



832246

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/20/2021	.	
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The Committee on Appropriations (Harrell) recommended the following:

**Senate Amendment**

Delete lines 79 - 163  
and insert:

19. A reasonable attempt to notify ~~Immediate notification~~  
~~to~~ a student's parent, guardian, or caregiver before ~~if~~ the  
student is removed from school, school transportation, or a  
school-sponsored activity to be ~~and~~ taken to a receiving  
facility for an involuntary examination pursuant to s. 394.463,  
including and subject to the requirements and exceptions



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11 established under ss. 1002.20(3) and 1002.33(9), as applicable.

12 Section 2. Subsection (4) of section 394.463, Florida  
13 Statutes, is amended to read:

14 394.463 Involuntary examination.—

15 (4) DATA ANALYSIS.—Using data collected under paragraph  
16 (2)(a), the department shall, at a minimum, analyze data on both  
17 the initiation of involuntary examinations of children and the  
18 initiation of involuntary examinations of students who are  
19 removed from a school, identify any patterns or trends and cases  
20 in which involuntary examinations are repeatedly initiated on  
21 the same child or student, study root causes for such patterns,  
22 trends, or repeated involuntary examinations, and make  
23 recommendations to encourage the use of ~~for encouraging~~  
24 alternatives to eliminate ~~and eliminating~~ inappropriate  
25 initiations of such examinations. The department shall submit a  
26 report on its findings and recommendations to the Governor, the  
27 President of the Senate, and the Speaker of the House of  
28 Representatives by November 1 of each odd-numbered ~~odd-numbered~~  
29 year.

30 Section 3. Subsection (7) of section 1001.212, Florida  
31 Statutes, is amended to read:

32 1001.212 Office of Safe Schools.—There is created in the  
33 Department of Education the Office of Safe Schools. The office  
34 is fully accountable to the Commissioner of Education. The  
35 office shall serve as a central repository for best practices,  
36 training standards, and compliance oversight in all matters  
37 regarding school safety and security, including prevention  
38 efforts, intervention efforts, and emergency preparedness  
39 planning. The office shall:



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40 (7) Provide data to support the evaluation of mental health  
41 services pursuant to s. 1004.44. Such data must include, for  
42 each school, the number of involuntary examinations as defined  
43 in s. 394.455 which are initiated at the school, on school  
44 transportation, or at a school-sponsored activity and the number  
45 of children for whom an examination is initiated.

46 Section 4. Paragraph (1) of subsection (3) of section  
47 1002.20, Florida Statutes, is amended to read:

48 1002.20 K-12 student and parent rights.—Parents of public  
49 school students must receive accurate and timely information  
50 regarding their child's academic progress and must be informed  
51 of ways they can help their child to succeed in school. K-12  
52 students and their parents are afforded numerous statutory  
53 rights including, but not limited to, the following:

54 (3) HEALTH ISSUES.—

55 (1) *Notification of involuntary examinations.*—

56 1. Except as provided in subparagraph 2., the public school  
57 principal or the principal's designee shall make a reasonable  
58 attempt to ~~immediately~~ notify the parent of a student before the  
59 student ~~who~~ is removed from school, school transportation, or a  
60 school-sponsored activity to be ~~and~~ taken to a receiving  
61 facility for an involuntary examination pursuant to s. 394.463.

62 2. The principal or the principal's designee may delay the  
63 required notification for no more than 24 hours after the  
64 student is removed if:

65 a. The principal or the principal's designee deems the  
66 delay to be in the student's best interest and ~~if~~ a report has  
67 been submitted to the central abuse hotline, pursuant to s.  
68 39.201, based upon knowledge or suspicion of abuse, abandonment,



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69 or neglect; or

70 b. The principal or principal's designee reasonably  
71 believes that such delay is necessary to avoid jeopardizing the  
72 health and safety of the student.

73 3. Before a principal or his or her designee contacts a law  
74 enforcement officer, he or she must verify that deescalation de-  
75 escalation strategies have been utilized and outreach to a  
76 mobile response team has been initiated unless the principal or  
77 the principal's designee reasonably believes that any delay in  
78 removing the student will increase the likelihood of harm to the  
79 student or others. This requirement does not supersede the  
80 authority of a law enforcement officer to act under s. 394.463.

81  
82 Each district school board shall develop a policy and procedures  
83 for notification under this paragraph.

84 Section 5. Paragraph (q) of subsection (9) of section  
85 1002.33, Florida Statutes, is amended to read:

86 1002.33 Charter schools.—

87 (9) CHARTER SCHOOL REQUIREMENTS.—

88 (q)1. The charter school principal or the principal's  
89 designee shall make a reasonable attempt to immediately notify  
90 the parent of a student before