

By the Committee on Education

581-02354-19

20197030__

A bill to be entitled
An act relating to school safety and security;
amending s. 30.15, F.S.; requiring a sheriff to
establish a school guardian program under a certain
condition; removing the prohibition against classroom
teachers serving as school guardians; prohibiting
individuals from serving as school guardians unless
they are appointed by a superintendent; amending s.
943.082, F.S.; requiring school districts to promote a
mobile suspicious activity reporting tool through
specified mediums; amending s. 1001.10, F.S.;
requiring the Commissioner of Education to review
recommendations from the School Hardening and Harm
Mitigation Workgroup; requiring the commissioner to
submit a summary to the Governor and the Legislature
by a specified date; providing requirements for the
summary; amending s. 1001.11, F.S.; revising the
duties of the commissioner to include oversight of
compliance with the safety and security requirements
of the Marjory Stoneman Douglas High School Public
Safety Act by specified persons and entities; amending
s. 1001.212, F.S.; requiring the Office of Safe
Schools to annually provide training for specified
personnel; requiring the office to convene a School
Hardening and Harm Mitigation Workgroup; providing for
membership and duties of the workgroup; requiring the
workgroup to submit a report and recommendations to
the commissioner; requiring the office to provide
technical assistance for school safety incident

581-02354-19

20197030__

reporting; requiring the office to review and evaluate school district reports for compliance; requiring a district school board to withhold a superintendent's salary in response to the superintendent's noncompliance; requiring the office to develop a behavioral threat assessment instrument; providing requirements for the instrument; requiring the office to establish the Statewide Threat Assessment Database Workgroup to make certain recommendations relating to a statewide threat assessment database; providing requirements for the database; requiring the workgroup to report recommendations to the office by a specified date; providing requirements for such recommendations; requiring the office to monitor school district and public school, including charter schools, compliance with requirements relating to school safety; requiring the office to review and approve district school board and charter school active assailant policies and report deficiencies; amending s. 1002.33, F.S.; requiring a charter school to comply with specified provisions; amending s. 1006.04, F.S.; establishing timeframes within which students with mental, emotional, or behavioral disorders must be referred for services; amending s. 1006.07, F.S.; requiring that a school safety specialist be a school administrator employed by the school district or a law enforcement officer employed by the sheriff's office located in the school district; providing requirements for a school safety specialist designated from a

581-02354-19

20197030__

sheriff's office; providing that a school safety specialist designated from a sheriff's office remains an employee of such office for certain purposes; authorizing the sheriff and school superintendent to determine by agreement the reimbursement of or sharing of costs associated with employment of the law enforcement officer as a school safety specialist; requiring district school boards to adopt and submit to the office an active assailant response policy; requiring that the policy be recommended by the district superintendent; requiring that any school-specific modifications to the policy be approved by the district superintendents; requiring that certain policies adopted by school districts include procedures for behavioral threat assessments; requiring threat assessment teams to utilize the behavioral threat assessment instrument and the threat assessment database developed by the office when they become available; requiring district school boards to adopt policies for accurate and timely reporting of school environmental safety incidents; providing penalties for noncompliance with such policies; requiring the State Board of Education to adopt by rule requirements for school environmental safety incident reports; amending s. 1006.12, F.S.; requiring a charter school governing board to partner with law enforcement agencies to establish or assign a safe-school officer; expanding the categories of individuals who may serve as school guardians;

581-02354-19

20197030__

amending s. 1006.1493, F.S.; requiring the Florida Safe Schools Assessment Tool (FSSAT) to be the primary site security assessment tool for school districts; requiring the office to provide FSSAT training; requiring the superintendent to certify FSSAT assessments within a certain timeframe; providing penalties for failure to comply with requirements; deleting obsolete language; amending s. 1011.62, F.S.; modifying the required use of funds in the safe schools allocation; providing for retroactive application; providing legislative intent; expanding, as of a specified date, the categorical fund that may be accessed to improve classroom instruction or improve school safety; deleting obsolete language; providing a declaration of important state interest; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (k) of subsection (1) of section 30.15, Florida Statutes, is amended to read
30.15 Powers, duties, and obligations.—

(1) Sheriffs, in their respective counties, in person or by deputy, shall:

(k) Establish, if the sheriff so chooses, a Coach Aaron Feis Guardian Program to aid in the prevention or abatement of active assailant incidents on school premises. However, if a local school board has voted by a majority to implement such a program, the sheriff in that county shall establish a program. A

