

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Eskamani offered the following:

Amendment (with title amendment)

Remove lines 64-652 and insert:

Section 1. Section 1001.212, Florida Statutes, is amended 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

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13 efforts, intervention efforts, and emergency preparedness
14 planning. The office shall:

15 (1) Administer the Florida Safe Schools Assessment Tool
16 (FSSAT) required by s. 1006.1493 ~~Establish and update as~~
17 ~~necessary a school security risk assessment tool for use by~~
18 ~~school districts pursuant to s. 1006.07(6). The office shall~~
19 ~~make the security risk assessment tool available for use by~~
20 ~~charter schools.~~

21 (2) Provide ongoing professional development opportunities
22 to school district personnel.

23 (3) Provide a coordinated and interdisciplinary approach
24 to providing technical assistance and guidance to school
25 districts on their implementation of the strategies and
26 activities necessary ~~safety and security and recommendations~~ to
27 address the findings identified as a result of the FSSAT
28 conducted pursuant to s. 1006.07(6). The office may contract
29 with security personnel, consulting engineers, architects, or
30 other safety and security experts that the office deems
31 necessary to provide such assistance and guidance.

32 (4) Develop and implement a School Safety Specialist
33 Training Program for school safety specialists appointed
34 pursuant to s. 1006.07(6). The office shall develop the training
35 program which shall be based on national and state best
36 practices on school safety and security and must include active
37 shooter training. The office shall develop training modules in

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38 traditional or online formats. A school safety specialist
39 certificate of completion shall be awarded to a school safety
40 specialist who satisfactorily completes the training required by
41 rules of the office.

42 ~~(5) Review and provide recommendations on the security~~
43 ~~risk assessments. The department may contract with security~~
44 ~~personnel, consulting engineers, architects, or other safety and~~
45 ~~security experts the department deems necessary for safety and~~
46 ~~security consultant services.~~

47 (5)~~(6)~~ Coordinate with the Department of Law Enforcement
48 to provide a centralized integrated data repository and data
49 analytics resources to improve access to timely, complete, and
50 accurate information integrating data from, at a minimum, but
51 not limited to, the following data sources by August 1, 2019
52 ~~December 1, 2018~~:

53 (a) Social media monitoring tool;

54 (b) Department of Children and Families;

55 (c) Department of Law Enforcement;

56 (d) Department of Juvenile Justice;

57 (e) Mobile suspicious activity reporting tool known as
58 FortifyFL;

59 (f) School environment safety incident reports collected
60 under subsection (9); and

61 (g)~~(e)~~ Local law enforcement.
62

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63 Data that is exempt or confidential and exempt from public
64 records requirements retains its exempt or confidential and
65 exempt status when incorporated into the centralized integrated
66 data repository. To maintain the confidentiality requirements
67 attached to the information provided to the centralized
68 integrated data repository by the various state and local
69 agencies, data governance and security shall ensure compliance
70 with all applicable state and federal data privacy requirements
71 through the use of user authorization and role-based security,
72 data anonymization and aggregation and auditing capabilities. To
73 maintain the confidentiality requirements attached to the
74 information provided to the centralized integrated data
75 repository by the various state and local agencies, each source
76 agency providing data to the repository shall be the sole
77 custodian of the data for the purpose of any request for
78 inspection or copies thereof under chapter 119. The department
79 shall only allow access to data from the source agencies in
80 accordance with rules adopted by the respective source agencies.

81 (6) Provide data to support the evaluation of mental
82 health services pursuant to s. 1004.44.

83 ~~(7) Data that is exempt or confidential and exempt from~~
84 ~~public records requirements retains its exempt or confidential~~
85 ~~and exempt status when incorporated into the centralized~~
86 ~~integrated data repository.~~

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87 ~~(8) To maintain the confidentiality requirements attached~~
88 ~~to the information provided to the centralized integrated data~~
89 ~~repository by the various state and local agencies, data~~
90 ~~governance and security shall ensure compliance with all~~
91 ~~applicable state and federal data privacy requirements through~~
92 ~~the use of user authorization and role-based security, data~~
93 ~~anonymization and aggregation and auditing capabilities.~~

94 ~~(9) To maintain the confidentiality requirements attached~~
95 ~~to the information provided to the centralized integrated data~~
96 ~~repository by the various state and local agencies, each source~~
97 ~~agency providing data for the repository shall be the sole~~
98 ~~custodian of the data for the purpose of any request for~~
99 ~~inspection or copies thereof under chapter 119. The department~~
100 ~~shall only allow access to data from the source agencies in~~
101 ~~accordance with rules adopted by the respective source agencies.~~

