

By Senators Lawson and Campbell

4-2363-02

1 A bill to be entitled
2 An act relating to public records; providing an
3 exemption from the public-records law for
4 information held by a school principal or
5 member of the principal's staff which
6 identifies a student who reports the presence
7 of controlled substances or a weapon or firearm
8 or who reports impending or suspected
9 activities that may result in injury or death;
10 authorizing the release of such information to
11 the reporting student's parent or legal
12 guardian or to a law enforcement officer upon
13 request; requiring that the confidentiality of
14 such information be maintained regardless of a
15 criminal, civil, or administrative proceeding;
16 providing for retroactive application;
17 providing for future legislative review and
18 repeal; providing a statement of public
19 necessity; providing an effective date.

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

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23 Section 1. Confidentiality of records of certain
24 reports made by students.--

25 (1)(a) The name, student identification number, and
26 other personal information held by a school principal or
27 member of the principal's staff is exempt from section
28 119.07(1), Florida Statutes, and Section 24(a) of Article I of
29 the State Constitution, if the information identifies a
30 student who has reported:

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1 1. The presence, on or off campus, of a substance
2 controlled under chapter 893, Florida Statutes, or a weapon or
3 firearm, as defined in chapter 790, Florida Statutes; or

4 2. Impending or suspected activities, on or off
5 campus, which may result in injury or death to any person.

6 (b) Information that is confidential under paragraph
7 (a) may not be disclosed to any person or entity not approved
8 by the school principal or the principal's designee, except
9 that such information may be disclosed to the reporting
10 student's parent or legal guardian or to a law enforcement
11 officer if such information is requested by the reporting
12 student's parent or legal guardian or the law enforcement
13 officer.

14 (2) If information reported by a student results in a
15 criminal, civil, or administrative proceeding, the reporting
16 student's name, student identification number, or other
17 personal information shall remain exempt from disclosure.

18 (3) This section applies to information held by a
19 school principal or member of the principal's staff on or
20 before January 7, 2003.

21 (4) This section is subject to the Open Government
22 Sunset Review Act of 1995 in accordance with section 119.15,
23 Florida Statutes, and shall stand repealed on October 2, 2007,
24 unless reviewed and saved from repeal through reenactment by
25 the Legislature.

26 Section 2. The Legislature finds that it is a public
27 necessity that the name, student identification number, or
28 other personal information held by a school principal or
29 member of the principal's staff which identifies a student who
30 reports the presence of a controlled substance or weapon or
31 firearm, or who reports impending or suspected activities that

1 may result in injury or death to any person, be made exempt
2 from public disclosure because release of such information
3 could place the student in danger. Furthermore, release of a
4 reporting student's name or other identifying information
5 would impair the effective and efficient administration of a
6 school program designed to provide students with the
7 opportunity to anonymously report illegal activities that
8 occur or may take place on or off the school campus. If a
9 reporting student's identity were not protected, the student
10 would be reluctant to participate in a program that provides
11 for the anonymous reporting of illegal activities.

12 Section 3. This act shall take effect January 7, 2003.

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15 SENATE SUMMARY

16 Provides an exemption from public-records requirements
17 for information that identifies a student who reports the
18 presence of controlled substances, weapons, or firearms
19 or who reports impending or suspected activities that may
20 result in injury or death. Provides certain exceptions.
21 Provides for retroactive application. Provides for future
22 legislative review and repeal under the Open Government
23 Sunset Review Act.
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