581-02354-19

20197030__

117 school guardian may not ~~has no authority to~~ act in any law
118 enforcement capacity except to the extent necessary to prevent
119 or abate an active assailant incident on a school premises. A
120 ~~Excluded from participating in the Coach Aaron Feis Guardian~~
121 ~~Program are individuals who exclusively perform classroom duties~~
122 ~~as classroom teachers as defined in s. 1012.01(2)(a). This~~
123 ~~limitation does not apply to classroom teachers of a Junior~~
124 ~~Reserve Officers' Training Corps program, a current~~
125 ~~servicemember, as defined in s. 250.01, or a current or former~~
126 ~~law enforcement officer, as defined in s. 943.10(1), (6), or~~
127 ~~(8). The sheriff who establishes a chooses to establish the~~
128 program shall certify ~~appoint~~ as school guardians, without the
129 power of arrest, school employees or contract employees, as
130 specified in s. 1006.12(3), who ~~volunteer and who:~~

131 1. Hold a valid license issued under s. 790.06.

132 2. Complete 132 total hours of comprehensive firearm safety
133 and proficiency training conducted by Criminal Justice Standards
134 and Training Commission-certified instructors, which must
135 include:

136 a. Eighty hours of firearms instruction based on the
137 Criminal Justice Standards and Training Commission's Law
138 Enforcement Academy training model, which must include at least
139 10 percent but no more than 20 percent more rounds fired than
140 associated with academy training. Program participants must
141 achieve an 85 percent pass rate on the firearms training.

142 b. Sixteen hours of instruction in precision pistol.

143 c. Eight hours of discretionary shooting instruction using
144 state-of-the-art simulator exercises.

145 d. Eight hours of instruction in active shooter or

581-02354-19

20197030__

assailant scenarios.

e. Eight hours of instruction in defensive tactics.

f. Twelve hours of instruction in legal issues.

3. Pass a psychological evaluation administered by a psychologist licensed under chapter 490 and designated by the Department of Law Enforcement and submit the results of the evaluation to the sheriff's office. The Department of Law Enforcement is authorized to provide the sheriff's office with mental health and substance abuse data for compliance with this paragraph.

4. Submit to and pass an initial drug test and subsequent random drug tests in accordance with the requirements of s. 112.0455 and the sheriff's office.

5. Successfully complete ongoing training, weapon inspection, and firearm qualification on at least an annual basis.

6. Successfully complete at least 12 hours of a certified nationally recognized diversity training program.

The sheriff shall issue a school guardian certificate to individuals who meet the requirements of this paragraph and subparagraph 2. ~~The sheriff~~ shall maintain documentation of weapon and equipment inspections, as well as the training, certification, inspection, and qualification records of each school guardian certified ~~appointed~~ by the sheriff. At a superintendent's discretion, any such certified school guardian may be appointed to a school by its respective superintendent. An individual may not serve as a school guardian in a school unless he or she is appointed by the superintendent.

581-02354-19

20197030__

Section 2. Subsection (4) of section 943.082, Florida Statutes, is amended to read:

943.082 School Safety Awareness Program.—

(4) (a) Law enforcement dispatch centers, school districts, schools, and other entities identified by the department must ~~shall~~ be made aware of the mobile suspicious activity reporting tool.

(b) The district school board shall promote the use of the mobile suspicious activity reporting tool by advertising it on the school district website, in newsletters, on school campuses, and in school publications and by installing it on all computer devices issued to students.

Section 3. Subsection (9) is added to section 1001.10, Florida Statutes, to read:

1001.10 Commissioner of Education; general powers and duties.—

(9) The commissioner shall review the report of the School Hardening and Harm Mitigation Workgroup regarding hardening and harm mitigation strategies and recommendations submitted by the Office of Safe Schools, pursuant to s. 1001.212(12). By September 1, 2019, the commissioner shall submit a summary of such recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives. At a minimum, the summary must include policy and funding enhancements and the estimated costs of and timeframes for implementation of the campus hardening and harm mitigation strategies recommended by the workgroup.

Section 4. Subsection (9) of section 1001.11, Florida Statutes, is added to read:

581-02354-19

20197030__

1001.11 Commissioner of Education; other duties.—

(9) The commissioner shall oversee compliance with the safety and security requirements of the Marjory Stoneman Douglas High School Public Safety Act, chapter 2018-03, Laws of Florida, by school districts; district school superintendents; public schools, including charter schools; and regional and state entities. The commissioner must facilitate compliance to the maximum extent provided under law, identify incidents of noncompliance, and impose or recommend to the State Board of Education, the Governor, or the Legislature enforcement and sanctioning actions pursuant to s. 1008.32 and other authority granted under law.