102 ~~(7)(10) Award grants to schools to improve the safety and~~
103 ~~security of school buildings based upon recommendations of the~~
104 ~~Florida Safe Schools Assessment Tool security risk assessment~~
105 ~~developed pursuant to subsection (1).~~

106 ~~(8)(11) Disseminate, in consultation with the Department~~
107 ~~of Law Enforcement, to participating schools awareness and~~
108 ~~education materials on the School Safety Awareness Program~~
109 ~~developed pursuant to s. 943.082.~~

110 ~~(9) Collect data through school environment safety~~
111 ~~incident reports on incidents that occur on school premises, on~~

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112 school transportation, and at off-campus, school-sponsored
113 events, committed by students, nonstudents, or unknown
114 offenders.

115 (10) Define the types of public schools and campuses that
116 are subject to the requirements of ss. 1006.07 and 1006.12.

117 (11) Verify the accuracy of school safety and discipline
118 data reported by school districts and report any violation of
119 the reporting requirements to the Commissioner of Education for
120 review pursuant to s. 1012.796.

121 Section 2. Paragraphs (b) and (c) of subsection (16) of
122 section 1002.33, Florida Statutes, are amended to read:

123 1002.33 Charter schools.—

124 (16) EXEMPTION FROM STATUTES.—

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

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

129 2. Chapter 119, relating to public records.

130 3. Section 1003.03, relating to the maximum class size,
131 except that the calculation for compliance pursuant to s.
132 1003.03 shall be the average at the school level.

133 4. Section 1006.07(4) and (6)-(9), relating to school
134 safety.

135 5.4. Section 1012.22(1)(c), relating to compensation and
136 salary schedules.

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137 ~~6.5.~~ Section 1012.33(5), relating to workforce reductions.

138 ~~7.6.~~ Section 1012.335, relating to contracts with
139 instructional personnel hired on or after July 1, 2011.

140 ~~8.7.~~ Section 1012.34, relating to the substantive
141 requirements for performance evaluations for instructional
142 personnel and school administrators.

143 (c) For purposes of subparagraphs (b)4.-8. ~~(b)4.-7.:~~

144 1. The duties assigned to a district school superintendent
145 apply to charter school administrative personnel, as defined in
146 s. 1012.01(3)(a) and (b), and the charter school governing board
147 shall designate at least one administrative person to be
148 responsible for such duties.

149 2. The duties assigned to a district school board apply to
150 a charter school governing board.

151 3. A charter school may hire instructional personnel and
152 other employees on an at-will basis.

153 4. Notwithstanding any provision to the contrary,
154 instructional personnel and other employees on contract may be
155 suspended or dismissed any time during the term of the contract
156 without cause.

157 Section 3. Subsection (2) of section 1003.25, Florida
158 Statutes, is amended to read:

159 1003.25 Procedures for maintenance and transfer of student
160 records.-

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161 (2) The procedure for transferring and maintaining records
162 of students who transfer from school to school shall be
163 prescribed by rules of the State Board of Education. The
164 intradistrict transfer of records shall occur within 1 school
165 day and the interdistrict transfer of records shall occur within
166 2 school days. The records shall include:

167 (a) Verified reports of serious or recurrent behavior
168 patterns, including threat assessment evaluations and
169 intervention services.

170 (b) Psychological evaluations, including therapeutic
171 treatment plans and therapy or progress notes created or
172 maintained by school district staff.

173 Section 4. Paragraph (b) of subsection (1), paragraph (a)
174 of subsection (4), paragraph (a) of subsection (6), and
175 subsection (7) of section 1006.07, Florida Statutes, are
176 amended, and subsection (9) is added to that section, to read:

177 1006.07 District school board duties relating to student
178 discipline and school safety.—The district school board shall
179 provide for the proper accounting for all students, for the
180 attendance and control of students at school, and for proper
181 attention to health, safety, and other matters relating to the
182 welfare of students, including:

183 (1) CONTROL OF STUDENTS.—

184 (b) Require each student at the time of initial
185 registration for school in the school district to note previous

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186 school expulsions, arrests resulting in a charge, juvenile
187 justice actions, and any corresponding referral ~~referrals~~ to
188 mental health services by the school district ~~the student has~~
189 ~~had~~, and have the authority as the district school board of a
190 receiving school district to honor the final order of expulsion
191 or dismissal of a student by any in-state or out-of-state public
192 district school board or private school, or lab school, for an
193 act which would have been grounds for expulsion according to the
194 receiving district school board's code of student conduct, in
195 accordance with the following procedures:

196 1. A final order of expulsion shall be recorded in the
197 records of the receiving school district.

