

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Education & Employment
2 Committee

3 Representative LaMarca offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 139-331 and insert:

7 district, law enforcement, behavioral health care professionals,
8 and parents.

9 Section 4. Paragraph (f) of subsection (2) of section
10 985.12, Florida Statutes, is amended to read:

11 985.12 Civil citation or similar prearrest diversion
12 programs.—

13 (2) JUDICIAL CIRCUIT CIVIL CITATION OR SIMILAR PREARREST
14 DIVERSION PROGRAM DEVELOPMENT, IMPLEMENTATION, AND OPERATION.—

15 (f) Each civil citation or similar prearrest diversion
16 program shall enter the appropriate youth data into the Juvenile

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17 Justice Information System Prevention Web within 7 days after
18 the admission of the youth into the program. Beginning in fiscal
19 year 2022-2023, law enforcement officers must have field access
20 to civil citation and prearrest diversion information.

21 Section 5. Subsection (9) of section 1001.11, Florida
22 Statutes, is amended to read:

23 1001.11 Commissioner of Education; other duties.—

24 (9) The commissioner shall oversee compliance with the
25 requirements relating to school safety and security requirements
26 of the Marjory Stoneman Douglas High School Public Safety Act,
27 chapter 2018-3, Laws of Florida, by school districts; district
28 school superintendents; and public schools, including charter
29 schools. Upon notification by the Office of Safe Schools that a
30 district school board has failed to comply with the requirements
31 relating to school safety and security, the commissioner shall
32 require the district school board to withhold further payment of
33 the salary of the superintendent as authorized under s.
34 1001.42(13)(b). Upon notification by the Office of Safe Schools
35 that a charter school has failed to comply with the requirements
36 relating to school safety and security, the commissioner must
37 facilitate compliance by charter schools by recommending actions
38 to the district school board pursuant to s. 1002.33. The
39 commissioner must facilitate compliance to the maximum extent
40 provided under law, identify incidents of noncompliance, and
41 impose or recommend to the State Board of Education, the

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42 Governor, or the Legislature enforcement and sanctioning actions
43 pursuant to s. 1008.32 and other authority granted under law.

44 Section 6. Subsections (14) and (15) of section 1001.212,
45 Florida Statutes, are renumbered as subsections (15) and (16),
46 respectively, subsections (2), (7), and (8) are amended, and a
47 new subsection (14) is added to that section, to read:

48 1001.212 Office of Safe Schools.—There is created in the
49 Department of Education the Office of Safe Schools. The office
50 is fully accountable to the Commissioner of Education. The
51 office shall serve as a central repository for best practices,
52 training standards, and compliance oversight in all matters
53 regarding school safety and security, including prevention
54 efforts, intervention efforts, and emergency preparedness
55 planning. The office shall:

56 (2) Provide ongoing professional development opportunities
57 to school district and charter school personnel.

58 (7) Provide data to support the evaluation of mental
59 health services pursuant to s. 1004.44, including data that is
60 collected pursuant to s. 1011.62(16)(d).

61 (8) Provide technical assistance to school districts and
62 charter school governing boards for school environmental safety
63 incident reporting as required under s. 1006.07(9). The office
64 shall collect data through school environmental safety incident
65 reports on incidents involving any person which occur on school
66 premises, on school transportation, and at off-campus, school-

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67 sponsored events. The office shall review and evaluate school
68 district reports to ensure compliance with reporting
69 requirements. ~~Upon notification by the department that a~~
70 ~~superintendent has failed to comply with the requirements of s.~~
71 ~~1006.07(9), the district school board shall withhold further~~
72 ~~payment of his or her salary as authorized under s.~~
73 ~~1001.42(13)(b) and impose other appropriate sanctions that the~~
74 ~~commissioner or state board by law may impose.~~

75 (14) Develop, in coordination with the Division of
76 Emergency Management, other federal, state, and local law
77 enforcement agencies, fire and rescue agencies, first responder
78 agencies, and local governments, a model family reunification
79 plan for use by child care facilities, public K-12 schools, and
80 public postsecondary institutions that are closed or
81 unexpectedly evacuated due to a natural or manmade emergency.

82 Section 7. Subsection (25) is added to section 1002.20,
83 Florida Statutes, to read:

84 1002.20 K-12 student and parent rights.—Parents of public
85 school students must receive accurate and timely information
86 regarding their child's academic progress and must be informed
87 of ways they can help their child to succeed in school. K-12
88 students and their parents are afforded numerous statutory
89 rights including, but not limited to, the following:

90 (25) SAFE SCHOOLS.—

91 (a) School safety and emergency incidents.—Parents of

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92 public school students have a right to timely notification of
93 threats, unlawful acts, and significant emergencies pursuant to
94 ss. 1006.07(4) and (7).

95 (b) School environmental safety incident reporting.—
96 Parents of public school students have a right to access school
97 safety and discipline incidents as reported pursuant to s.
98 1006.07(9).