Section 5. Subsection (1) is amended, and subsections (12) through (17) are added to section 1001.212, Florida Statutes, to read:

1001.212 Office of Safe Schools.—There is created in the Department of Education the Office of Safe Schools. The office is fully accountable to the Commissioner of Education. The office shall serve as a central repository for best practices, training standards, and compliance oversight in all matters regarding school safety and security, including prevention efforts, intervention efforts, and emergency preparedness planning. The office shall:

(1) Establish and update as necessary a school security risk assessment tool for use by school districts pursuant to s. 1006.07(6). The office shall make the security risk assessment tool available for use by charter schools. The office shall provide annual training to appropriate school district and charter school personnel on the proper assessment of physical

581-02354-19

20197030__

site security and completion of the school security risk
assessment tool.

(12) (a) Convene a School Hardening and Harm Mitigation
Workgroup comprised of individuals with subject matter expertise
on school campus hardening best practices. The workgroup shall
meet as necessary to review school hardening and harm mitigation
policies including, but not limited to, the target hardening
practices implemented in other states; the school safety
guidelines developed by organizations such as the Partner
Alliance for Safer Schools; the tiered approach to target campus
hardening strategies identified in the initial report submitted
by the Marjory Stoneman Douglas High School Public Safety
Commission pursuant to s. 943.687(9); and the Florida Building
Code for educational facilities construction to determine
whether the building code may need to be modified to strengthen
school safety and security. Based on this review of school
safety best practices, by August 1, 2019, the workgroup shall
submit a report to the executive director of the office, which
includes, at a minimum:

1. A prioritized list for the implementation of school
campus hardening and harm mitigation strategies and the
estimated costs of and timeframes for implementation of the
strategies by school districts and charter schools. The
estimated costs must include regional and statewide projections
of the implementation costs.

2. Recommendations for policy and funding enhancements to
strengthen school safety and security.

(b) Submit to the commissioner:

1. The workgroup's report pursuant to paragraph (a); and

581-02354-19

20197030__

2. Recommendations regarding procedures for the office to use to monitor and enforce compliance by the school districts and charter schools in the implementation of the workgroup's recommended campus hardening and harm mitigation strategies.

(13) Provide technical assistance to school districts and charter school governing boards for school environmental safety incident reporting as required under s. 1006.07(9). The office shall review and evaluate school district reports to ensure compliance with reporting requirements. Upon notification by the department that a superintendent has failed to comply with the requirements of s. 1006.07(9), the district school board shall withhold further payment of his or her salary as authorized under s. 1001.42(13)(b) and impose other appropriate sanctions that the commissioner or state board by law may impose.

(14) By August 1, 2019, develop a standardized, statewide behavioral threat assessment instrument for use by all public schools, including charter schools, which addresses early identification, evaluation, early intervention, and student support.

(a) The standardized, statewide behavioral threat assessment instrument must include, but need not be limited to, components and forms that address:

1. An assessment of the threat, which includes an assessment of the student, family, and school and social dynamics.

2. An evaluation to determine if the threat is transient or substantive.

3. The response to a substantive threat, which includes the school response and the role of law enforcement agencies.

581-02354-19

20197030__

291 4. The response to a serious substantive threat, including
292 mental health and law enforcement referrals.

293 5. Ongoing monitoring to assess implementation of safety
294 strategies.

295 6. Training for members of threat assessment teams
296 established under s. 1006.07(7) and school administrators
297 regarding the use of the instrument.

298 (b) The office shall:

299 1. By August 1, 2020, evaluate each school district's
300 behavioral threat assessment procedures for compliance with this
301 subsection.

302 2. Notify the district school superintendent if the school
303 district behavioral threat assessment is not in compliance with
304 this subsection.

305 3. Report any issues of ongoing noncompliance with this
306 subsection to the district school superintendent, commissioner,
307 and state board.

308 (15) Establish the Statewide Threat Assessment Database
309 Workgroup, comprised of members appointed by the department, to
310 make recommendations regarding the development of a statewide
311 threat assessment database. The database must allow authorized
312 public school personnel to enter information related to any
313 threat assessment conducted at their respective schools using
314 the instrument developed by the office pursuant to subsection
315 (14), and must provide such information to authorized personnel
316 in each school district and public school and to appropriate
317 stakeholders. By December 31, 2019, the workgroup shall provide
318 a report to the office with recommendations that include, but
319 need not be limited to:

581-02354-19

20197030__

320 (a) Threat assessment data that should be required to be
321 entered into the database.

322 (b) School district and public school personnel who should
323 be allowed to input student records to the database and view
324 such records.