198 2. The expelled student applying for admission to the
199 receiving school district shall be advised of the final order of
200 expulsion.

201 3. The district school superintendent of the receiving
202 school district may recommend to the district school board that
203 the final order of expulsion be waived and the student be
204 admitted to the school district, or that the final order of
205 expulsion be honored and the student not be admitted to the
206 school district. If the student is admitted by the district
207 school board, with or without the recommendation of the district
208 school superintendent, the student may be placed in an
209 appropriate educational program and referred to mental health
210 services identified by the school district pursuant to s.

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211 1012.584(4), when appropriate, at the direction of the district
212 school board.

213 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

214 (a) Formulate and prescribe policies and procedures, in
215 consultation with the appropriate public safety agencies, for
216 emergency drills and for actual emergencies, including, but not
217 limited to, fires, natural disasters, active shooter and hostage
218 situations, and bomb threats, for all students and faculty at
219 all public schools of the district comprised of grades K-12.
220 Drills for active shooter and hostage situations shall be
221 conducted in accordance with requirements of the Office of Safe
222 Schools ~~at least as often as other emergency drills~~. District
223 school board policies shall include commonly used alarm system
224 responses for specific types of emergencies and verification by
225 each school that drills have been provided as required by law
226 and fire protection codes. The emergency response policy shall
227 identify the individuals responsible for contacting the primary
228 emergency response agency and the emergency response agency that
229 is responsible for notifying the school district for each type
230 of emergency.

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

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236 (a) Each district school superintendent shall designate a
237 ~~school administrator as a~~ school safety specialist for the
238 district. The school safety specialist must earn a certificate
239 of completion of the school safety specialist training provided
240 by the Office of Safe Schools within 1 year after appointment
241 and is responsible for the supervision and oversight for all
242 school safety and security personnel, policies, and procedures
243 in the school district. The school safety specialist shall:

244 1. Review school district policies and procedures for
245 compliance with state law and rules, including the district's
246 timely and accurate submission of incidents to the department.

247 2. Provide the necessary training and resources to
248 students and school district staff in matters relating to youth
249 mental health awareness and assistance; emergency procedures,
250 including active shooter training; and school safety and
251 security.

252 3. Serve as the school district liaison with local public
253 safety agencies and national, state, and community agencies and
254 organizations in matters of school safety and security.

255 4. In collaboration with the appropriate public safety
256 agencies, as defined in s. 365.171, annually conduct a school
257 security risk assessment ~~in accordance with s. 1006.1493~~ at each
258 public school using the Florida Safe Schools Assessment Tool
259 ~~school security risk assessment tool~~ developed by the Office of
260 Safe Schools pursuant to s. 1006.1493. Based on the assessment

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261 findings, the district's school safety specialist shall provide
262 recommendations to the district school superintendent and the
263 district school board which identify strategies and activities
264 that the district school board should implement in order to
265 address the findings and improve school safety and security.
266 ~~Annually,~~ Each district school board must receive such findings
267 and the school safety specialist's recommendations at a publicly
268 noticed district school board meeting to provide the public an
269 opportunity to hear the district school board members discuss
270 and take action on the findings and recommendations. Each school
271 safety specialist shall report such findings and school board
272 action to the Office of Safe Schools within 30 days after the
273 district school board meeting.

274 (7) THREAT ASSESSMENT TEAMS.—Each district school board
275 shall adopt policies for the establishment of threat assessment
276 teams at each school whose duties include the coordination of
277 resources and assessment and intervention with individuals whose
278 behavior may pose a threat to the safety of school staff or
279 students consistent with s. 1006.13 and the model policies
280 developed by the Office of Safe Schools. Such policies shall
281 include procedures for conducting threat assessments using the
282 instrument developed by the Office of Safe Schools, providing
283 authorized members of the threat assessment team with access to
284 school-level and district-level data and the data provided
285 pursuant to s. 1001.212(6), and making referrals to mental

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286 health services identified by the school district pursuant to s.
287 1012.584(4), when appropriate.

288 (a) A threat assessment team shall include persons with
289 expertise in counseling, instruction, school administration, and
290 law enforcement. The threat assessment teams shall identify
291 members of the school community to whom threatening behavior
292 should be reported and provide guidance to students, faculty,
293 and staff regarding recognition of threatening or aberrant
294 behavior that may represent a threat to the community, school,
295 or self.

