

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
18 to read:

19 1006.12 Safe-school officers at each public school.—For
20 the protection and safety of school personnel, property,
21 students, and visitors, each district school board and school
22 district superintendent shall partner with law enforcement
23 agencies or security agencies to establish or assign one or more
24 safe-school officers at each school facility within the
25 district, including charter schools. A district school board

26 | must collaborate with charter school governing boards to
27 | facilitate charter school access to all safe-school officer
28 | options available under this section. The school district may
29 | implement any combination of the options in subsections (1)-(4)
30 | to best meet the needs of the school district and charter
31 | schools. Before a charter school employs a school resource
32 | officer or a school safety officer, the district school board of
33 | the district in which the charter school is located must approve
34 | the employment of the school resource officer or school safety
35 | officer.

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

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

46 | (b) School resource officers shall abide by district
47 | school board policies and shall consult with and coordinate
48 | activities through the school principal, but shall be
49 | responsible to the law enforcement agency in all matters
50 | relating to employment, subject to agreements between a district

51 school board and a law enforcement agency. Activities conducted
52 by the school resource officer which are part of the regular
53 instructional program of the school shall be under the direction
54 of the school principal.

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

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

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

74 (a) School safety officers shall undergo criminal
75 background checks, drug testing, and a psychological evaluation

76 | and be law enforcement officers, as defined in s. 943.10(1),
77 | certified under the provisions of chapter 943 and employed by
78 | either a law enforcement agency or by the district school board.
79 | If the officer is employed by the district school board, the
80 | district school board is the employing agency for purposes of
81 | chapter 943, and must comply with the provisions of that
82 | chapter.

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

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

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

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

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

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

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

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

126 must:

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

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

138 3. Submit to and pass an initial drug test and subsequent
139 random drug tests in accordance with the requirements of s.
140 112.0455 and the sheriff's office, school district, or charter
141 school governing board, as applicable.

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

146 (b) The contract between a security agency and a school
147 district or a charter school governing board regarding
148 requirements applicable to school security guards serving in the
149 capacity of a safe-school officer for purposes of satisfying the
150 requirements of this section shall define the entity or entities

151 responsible for training and the responsibilities for
152 maintaining records relating to training, inspection, and
153 firearm qualification.

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

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

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

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

167 (6) EXEMPTION.—Any information that would identify whether
168 a particular individual has been appointed as a safe-school
169 officer pursuant to this section held by a law enforcement
170 agency, school district, or charter school is exempt from s.
171 119.07(1) and s. 24(a), Art. I of the State Constitution. This
172 subsection is subject to the Open Government Sunset Review Act
173 in accordance with s. 119.15 and shall stand repealed on October
174 2, 2023, unless reviewed and saved from repeal through
175 reenactment by the Legislature.

176
177 If a district school board, through its adopted policies,
178 procedures, or actions, denies a charter school access to any
179 safe-school officer options pursuant to this section, the school
180 district must assign a school resource officer or school safety
181 officer to the charter school. Under such circumstances, the
182 charter school's share of the costs of the school resource
183 officer or school safety officer may not exceed the safe school
184 allocation funds provided to the charter school pursuant to s.
185 1011.62(15) and shall be retained by the school district.
186 Section 2. This act shall take effect July 1, 2020.