325 (c) Database design and functionality, to include data
326 security.

327 (d) Restrictions and authorities on information sharing,
328 including:

329 1. Section 1002.22 and other applicable state laws.

330 2. The Family Educational Rights and Privacy Act (FERPA),
331 20 U.S.C. s. 1232g, 42 C.F.R. part 2; the Health Insurance
332 Portability and Accountability Act (HIPAA), 42 U.S.C. s. 1320d6,
333 45 C.F.R. part 164, subpart E; and other applicable federal
334 laws.

335 3. The appropriateness of interagency agreements that will
336 allow law enforcement to view database records.

337 (e) The cost to develop and maintain a statewide online
338 database.

339 (f) An implementation plan and timeline for the workgroup
340 recommendations.

341 (16) Monitor compliance with requirements relating to
342 school safety by school districts and public schools, including
343 charter schools. The office shall report incidents of
344 noncompliance to the commissioner pursuant to 1001.11(9) and the
345 state board pursuant to s. 1008.32 and other requirements of
346 law, as appropriate.

347 (17) Review and approve each district school board's and
348 charter school governing board's active assailant response

581-02354-19

20197030__

policy submitted pursuant to ss. 1006.07(6)(c) and
1002.33(16)(b). The office shall report any policy deficiencies
or issues of noncompliance to the commissioner pursuant to
1001.11(9) and the state board pursuant to s. 1008.32 and other
requirements of law, as appropriate.

Section 6. Paragraph (b) of subsection (16) of section
1002.33, Florida Statutes, is amended, to read:

1002.33 Charter schools.—

(16) EXEMPTION FROM STATUTES.—

(b) Additionally, a charter school shall be in compliance
with the following statutes:

1. Section 286.011, relating to public meetings and
records, public inspection, and criminal and civil penalties.

2. Chapter 119, relating to public records.

3. Section 1003.03, relating to the maximum class size,
except that the calculation for compliance pursuant to s.
1003.03 shall be the average at the school level.

4. Section 1012.22(1)(c), relating to compensation and
salary schedules.

5. Section 1012.33(5), relating to workforce reductions.

6. Section 1012.335, relating to contracts with
instructional personnel hired on or after July 1, 2011.

7. Section 1012.34, relating to the substantive
requirements for performance evaluations for instructional
personnel and school administrators.

8. Section 1006.12, relating to safe-school officers.

9. Section 1006.07(7), relating to threat assessment teams.

10. Section 1006.07(9), relating to School Environmental
Safety Incident Reporting.

581-02354-19

20197030__

378 11. Section 1006.1493, relating to Florida Safe School
379 Assessment Tool.

380 12. Section 1006.07(6)(c), relating to adopting an active
381 assailant response policy.

382 13. Section 943.082(4)(b), relating to the mobile
383 suspicious activity reporting tool.

384 14. Section 1012.584, relating to youth mental health
385 awareness and assistance training.

386 Section 7. Paragraph (c) of subsection (1) of section
387 1006.04, Florida Statutes, is amended to read:

388 1006.04 Educational multiagency services for students with
389 severe emotional disturbance.—

390 (1)

391 (c) The multiagency network shall:

392 1. Support and represent the needs of students in each
393 school district in joint planning with fiscal agents of
394 children's mental health funds, including the expansion of
395 school-based mental health services, transition services, and
396 integrated education and treatment programs.

397 2. Improve coordination of services for children with or at
398 risk of emotional or behavioral disabilities and their families:

399 a. By assisting multi-agency collaborative initiatives to
400 identify critical issues and barriers of mutual concern and
401 develop local response systems that increase home and school
402 connections and family engagement.

403 b. To provide that children who are referred for an
404 evaluation or screening to determine eligibility for services
405 receive the appropriate evaluation or screening within 45 days
406 after the referral. Students who are eligible for services, and

581-02354-19

20197030__

407 their families, must be provided a referral for the appropriate
408 services within 30 days after completion of the evaluation or
409 screening.

410 3. Increase parent and youth involvement and development
411 with local systems of care.

412 4. Facilitate student and family access to effective
413 services and programs for students with and at risk of emotional
414 or behavioral disabilities that include necessary educational,
415 residential, and mental health treatment services, enabling
416 these students to learn appropriate behaviors, reduce
417 dependency, and fully participate in all aspects of school and
418 community living.