296 (b) Upon a preliminary determination that a student poses
297 a threat of violence or physical harm to himself or herself or
298 others, a threat assessment team shall immediately report its
299 determination to the superintendent or his or her designee. The
300 superintendent or his or her designee shall immediately attempt
301 to notify the student's parent or legal guardian. Nothing in
302 this subsection shall preclude school district personnel from
303 acting immediately to address an imminent threat.

304 (c) Upon a preliminary determination by the threat
305 assessment team that a student poses a threat of violence to
306 himself or herself or others or exhibits significantly
307 disruptive behavior or need for assistance, authorized members
308 of the threat assessment team may obtain criminal history record
309 information pursuant to s. 985.04(1), as provided in s. 985.047.
310 A member of a threat assessment team may not disclose any

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311 criminal history record information obtained pursuant to this
312 section or otherwise use any record of an individual beyond the
313 purpose for which such disclosure was made to the threat
314 assessment team.

315 (d) Notwithstanding any other provision of law, all state
316 and local agencies and programs that provide services to
317 students experiencing or at risk of an emotional disturbance or
318 a mental illness, including the school districts, school
319 personnel, state and local law enforcement agencies, the
320 Department of Juvenile Justice, the Department of Children and
321 Families, the Department of Health, the Agency for Health Care
322 Administration, the Agency for Persons with Disabilities, the
323 Department of Education, the Statewide Guardian Ad Litem Office,
324 and any service or support provider contracting with such
325 agencies, may share with each other records or information that
326 are confidential or exempt from disclosure under chapter 119 if
327 the records or information are reasonably necessary to ensure
328 access to appropriate services for the student or to ensure the
329 safety of the student or others. All such state and local
330 agencies and programs shall communicate, collaborate, and
331 coordinate efforts to serve such students.

332 (e) If an immediate mental health or substance abuse
333 crisis is suspected, school personnel shall follow policies
334 established by the threat assessment team to engage behavioral
335 health crisis resources. Behavioral health crisis resources,

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336 including, but not limited to, mobile crisis teams and school
337 resource officers trained in crisis intervention, shall provide
338 emergency intervention and assessment, make recommendations, and
339 refer the student for appropriate services. Onsite school
340 personnel shall report all such situations and actions taken to
341 the threat assessment team, which shall contact the other
342 agencies involved with the student and any known service
343 providers to share information and coordinate any necessary
344 followup actions. Upon the student's transfer to a different
345 school, the threat assessment team shall verify that any
346 intervention services provided to the student remain in place
347 until the threat assessment team of the receiving school
348 independently determines the need for intervention services.

349 (f) Each threat assessment team established pursuant to
350 this subsection shall report quantitative data on its activities
351 to the Office of Safe Schools in a format prescribed by
352 ~~accordance with guidance from~~ the office.

353 (9) MENTAL HEALTH ASSISTANCE.—Provide mental health
354 assistance to students in accordance with the plan submitted
355 pursuant to s. 1011.62(16). Students referred for mental health
356 assistance must be screened or assessed within 45 days after
357 such referral. School-based interventions must begin within 30
358 days after the screening or assessment and continue until the
359 student receives community-based care, when determined to be in
360 the best interests of the student.

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361 Section 5. Subsection (10) is added to section 1006.09,
362 Florida Statutes, to read:

363 1006.09 Duties of school principal relating to student
364 discipline and school safety.—

365 (10) Each school principal shall designate school
366 personnel who may declare an emergency in response to an
367 incident that threatens school safety and the school personnel
368 who must contact the primary emergency response agency in
369 accordance with the emergency response policy of the school
370 district.

371 Section 6. Subsections (3) and (4) of section 1006.12,
372 Florida Statutes, are renumbered as subsections (2) and (3),
373 respectively, and subsection (1) and present subsection (2) of
374 that section are amended, to read:

375 1006.12 Safe-school officers at each public school.—For the
376 protection and safety of school personnel, property, students,
377 and visitors, each district school board and school district
378 superintendent shall partner with law enforcement agencies to
379 establish or assign one or more safe-school officers at each
380 school facility within the district by implementing any
381 combination of the following options which best meets the needs
382 of the school district:

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

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385 (a) School resource officers shall undergo criminal
386 background checks, drug testing, and a psychological evaluation
387 and be certified law enforcement officers, as defined in s.
388 943.10(1), who are employed by a law enforcement agency as
389 defined in s. 943.10(4) or by a district school board.

