td>Robbery</td>
<td>Harassment</td>
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<td>Weapons Possession</td>
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<td>Sexual Assault</td>
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[www.FLDOE.org](http://www.FLDOE.org)
Proposed Future Meetings
Proposed Meeting Dates for Workgroup

Ideally, we would like to engage in at least two virtual and two in-person meetings with the entire workgroup. Tentative dates are:

• **September 1** – Initial virtual overview meeting
• **September 13** – In-person meeting in Lake County
• **October 6** – In-person meeting in Sumter County
• **October 27** – Virtual meeting (if needed)
• **November 3** – Virtual meeting (if needed)
Final Recommendations

• MSDHSPS Commission Meeting – November 16 (Sunrise, FL)

• Final recommendations ready no later than November 3
Proposed Topics to Address
Suggested Topics

• SESIR Definitions
  • Do they align consistently with law enforcement definitions?
  • Is there a way to ensure better clarity?

• Reporting Process
  • What is the process from identifying an incident to reporting an incident within SESIR?
  • Who needs to be engaged in decision-making along the way (law enforcement)?
  • How can Florida improve upon reporting and ensure consistency across the state?
  • How can we hold people accountable for data reporting?
Questions, Suggestion, Thoughts...