99 Section 8. Paragraphs (a) and (b) of subsection (4),
100 paragraph (a) of subsection (7), and subsection (9) of section
101 1006.07, Florida Statutes, are amended, paragraphs (n) and (o)
102 are added to subsection (2) and paragraph (d) is added to
103 subsection (6) of that section, to read:

104 1006.07 District school board duties relating to student
105 discipline and school safety.—The district school board shall
106 provide for the proper accounting for all students, for the
107 attendance and control of students at school, and for proper
108 attention to health, safety, and other matters relating to the
109 welfare of students, including:

110 (2) CODE OF STUDENT CONDUCT.—Adopt a code of student
111 conduct for elementary schools and a code of student conduct for
112 middle and high schools and distribute the appropriate code to
113 all teachers, school personnel, students, and parents, at the
114 beginning of every school year. Each code shall be organized and
115 written in language that is understandable to students and
116 parents and shall be discussed at the beginning of every school

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117 year in student classes, school advisory council meetings, and
118 parent and teacher association or organization meetings. Each
119 code shall be based on the rules governing student conduct and
120 discipline adopted by the district school board and shall be
121 made available in the student handbook or similar publication.
122 Each code shall include, but is not limited to:

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

128 (o) Criteria for assigning a student who commits a petty
129 act of misconduct, as defined by the district school board
130 pursuant to s. 1006.13(2)(c), to a school-based intervention
131 program. When a student's assignment is based on a non-criminal
132 offense, then a student's participation in a school-based
133 intervention program may not be entered into the Juvenile
134 Justice Information System Prevention Web.

135 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

136 (a) Formulate and prescribe policies and procedures, in
137 consultation with the appropriate public safety agencies, for
138 emergency drills and for actual emergencies, including, but not
139 limited to, fires, natural disasters, active shooter and hostage
140 situations, and bomb threats, for all students and faculty at
141 all public schools of the district comprised of grades K-12.

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142 Drills for active shooter and hostage situations shall be
143 conducted in accordance with developmentally appropriate and
144 age-appropriate procedures at least as often as other emergency
145 drills. District school board policies shall include commonly
146 used alarm system responses for specific types of emergencies
147 and verification by each school that drills have been provided
148 as required by law and fire protection codes and may provide
149 accommodations for drills conducted by exceptional student
150 education centers. District school boards shall establish ~~The~~
151 emergency response and emergency preparedness policies and
152 procedures ~~policy that include, but are not limited to,~~
153 identifying ~~shall identify~~ the individuals responsible for
154 contacting the primary emergency response agency and the
155 emergency response agency that is responsible for notifying the
156 school district for each type of emergency.

157 (b) Provide ~~Establish model emergency management and~~
158 ~~emergency preparedness procedures, including emergency~~ timely
159 notification to parents of threats pursuant to policies adopted
160 under subsection (7) and ~~procedures pursuant to paragraph (a),~~
161 ~~for the following~~ unlawful acts or significant emergencies that
162 occur on school grounds, school transportation, or school-
163 sponsored activities ~~life-threatening emergencies:~~

164 1. Weapons possession or use ~~Weapon-use~~, hostage, and
165 active assailant~~shooter~~ situations. The active assailant~~shooter~~
166 situation training for each school must engage the participation

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167 of the district school safety specialist, threat assessment team
168 members, faculty, staff, and students and must be conducted by
169 the law enforcement agency or agencies that are designated as
170 first responders to the school's campus.

171 2. Murder, homicide, or manslaughter.

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

174 4. Aggravated assault as defined in s. 784.021 or
175 aggravated battery as defined in s. 784.045.

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

177 ~~5.3. Natural weather~~ emergencies, including hurricanes,
178 tornadoes, and severe storms.

179 ~~6.4. Exposure as a result of a manmade emergency.~~

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

185 (d) Each district school board and charter school
186 governing board must adopt, in coordination with local law
187 enforcement agencies and local governments, a family
188 reunification plan to reunite students and employees with their
189 families in the event that a school is closed or unexpectedly
190 evacuated due to a natural or manmade emergency.

191 (7) THREAT ASSESSMENT TEAMS.—Each district school board

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192 shall adopt policies for the establishment of threat assessment
193 teams at each school. Consistent with the model policies and
194 best practices developed by the Office of Safe Schools, threat
195 assessment team ~~whose~~ duties include the coordination of
196 resources and assessment and intervention with individuals whose
197 behavior may pose a threat to the safety of school staff or
198 students, and notification to parents that the threat has been
199 resolved and actions taken, when permitted by law ~~consistent with~~
200 ~~the model policies developed by the Office of Safe Schools.~~ Such
201 policies must include procedures for referrals to mental health
202 services identified by the school district pursuant to s.
203 1012.584(4), when appropriate, and procedures for behavioral
204 threat assessments in compliance with the instrument developed
205 pursuant to s. 1001.212(12).

206 (a) A threat assessment team shall include persons with
207 expertise in counseling, instruction, school administration, and
208 law enforcement. Threat assessment team members should reflect
209 the demographic makeup of the students at the school. Members of
210 the threat assessment team must be

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212
213 **T I T L E A M E N D M E N T**

214 Remove lines 39-45 and insert:
215 district school boards to establish certain emergency response
216 and emergency preparedness policies and provide timely

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217 notification to parents following certain threats, unlawful
218 acts, or significant emergencies; requiring active assailant
219 situation training; requiring district school boards and charter
220 school governing boards, in coordination with local law
221 enforcement agencies and local governments, to adopt a family
222 reunification Here