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LEGISLATIVE ACTION

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

**Senate Amendment (with title amendment)**

Delete lines 121 - 196  
and insert:  
1002.20, Florida Statutes, is amended, and a new subsection (25)  
is added to that section, to read:

1002.20 K-12 student and parent rights.—Parents of public  
school students must receive accurate and timely information  
regarding their child’s academic progress and must be informed  
of ways they can help their child to succeed in school. K-12



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11 students and their parents are afforded numerous statutory  
12 rights including, but not limited to, the following:

13 (3) HEALTH ISSUES.—

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

15 1. Except as provided in subparagraph 2., the public school  
16 principal or the principal's designee shall ~~immediately~~ notify  
17 the parent of a student before the student ~~who~~ is removed from  
18 school, school transportation, or a school-sponsored activity to  
19 be ~~and~~ taken to a receiving facility for an involuntary  
20 examination pursuant to s. 394.463.

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

24 a. The principal or the principal's designee deems the  
25 delay to be in the student's best interest and ~~if~~ a report has  
26 been submitted to the central abuse hotline, pursuant to s.  
27 39.201, based upon knowledge or suspicion of abuse, abandonment,  
28 or neglect; or

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

32 3. Before a principal or his or her designee contacts a law  
33 enforcement officer, he or she must verify that deescalation ~~de-~~  
34 ~~escalation~~ strategies have been utilized and outreach to a  
35 mobile response team has been initiated unless the principal or  
36 the principal's designee reasonably believes that any delay in  
37 removing the student will increase the likelihood of harm to the  
38 student or others. This requirement does not supersede the  
39 authority of a law enforcement officer to act under s. 394.463.



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40  
41 Each district school board shall develop a policy and procedures  
42 for notification under this paragraph.

43 (25) SAFE SCHOOLS.-

44 (a) School safety and emergency incidents.-Parents of  
45 public school students have a right to timely notification of  
46 threats, unlawful acts, and significant emergencies pursuant to  
47 s. 1006.07(4) and (7).

48 (b) School environmental safety incident reporting.-Parents  
49 of public school students have a right to access school safety  
50 and discipline incidents as reported pursuant to s. 1006.07(9).

51 Section 5. Paragraph (q) of subsection (9) of section  
52 1002.33, Florida Statutes, is amended, and paragraph (r) is  
53 added to that subsection, to read:

54 1002.33 Charter schools.-

55 (9) CHARTER SCHOOL REQUIREMENTS.-

56 (q)1. The charter school principal or the principal's  
57 designee shall ~~immediately~~ notify the parent of a student before  
58 the student ~~who~~ is removed from school, school transportation,  
59 or a school-sponsored activity to be ~~and~~ taken to a receiving  
60 facility for an involuntary examination pursuant to s. 394.463.

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

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



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

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

80  
81 Each charter school governing board shall develop a policy and  
82 procedures for notification under this paragraph.

83           (r)1. Parents of charter school students have a right to  
84 timely notification of threats, unlawful acts, and significant  
85 emergencies pursuant to s. 1006.07(4) and (7).

86           2. Parents of charter school students have a right to  
87 access school safety and discipline incidents as reported  
88 pursuant to s. 1006.07(9).

89           Section 6. Paragraphs (a) and (b) of subsection (4) of  
90 section 1006.07, Florida Statutes, are amended, and paragraphs  
91 (n) and (o) of subsection (2) and subsection (10) are added to  
92 that section, to read:

93           1006.07 District school board duties relating to student  
94 discipline and school safety.—The district school board shall  
95 provide for the proper accounting for all students, for the  
96 attendance and control of students at school, and for proper  
97 attention to health, safety, and other matters relating to the



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98 welfare of students, including:

99 (2) CODE OF STUDENT CONDUCT.—Adopt a code of student  
100 conduct for elementary schools and a code of student conduct for  
101 middle and high schools and distribute the appropriate code to  
102 all teachers, school personnel, students, and parents, at the  
103 beginning of every school year. Each code shall be organized and  
104 written in language that is understandable to students and  
105 parents and shall be discussed at the beginning of every school  
106 year in student classes, school advisory council meetings, and  
107 parent and teacher association or organization meetings. Each  
108 code shall be based on the rules governing student conduct and  
109 discipline adopted by the district school board and shall be  
110 made available in the student handbook or similar publication.  
111 Each code shall include, but is not limited to:

112 (n) Criteria for recommending to law enforcement that a  
113 student who commits a criminal offense be allowed to participate  
114 in a civil citation or similar prearrest diversion program as an  
115 alternative to expulsion or arrest. All civil citation or  
116 similar prearrest diversion programs must comply with s. 985.12.