419 Section 8. Subsection (6) and subsection (7) of section
420 1006.07, Florida Statutes, are amended, and subsection (9) is
421 added to that section, to read:

422 1006.07 District school board duties relating to student
423 discipline and school safety.—The district school board shall
424 provide for the proper accounting for all students, for the
425 attendance and control of students at school, and for proper
426 attention to health, safety, and other matters relating to the
427 welfare of students, including:

428 (6) SAFETY AND SECURITY BEST PRACTICES.—Each district
429 school superintendent shall establish policies and procedures
430 for the prevention of violence on school grounds, including the
431 assessment of and intervention with individuals whose behavior
432 poses a threat to the safety of the school community.

433 (a) Each district school superintendent shall designate a
434 ~~school administrator as~~ a school safety specialist for the
435 district. The school safety specialist must be a school

581-02354-19

20197030__

436 administrator employed by the school district or a law
437 enforcement officer employed by the sheriff's office located in
438 the school district. Any school safety specialist designated
439 from the sheriff's office must first be authorized and approved
440 by the sheriff employing the law enforcement officer. Any school
441 safety specialist designated from the sheriff's office remains
442 the employee of the office for purposes of compensation,
443 insurance, workers' compensation, and other benefits authorized
444 by law for a law enforcement officer employed by the sheriff's
445 office. The sheriff and the school superintendent may determine
446 by agreement the reimbursement for such costs, or may share the
447 costs, associated with employment of the law enforcement officer
448 as a school safety specialist. The school safety specialist must
449 earn a certificate of completion of the school safety specialist
450 training provided by the Office of Safe Schools within 1 year
451 after appointment and is responsible for the supervision and
452 oversight for all school safety and security personnel,
453 policies, and procedures in the school district. The school
454 safety specialist shall:

455 1. Review policies and procedures for compliance with state
456 law and rules.

457 2. Provide the necessary training and resources to students
458 and school district staff in matters relating to youth mental
459 health awareness and assistance; emergency procedures, including
460 active shooter training; and school safety and security.

461 3. Serve as the school district liaison with local public
462 safety agencies and national, state, and community agencies and
463 organizations in matters of school safety and security.

464 4. Conduct a school security risk assessment in accordance

581-02354-19

20197030__

with s. 1006.1493 at each public school using the school security risk assessment tool developed by the Office of Safe Schools. Based on the assessment findings, the district's school safety specialist shall provide recommendations to the district school board which identify strategies and activities that the district school board should implement in order to improve school safety and security. Annually, each district school board must receive such findings and the school safety specialist's recommendations at a publicly noticed district school board meeting to provide the public an opportunity to hear the district school board members discuss and take action on the findings and recommendations. Each school safety specialist shall report such findings and school board action to the Office of Safe Schools within 30 days after the district school board meeting.

(b) Each school safety specialist shall coordinate with the appropriate public safety agencies, as defined in s. 365.171, that are designated as first responders to a school's campus to conduct a tour of such campus once every 3 years and provide recommendations related to school safety. The recommendations by the public safety agencies must be considered as part of the recommendations by the school safety specialist pursuant to paragraph (a).

(c) Each district school board must adopt a well-developed, written, distributed, and trained upon active assailant response policy, which must be recommended by the district superintendent. The superintendent must approve any school-specific modifications to the district policy. Each district school board's active assailant response policy, including

581-02354-19

20197030__

494 school-specific modifications, must be submitted to the Office
495 of Safe Schools for approval pursuant to s. 1001.212(17) by
496 August 1, 2019.

497 (7) THREAT ASSESSMENT TEAMS.—Each district school board
498 shall adopt policies for the establishment of threat assessment
499 teams at each school whose duties include the coordination of
500 resources and assessment and intervention with individuals whose
501 behavior may pose a threat to the safety of school staff or
502 students consistent with the model policies developed by the
503 Office of Safe Schools. Such policies must ~~shall~~ include
504 procedures for referrals to mental health services identified by
505 the school district pursuant to s. 1012.584(4), when
506 appropriate, and procedures for behavioral threat assessments in
507 compliance with the instrument developed pursuant to s.
508 1001.212(14).

509 (a) A threat assessment team shall include persons with
510 expertise in counseling, instruction, school administration, and
511 law enforcement. The threat assessment teams shall identify
512 members of the school community to whom threatening behavior
513 should be reported and provide guidance to students, faculty,
514 and staff regarding recognition of threatening or aberrant
515 behavior that may represent a threat to the community, school,
516 or self. Upon the availability of the behavioral threat
517 assessment instrument developed pursuant to s. 1001.212(14), the
518 threat assessment team shall use that instrument.

