

By Senator Cruz

18-00683A-20

2020370__

1 A bill to be entitled
2 An act relating to safe-school officers; amending s.
3 1006.12, F.S.; requiring district school boards to
4 provide their approval before certain charter schools
5 employ school resource officers and school safety
6 officers; authorizing district school boards to
7 oversee and manage the employment of school resource
8 officers and school safety officers by charter schools
9 within the district; authorizing district school
10 boards to establish best practices for the employment
11 of school resource officers and school safety officers
12 by charter schools within the district; providing an
13 effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
17 Section 1. Section 1006.12, Florida Statutes, is amended to
18 read:

19 1006.12 Safe-school officers at each public school.—For the
20 protection and safety of school personnel, property, students,
21 and visitors, each district school board and school district
22 superintendent shall partner with law enforcement agencies or
23 security agencies to establish or assign one or more safe-school
24 officers at each school facility within the district, including
25 charter schools. A district school board must collaborate with
26 charter school governing boards to facilitate charter school
27 access to all safe-school officer options available under this
28 section. The school district may implement any combination of
29 the options in subsections (1)-(4) to best meet the needs of the

18-00683A-20

2020370__

30 school district and charter schools. Before a charter school
31 employs a school resource officer or a school safety officer,
32 the district school board of the district in which the charter
33 school is located must approve the employment of the school
34 resource officer or school safety officer.

35 (1) SCHOOL RESOURCE OFFICER.—A school district may
36 establish school resource officer programs through a cooperative
37 agreement with law enforcement agencies.

38 (a) School resource officers shall undergo criminal
39 background checks, drug testing, and a psychological evaluation
40 and be certified law enforcement officers, as defined in s.
41 943.10(1), who are employed by a law enforcement agency as
42 defined in s. 943.10(4). The powers and duties of a law
43 enforcement officer shall continue throughout the employee's
44 tenure as a school resource officer.

45 (b) School resource officers shall abide by district school
46 board policies and shall consult with and coordinate activities
47 through the school principal, but shall be responsible to the
48 law enforcement agency in all matters relating to employment,
49 subject to agreements between a district school board and a law
50 enforcement agency. Activities conducted by the school resource
51 officer which are part of the regular instructional program of
52 the school shall be under the direction of the school principal.

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

18-00683A-20

2020370__

59 and officer safety.

60 (d) A district school board may oversee and manage the
61 employment of school resource officers by a charter school
62 within the district to ensure the charter school is in
63 compliance with state law and best practices. A district school
64 board may establish best practices for the employment of school
65 resource officers by charter schools within the district.

66 (2) SCHOOL SAFETY OFFICER.—A school district may commission
67 one or more school safety officers for the protection and safety
68 of school personnel, property, and students within the school
69 district. The district school superintendent may recommend, and
70 the district school board may appoint, one or more school safety
71 officers.

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

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

18-00683A-20

2020370__

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

93 (d) A district school board may oversee and manage the
94 employment of school safety officers by a charter school within
95 the district to ensure the charter school is in compliance with
96 state law and best practices. A district school board may
97 establish best practices for the employment of school safety
98 officers by charter schools within the district.

99 (3) SCHOOL GUARDIAN.—At the school district's or the
100 charter school governing board's discretion, as applicable,
101 pursuant to s. 30.15, a school district or charter school
102 governing board may participate in the Coach Aaron Feis Guardian
103 Program to meet the requirement of establishing a safe-school
104 officer. The following individuals may serve as a school
105 guardian, in support of school-sanctioned activities for
106 purposes of s. 790.115, upon satisfactory completion of the
107 requirements under s. 30.15(1)(k) and certification by a
108 sheriff:

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

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

116 (4) SCHOOL SECURITY GUARD.—A school district or charter

18-00683A-20

2020370__

117 school governing board may contract with a security agency as
118 defined in s. 493.6101(18) to employ as a school security guard
119 an individual who holds a Class "D" and Class "G" license
120 pursuant to chapter 493, provided the following training and
121 contractual conditions are met:

122 (a) An individual who serves as a school security guard,
123 for purposes of satisfying the requirements of this section,
124 must:

125 1. Demonstrate completion of 144 hours of required training
126 pursuant to s. 30.15(1)(k)2.

127 2. Pass a psychological evaluation administered by a
128 psychologist licensed under chapter 490 and designated by the
129 Department of Law Enforcement and submit the results of the
130 evaluation to the sheriff's office, school district, or charter
131 school governing board, as applicable. The Department of Law
132 Enforcement is authorized to provide the sheriff's office,
133 school district, or charter school governing board with mental
134 health and substance abuse data for compliance with this
135 paragraph.

136 3. Submit to and pass an initial drug test and subsequent
137 random drug tests in accordance with the requirements of s.
138 112.0455 and the sheriff's office, school district, or charter
139 school governing board, as applicable.

140 4. Successfully complete ongoing training, weapon
141 inspection, and firearm qualification on at least an annual
142 basis and provide documentation to the sheriff's office, school
143 district, or charter school governing board, as applicable.

144 (b) The contract between a security agency and a school
145 district or a charter school governing board regarding

18-00683A-20

2020370__

146 requirements applicable to school security guards serving in the
147 capacity of a safe-school officer for purposes of satisfying the
148 requirements of this section shall define the entity or entities
149 responsible for training and the responsibilities for
150 maintaining records relating to training, inspection, and
151 firearm qualification.

152 (c) School security guards serving in the capacity of a
153 safe-school officer pursuant to this subsection are in support
154 of school-sanctioned activities for purposes of s. 790.115, and
155 must aid in the prevention or abatement of active assailant
156 incidents on school premises.

157 (5) NOTIFICATION.—The school district shall notify the
158 county sheriff and the Office of Safe Schools immediately after,
159 but no later than 72 hours after:

160 (a) A safe-school officer is dismissed for misconduct or is
161 otherwise disciplined.

162 (b) A safe-school officer discharges his or her firearm in
163 the exercise of the safe-school officer's duties, other than for
164 training purposes.

165 (6) EXEMPTION.—Any information that would identify whether
166 a particular individual has been appointed as a safe-school
167 officer pursuant to this section held by a law enforcement
168 agency, school district, or charter school is exempt from s.
169 119.07(1) and s. 24(a), Art. I of the State Constitution. This
170 subsection is subject to the Open Government Sunset Review Act
171 in accordance with s. 119.15 and shall stand repealed on October
172 2, 2023, unless reviewed and saved from repeal through
173 reenactment by the Legislature.

174

18-00683A-20

2020370__

175 If a district school board, through its adopted policies,
176 procedures, or actions, denies a charter school access to any
177 safe-school officer options pursuant to this section, the school
178 district must assign a school resource officer or school safety
179 officer to the charter school. Under such circumstances, the
180 charter school's share of the costs of the school resource
181 officer or school safety officer may not exceed the safe school
182 allocation funds provided to the charter school pursuant to s.
183 1011.62(15) and shall be retained by the school district.

184 Section 2. This act shall take effect July 1, 2020.