

By the Committee on Education Pre-K - 12; and Senator Negrón

581-02972-12

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1 A bill to be entitled

2 An act relating to student health and safety; amending  
3 s. 1006.07, F.S.; requiring district school board  
4 policies to list the emergency response agencies that  
5 are responsible for notifying the school district of  
6 emergencies; amending s. 1002.20, F.S.; authorizing a  
7 public school to maintain a supply of epinephrine  
8 auto-injectors; providing that a physician may  
9 prescribe epinephrine auto-injectors to be maintained  
10 for emergency use when any student is having an  
11 anaphylactic reaction; providing that the supply of  
12 epinephrine auto-injectors may be provided to and used  
13 by any student authorized to self-administer  
14 epinephrine by auto-injector; amending s. 1002.42,  
15 F.S.; requiring the emergency response agencies to  
16 notify private schools in the school district of  
17 emergencies under certain circumstances; authorizing a  
18 private school to maintain a supply of epinephrine  
19 auto-injectors; providing that a physician may  
20 prescribe epinephrine auto-injectors to be maintained  
21 for emergency use when any student is having an  
22 anaphylactic reaction; providing that the supply of  
23 epinephrine auto-injectors may be provided to and used  
24 by any student authorized to self-administer  
25 epinephrine by auto-injector; providing an effective  
26 date.

27  
28 Be It Enacted by the Legislature of the State of Florida:  
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30 Section 1. Subsection (4) of section 1006.07, Florida  
31 Statutes, is amended to read:

32 1006.07 District school board duties relating to student  
33 discipline and school safety.—The district school board shall  
34 provide for the proper accounting for all students, for the  
35 attendance and control of students at school, and for proper  
36 attention to health, safety, and other matters relating to the  
37 welfare of students, including:

38 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

39 (a) Formulate and prescribe policies and procedures for  
40 emergency drills and for actual emergencies, including, but not  
41 limited to, fires, natural disasters, and bomb threats, for all  
42 the public schools of the district which comprise grades K-12.  
43 District school board policies shall include commonly used alarm  
44 system responses for specific types of emergencies and  
45 verification by each school that drills have been provided as  
46 required by law and fire protection codes. The emergency  
47 response agency that is responsible for notifying the school  
48 district for each type of emergency must be listed in the  
49 district's emergency response policy.

50 (b) ~~The district school board shall~~ Establish model  
51 emergency management and emergency preparedness procedures,  
52 including emergency notification procedures pursuant to  
53 paragraph (a), for the following life-threatening emergencies:

- 54 1. Weapon-use and hostage situations.
- 55 2. Hazardous materials or toxic chemical spills.
- 56 3. Weather emergencies, including hurricanes, tornadoes,  
57 and severe storms.
- 58 4. Exposure as a result of a manmade emergency.

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59 Section 2. Paragraph (i) of subsection (3) of section  
60 1002.20, Florida Statutes, is amended to read:

61 1002.20 K-12 student and parent rights.—Parents of public  
62 school students must receive accurate and timely information  
63 regarding their child’s academic progress and must be informed  
64 of ways they can help their child to succeed in school. K-12  
65 students and their parents are afforded numerous statutory  
66 rights including, but not limited to, the following:

67 (3) HEALTH ISSUES.—

68 (i) *Epinephrine use and supply*.—

69 1. A student who has experienced or is at risk for life-  
70 threatening allergic reactions may carry an epinephrine auto-  
71 injector and self-administer epinephrine by auto-injector while  
72 in school, participating in school-sponsored activities, or in  
73 transit to or from school or school-sponsored activities if the  
74 school has been provided with parental and physician  
75 authorization. The State Board of Education, in cooperation with  
76 the Department of Health, shall adopt rules for such use of  
77 epinephrine auto-injectors that shall include provisions to  
78 protect the safety of all students from the misuse or abuse of  
79 auto-injectors. A school district, county health department,  
80 public-private partner, and their employees and volunteers shall  
81 be indemnified by the parent of a student authorized to carry an  
82 epinephrine auto-injector for any and all liability with respect  
83 to the student’s use of an epinephrine auto-injector pursuant to  
84 this paragraph.

85 2. A public school may maintain in a locked, secure  
86 location on its premises a supply of epinephrine auto-injectors.  
87 A physician may prescribe epinephrine auto-injectors in the name

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88 of the school to be maintained for emergency use when any  
89 student is having an anaphylactic reaction. The supply of  
90 epinephrine auto-injectors may be provided to and used by any  
91 student authorized to self-administer epinephrine by auto-  
92 injector under subparagraph 1.

93 Section 3. Subsections (16) and (17) are added to section  
94 1002.42, Florida Statutes, to read:

95 1002.42 Private schools.—

96 (16) EMERGENCY PROCEDURES.—The emergency response agencies  
97 that are identified in a district school board's emergency  
98 response policy pursuant to s. 1006.07(4) and that are  
99 responsible for notifying the school district of an occurrence  
100 that threatens student safety shall also notify private schools  
101 in the district that request such notification by opting into  
102 the district school board's emergency notification procedures.

103 (17) EPINEPHRINE SUPPLY.—A private school may maintain in a  
104 locked, secure location on its premises a supply of epinephrine  
105 auto-injectors. A physician may prescribe epinephrine auto-  
106 injectors in the name of the private school to be maintained for  
107 emergency use when any student is having an anaphylactic  
108 reaction. The supply of epinephrine auto-injectors may be  
109 provided to and used by any student authorized to self-  
110 administer epinephrine by auto-injector under s. 1002.20(3)(i).

111 Section 4. This act shall take effect July 1, 2012.