519 (b) Upon a preliminary determination that a student poses a
520 threat of violence or physical harm to himself or herself or
521 others, a threat assessment team shall immediately report its
522 determination to the superintendent or his or her designee. The

581-02354-19

20197030__

superintendent or his or her designee shall immediately attempt to notify the student's parent or legal guardian. Nothing in this subsection shall preclude school district personnel from acting immediately to address an imminent threat.

(c) Upon a preliminary determination by the threat assessment team that a student poses a threat of violence to himself or herself or others or exhibits significantly disruptive behavior or need for assistance, the threat assessment team may obtain criminal history record information, as provided in s. 985.047. A member of a threat assessment team may not disclose any criminal history record information obtained pursuant to this section or otherwise use any record of an individual beyond the purpose for which such disclosure was made to the threat assessment team.

(d) Notwithstanding any other provision of law, all state and local agencies and programs that provide services to students experiencing or at risk of an emotional disturbance or a mental illness, including the school districts, school personnel, state and local law enforcement agencies, the Department of Juvenile Justice, the Department of Children and Families, the Department of Health, the Agency for Health Care Administration, the Agency for Persons with Disabilities, the Department of Education, the Statewide Guardian Ad Litem Office, and any service or support provider contracting with such agencies, may share with each other records or information that are confidential or exempt from disclosure under chapter 119 if the records or information are reasonably necessary to ensure access to appropriate services for the student or to ensure the safety of the student or others. All such state and local

581-02354-19

20197030__

agencies and programs shall communicate, collaborate, and coordinate efforts to serve such students.

(e) If an immediate mental health or substance abuse crisis is suspected, school personnel shall follow policies established by the threat assessment team to engage behavioral health crisis resources. Behavioral health crisis resources, including, but not limited to, mobile crisis teams and school resource officers trained in crisis intervention, shall provide emergency intervention and assessment, make recommendations, and refer the student for appropriate services. Onsite school personnel shall report all such situations and actions taken to the threat assessment team, which shall contact the other agencies involved with the student and any known service providers to share information and coordinate any necessary followup actions.

(f) Each threat assessment team established pursuant to this subsection shall report quantitative data on its activities to the Office of Safe Schools in accordance with guidance from the office and shall utilize the threat assessment database developed pursuant to s. 1001.212(15) upon the availability of the database.

(9) SCHOOL ENVIRONMENTAL SAFETY INCIDENT REPORTING.—Each district school board shall adopt policies to ensure the accurate and timely reporting of incidents related to school safety and discipline. The district school superintendent is responsible for school environmental safety incident reporting. A district school superintendent who fails to comply with this subsection is subject to the penalties specified in law, including, but not limited to, s. 1001.42(13)(b) or s. 1001.51(12)(b), as applicable. The State Board of Education

581-02354-19

20197030__

581 shall adopt rules establishing the requirements for the school
582 environmental safety incident report.

583 Section 9. Section 1006.12, Florida Statutes, is amended to
584 read:

585 1006.12 Safe-school officers at each public school.—For the
586 protection and safety of school personnel, property, students,
587 and visitors, each district school board, and school district
588 superintendent, and charter school governing board, as
589 applicable, shall partner with law enforcement agencies to
590 establish or assign one or more safe-school officers at each
591 school facility within the district by implementing any
592 combination of the following options which best meets the needs
593 of the school district:

594 (1) Establish school resource officer programs, through a
595 cooperative agreement with law enforcement agencies.

596 (a) School resource officers shall undergo criminal
597 background checks, drug testing, and a psychological evaluation
598 and be certified law enforcement officers, as defined in s.
599 943.10(1), who are employed by a law enforcement agency as
600 defined in s. 943.10(4). The powers and duties of a law
601 enforcement officer shall continue throughout the employee's
602 tenure as a school resource officer.

603 (b) School resource officers shall abide by district school
604 board policies and shall consult with and coordinate activities
605 through the school principal, but shall be responsible to the
606 law enforcement agency in all matters relating to employment,
607 subject to agreements between a district school board and a law
608 enforcement agency. Activities conducted by the school resource
609 officer which are part of the regular instructional program of

581-02354-19

20197030__

the school shall be under the direction of the school principal.

(c) Complete mental health crisis intervention training using a curriculum developed by a national organization with expertise in mental health crisis intervention. The training shall improve officers' knowledge and skills as first responders to incidents involving students with emotional disturbance or mental illness, including de-escalation skills to ensure student and officer safety.

(2) Commission one or more school safety officers for the protection and safety of school personnel, property, and students within the school district. The district school superintendent may recommend, and the district school board may appoint, one or more school safety officers.