390 1. If the officer is employed by the district school
391 board, the district school board is the employing agency for
392 purposes of chapter 943 and must comply with the provisions of
393 that chapter. The officer has and shall exercise the power to
394 make arrests for violations of law on district school board
395 property and to arrest persons, whether on or off such property,
396 who violate any law on such property under the same conditions
397 that deputy sheriffs are authorized to make arrests ~~The powers~~
398 ~~and duties of a law enforcement officer shall continue~~
399 ~~throughout the employee's tenure as a school resource officer.~~

400 2. (b) School resource officers employed by a law
401 enforcement agency shall abide by district school board policies
402 and shall consult with and coordinate activities through the
403 school principal, but shall be responsible to the law
404 enforcement agency in all matters relating to employment,
405 subject to agreements between a district school board and a law
406 enforcement agency. Activities conducted by the school resource
407 officer which are part of the regular instructional program of
408 the school shall be under the direction of the school principal.
409 The powers and duties of a law enforcement officer shall

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410 continue throughout the employee's tenure as a school resource
411 officer.

412 3.(e) School resource officers shall complete mental
413 health crisis intervention training using a curriculum developed
414 by a national organization with expertise in mental health
415 crisis intervention. The training shall improve officers'
416 knowledge and skills as first responders to incidents involving
417 students with emotional disturbance or mental illness, including
418 de-escalation skills to ensure student and officer safety.

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

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

433 ~~(b) A school safety officer has and shall exercise the~~
434 ~~power to make arrests for violations of law on district school~~

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435 ~~board property and to arrest persons, whether on or off such~~
436 ~~property, who violate any law on such property under the same~~
437 ~~conditions that deputy sheriffs are authorized to make arrests.~~
438 ~~A school safety officer has the authority to carry weapons when~~
439 ~~performing his or her official duties.~~

440 (b) (e) A district school board or governing board of a
441 charter school may enter into mutual aid agreements with one or
442 more law enforcement agencies as provided in chapter 23. A
443 school resource ~~safety~~ officer's salary may be paid jointly by
444 the district school board or governing board of the charter
445 school and the law enforcement agency, as mutually agreed to.

446 Section 7. Section 1006.122, Florida Statutes, is created
447 to read:

448 1006.122 School guardian moratorium; impact study.-

449 (1) Before July 1, 2024, a district school board may not
450 employ individuals who exclusively perform classroom duties as
451 classroom teachers as defined in s. 1012.01(2)(a) to serve as
452 school guardians under the Coach Aaron Feis Guardian Program.

453 (2) In the interim, the Department of Education, or an
454 entity designated by the department, shall conduct a study to
455 examine the impact of the Coach Aaron Feis Guardian Program on
456 school safety and analyze the perception of safety by students,
457 teachers, and faculty.

458 (3) The department shall report the results of the study
459 to the Legislature by January 1, 2024. If, upon evaluating the

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460 results of the study, the Legislature does not enact a general
461 law specifying a statewide policy regarding the Coach Aaron Feis
462 Guardian Program, the moratorium prohibiting a district school
463 board from employing classroom teachers to serve as school
464 guardians under this section is lifted, effective July 1, 2024.

465 -----

466 **T I T L E A M E N D M E N T**

467 Remove lines 2-39 and insert:
468 An act relating to school safety; amending s.
469 1001.212, F.S.; revising the duties of the Office of
470 Safe Schools; amending s. 1002.33, F.S.; requiring
471 charter schools to be in compliance with certain
472 provisions relating to school safety; conforming a
473 cross-reference; amending s. 1003.25, F.S.; providing
474 requirements for the transfer of certain student
475 records; amending s. 1006.07, F.S.; revising school
476 safety specialist duties; revising threat assessment
477 team duties and procedures; requiring district school
478 boards to provide certain mental health assistance to
479 students; providing requirements for such assistance;
480 amending s. 1006.09, F.S.; requiring school principals
481 to designate school personnel for specified purposes
482 relating to responses to emergencies; amending s.
483 1006.12, F.S.; revising the requirements for school
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485 resource officers in public schools; deleting
486 provisions related to school safety officers; creating
487 s. 1006.122, F.S.; prohibiting school districts from
488 employing specified individuals as school guardians
489 before a specified date; requiring the Department of
490 Education, or an entity designated by the department,
491 to conduct a study examining the Coach Aaron Feis
492 Guardian Program; providing study and department
493 requirements; amending s.

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