117 (o) Criteria for assigning a student who commits a petty  
118 act of misconduct, as defined by the district school board  
119 pursuant to s. 1006.13(2)(c), to a school-based intervention  
120 program. If a student's assignment is based on a noncriminal  
121 offense, the student's participation in a school-based  
122 intervention program may not be entered into the Juvenile  
123 Justice Information System Prevention Web.

124 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

125 (a) Formulate and prescribe policies and procedures, in  
126 consultation with the appropriate public safety agencies, for



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127 emergency drills and for actual emergencies, including, but not  
128 limited to, fires, natural disasters, active assailant shooter  
129 and hostage situations, and bomb threats, for all students and  
130 faculty at all public schools of the district comprised of  
131 grades K-12. Drills for active assailant shooter and hostage  
132 situations shall be conducted in accordance with developmentally  
133 appropriate and age-appropriate procedures at least as often as  
134 other emergency drills. District school board policies shall  
135 include commonly used alarm system responses for specific types  
136 of emergencies and verification by each school that drills have  
137 been provided as required by law and fire protection codes and  
138 may provide accommodations for drills conducted by exceptional  
139 student education centers. District school boards shall  
140 establish The emergency response and emergency preparedness  
141 policies and procedures that include, but are not limited to,  
142 identifying policy shall identify the individuals responsible  
143 for contacting the primary emergency response agency and the  
144 emergency response agency that is responsible for notifying the  
145 school district for each type of emergency.

146 (b) Provide timely Establish model emergency management and  
147 emergency preparedness procedures, including emergency  
148 notification to parents of threats pursuant to policies adopted  
149 under subsection (7) and procedures pursuant to paragraph (a),  
150 for the following unlawful acts or significant emergencies that  
151 occur on school grounds, during school transportation, or during  
152 school-sponsored activities life-threatening emergencies:

153 1. Weapons possession or use when there is intended harm  
154 toward another person Weapon-use, hostage, and active assailant  
155 shooter situations. The active assailant shooter situation



156 training for each school must engage the participation of the  
157 district school safety specialist, threat assessment team  
158 members, faculty, staff, and students and must be conducted by  
159 the law enforcement agency or agencies that are designated as  
160 first responders to the school's campus.

161 2. Murder, homicide, or manslaughter.

162 3. Sex offenses, including rape, sexual assault, or sexual  
163 misconduct with a student by school personnel.

164 ~~2. Hazardous materials or toxic chemical spills.~~

165 ~~4.3.~~ Natural Weather emergencies, including hurricanes,  
166 tornadoes, and severe storms.

167 ~~5.4.~~ Exposure as a result of a manmade emergency.

168  
169 ===== T I T L E A M E N D M E N T =====

170 And the title is amended as follows:

171 Delete lines 11 - 21

172 and insert:

173 guardian notification requirements; providing an  
174 exception; providing that parents of public school  
175 students have a right to access school safety and  
176 discipline incidents as reported; amending s. 1002.33,  
177 F.S.; revising parent and guardian notification  
178 requirements; providing an exception; providing that  
179 parents of charter school students have a right to  
180 access school safety and discipline incidents as  
181 reported; amending s. 1006.07, F.S.; requiring codes  
182 of student conduct to include provisions relating to  
183 civil citation or similar prearrest diversion programs  
184 for specified purposes; requiring codes of student



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185       conduct to include provisions relating to the  
186       assignment of students to school-based intervention  
187       programs; prohibiting participation in such programs  
188       from being entered into a specified system under  
189       certain circumstances; authorizing certain procedures  
190       to include accommodations for specified drills;  
191       requiring district school boards to establish certain  
192       emergency response and emergency preparedness policies  
193       and procedures and provide timely notification to  
194       parents following certain unlawful acts or significant  
195       emergencies; creating reporting requirements for  
196       schools