(a) School safety officers shall undergo criminal background checks, drug testing, and a psychological evaluation and be law enforcement officers, as defined in s. 943.10(1), certified under the provisions of chapter 943 and employed by either a law enforcement agency or by the district school board. If the officer is employed by the district school board, the district school board is the employing agency for purposes of chapter 943, and must comply with the provisions of that chapter.

(b) A school safety officer has and shall exercise the power to make arrests for violations of law on district school board property and to arrest persons, whether on or off such property, who violate any law on such property under the same conditions that deputy sheriffs are authorized to make arrests. A school safety officer has the authority to carry weapons when performing his or her official duties.

581-02354-19

20197030__

(c) A district school board may enter into mutual aid agreements with one or more law enforcement agencies as provided in chapter 23. A school safety officer's salary may be paid jointly by the district school board and the law enforcement agency, as mutually agreed to.

(3) At the school district's, or charter school governing board's, discretion, participate in the Coach Aaron Feis Guardian Program ~~if such program is established pursuant to s. 30.15,~~ to meet the requirement of establishing a safe-school officer. The following individuals may serve as a school guardian upon satisfactory completion of the requirements under s. 30.15(1)(k) and certification by a sheriff:

(a) A school district employee or personnel, as defined under s. 1012.01, or a charter school employee, as provided under s. 1002.33(12)(a), who volunteers to serve as a school guardian in addition to his or her official job duties;

(b) An employee of a school district or a charter school who is hired for the specific purpose of serving as a school guardian; or

(c) A contract employee licensed under s. 493.6301 who works in the school district or for a charter school through a contract with a security agency as that term is defined in s. 493.6101(18). Contract employees may receive school guardian training through a participating sheriff's office contingent upon defined financial or service obligations by the security agency enumerated in the contract between the school district or the charter school governing board, as appropriate, and the security agency.

(4) Any information that would identify whether a

581-02354-19

20197030__

particular individual has been appointed as a safe-school officer pursuant to this section held by a law enforcement agency, school district, or charter school is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution. This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2023, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 10. Section 1006.1493, Florida Statutes, is amended to read:

1006.1493 Florida Safe Schools Assessment Tool.—

(1) The department, through the Office of Safe Schools pursuant s. 1001.212, shall contract with a security consulting firm that specializes in the development of risk assessment software solutions and has experience in conducting security assessments of public facilities to develop, update, and implement a risk assessment tool, which shall be known as the Florida Safe Schools Assessment Tool (FSSAT). The FSSAT must be the primary physical site security assessment tool as revised and required by the Office of Safe Schools that is used by school officials at each school district and public school site in the state in conducting security assessments ~~for use by school officials at each school district and public school site in the state.~~

(2) The FSSAT must help school officials identify threats, vulnerabilities, and appropriate safety controls for the schools that they supervise, pursuant to the security risk assessment requirements of s. 1006.07(6).

(a) At a minimum, the FSSAT must address all of the

581-02354-19

20197030__

following components:

1. School emergency and crisis preparedness planning;
2. Security, crime, and violence prevention policies and procedures;
3. Physical security measures;
4. Professional development training needs;
5. An examination of support service roles in school safety, security, and emergency planning;
6. School security and school police staffing, operational practices, and related services;
7. School and community collaboration on school safety; and
8. A return on investment analysis of the recommended physical security controls.

(b) The department shall require by contract that the security consulting firm:

1. Generate written automated reports on assessment findings for review by the department and school and district officials;
2. Provide training to the department and school officials in the use of the FSSAT and other areas of importance identified by the department; and
3. Advise in the development and implementation of templates, formats, guidance, and other resources necessary to facilitate the implementation of this section at state, district, school, and local levels.

(3) The Office of Safe Schools must provide annual training to each district's school safety specialist and other appropriate school district personnel on the assessment of physical site security and completing the FSSAT.

581-02354-19

20197030__

(4) Each district school superintendent, by August 1 of each year, shall submit an FSSAT assessment to the department for each school site. Each school-specific assessment must be approved by the district superintendent or his or her designee, who must be the district's school safety specialist or a deputy superintendent or assistant superintendent. Any superintendent who fails to comply with the requirements of this subsection is subject to penalties under s. 1001.51(12)(b) and other sanctions that may be applied by the commissioner or state board.

(5) By December 1 of each year, ~~By December 1, 2018, and annually by that date thereafter,~~ the department shall ~~must~~ report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the status of implementation across school districts and schools. The report must include a summary of the positive school safety measures in place at the time of the assessment and any recommendations for policy changes or funding needed to facilitate continued school safety planning, improvement, and response at the state, district, or school levels.

(6)~~(4)~~ In accordance with ss. 119.071(3)(a) and 281.301, data and information related to security risk assessments administered pursuant to this section and s. 1006.07(6) and the security information contained in the annual report required pursuant to subsection (3) are confidential and exempt from public records requirements.

Section 11. Subsection (15) of section 1011.62, Florida Statutes, is amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each

581-02354-19

20197030__

district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(15) SAFE SCHOOLS ALLOCATION.—A safe schools allocation is created to provide funding to assist school districts in their compliance with s. 1006.07, with priority given to implementing the district's school resource officer program pursuant to s. 1006.12. Each school district shall receive a minimum safe schools allocation in an amount provided in the General Appropriations Act. Of the remaining balance of the safe schools allocation, two-thirds shall be allocated to school districts based on the most recent official Florida Crime Index provided by the Department of Law Enforcement and one-third shall be allocated based on each school district's proportionate share of the state's total unweighted full-time equivalent student enrollment. Any additional funds appropriated to this allocation in the 2018-2019 fiscal year must ~~to the school resource officer program established pursuant to s. 1006.12 shall~~ be used exclusively for employing or contracting for safe-school resource officers, established or assigned under s. 1006.12 ~~which shall be in addition to the number of officers employed or contracted for in the 2017-2018 fiscal year. This subsection applies retroactively to July 1, 2018. The amendments to this subsection are intended to be clarifying and remedial in nature.~~

Section 12. Effective July 1, 2019, paragraph (b) of subsection (6) of section 1011.62, Florida Statutes, and subsection (15) of that section, as amended by this act, are amended to read:

581-02354-19

20197030__

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(6) CATEGORICAL FUNDS.—

(b) If a district school board finds and declares in a resolution adopted at a regular meeting of the school board that the funds received for any of the following categorical appropriations are urgently needed to maintain school board specified academic classroom instruction or improve school safety, the school board may consider and approve an amendment to the school district operating budget transferring the identified amount of the categorical funds to the appropriate account for expenditure:

1. Funds for student transportation.

2. Funds for research-based reading instruction if the required additional hour of instruction beyond the normal school day for each day of the entire school year has been provided for the students in each low-performing elementary school in the district pursuant to paragraph (9) (a).

3. Funds for instructional materials if all instructional material purchases necessary to provide updated materials that are aligned with applicable state standards and course descriptions and that meet statutory requirements of content and learning have been completed for that fiscal year, but no sooner than March 1. Funds available after March 1 may be used to purchase hardware for student instruction.

581-02354-19

20197030__

813 4. Funds for the guaranteed allocation as provided in
814 subparagraph (1)(e)2.

815 5. Funds for the supplemental academic instruction
816 allocation as provided in paragraph (1)(f).

817 6. Funds for Florida digital classrooms allocation as
818 provided in subsection (12).

819 7. Funds for the federally connected student supplement as
820 provided in subsection (13).

821 8. Funds for class size reduction as provided in s.
822 1011.685.

823 (15) SAFE SCHOOLS ALLOCATION.—A safe schools allocation is
824 created to provide funding to assist school districts in their
825 compliance with s. 1006.07, with priority given to implementing
826 the district's school resource officer program pursuant to s.
827 1006.12. Each school district shall receive a minimum safe
828 schools allocation in an amount provided in the General
829 Appropriations Act. Of the remaining balance of the safe schools
830 allocation, one-third ~~two-thirds~~ shall be allocated to school
831 districts based on the most recent official Florida Crime Index
832 provided by the Department of Law Enforcement and two-thirds
833 ~~one-third~~ shall be allocated based on each school district's
834 proportionate share of the state's total unweighted full-time
835 equivalent student enrollment. ~~Any additional funds appropriated~~
836 ~~to this allocation in the 2018-2019 fiscal year must be used~~
837 ~~exclusively for employing or contracting for safe-school~~
838 ~~officers, established or assigned under s. 1006.12. This~~
839 ~~subsection applies retroactively to July 1, 2018. The amendments~~
840 ~~to this subsection are intended to be clarifying and remedial in~~
841 ~~nature.~~

581-02354-19

20197030__

842 Section 13. The Legislature finds that a proper and
843 legitimate state purpose is served when district school boards
844 are afforded options for the provision of safe-school officers
845 for the protection and safety of school personnel, property,
846 students, and visitors. School guardians must be available to
847 any district school board that chooses such an option.
848 Therefore, the Legislature determines and declares that this act
849 fulfills an important state interest.

850 Section 14. Except as otherwise expressly provided in this
851 act, this act shall take effect upon becoming a law.