

By Senator Jones

35-00123-22

20221072\_\_

1                   A bill to be entitled  
2       An act relating to school discipline report cards;  
3       amending s. 1001.212, F.S.; requiring the Office of  
4       Safe Schools, beginning with a certain school year, to  
5       develop and publish on its website school discipline  
6       report cards based on data collected through school  
7       environmental safety incident reports; specifying  
8       requirements for the reports; amending ss. 1001.10,  
9       1006.1493, and 1006.07, F.S.; conforming cross-  
10       references; providing an effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

13  
14       Section 1. Present subsections (9) through (15) of section  
15       1001.212, Florida Statutes, are redesignated as subsections (10)  
16       through (16), respectively, a new subsection (9) is added to  
17       that section, and present subsection (13) of that section is  
18       amended, to read:

19       1001.212 Office of Safe Schools.—There is created in the  
20       Department of Education the Office of Safe Schools. The office  
21       is fully accountable to the Commissioner of Education. The  
22       office shall serve as a central repository for best practices,  
23       training standards, and compliance oversight in all matters  
24       regarding school safety and security, including prevention  
25       efforts, intervention efforts, and emergency preparedness  
26       planning. The office shall:

27       (9) Beginning with the 2023-2024 school year, develop and  
28       publish on its website school discipline report cards based on  
29       data collected through school environmental safety incident

35-00123-22

20221072\_\_

30 reports pursuant to subsection (8). The report cards must show  
31 data at the school, school district, and state levels and must  
32 do all the following:

33 (a) Allow data to be broken down by type of incident or  
34 type of discipline imposed.

35 (b) Allow data to be broken down by sex, race, English  
36 language learner status, and disability.

37 (c) Allow comparison of a school's demographic data with  
38 the demographic data of the school district in which the school  
39 is located and the demographic data of this state.

40 (d) Allow comparison of data by school, school district,  
41 and state levels.

42 (14)~~(13)~~ Establish the Statewide Threat Assessment Database  
43 Workgroup, composed of members appointed by the department, to  
44 complement the work of the department and the Department of Law  
45 Enforcement associated with the centralized integrated data  
46 repository and data analytics resources initiative and make  
47 recommendations regarding the development of a statewide threat  
48 assessment database. The database must allow authorized public  
49 school personnel to enter information related to any threat  
50 assessment conducted at their respective schools using the  
51 instrument developed by the office pursuant to subsection (13)  
52 ~~(12)~~, and must provide such information to authorized personnel  
53 in each school district and public school and to appropriate  
54 stakeholders. By December 31, 2019, the workgroup shall provide  
55 a report to the office with recommendations that include, but  
56 need not be limited to:

57 (a) Threat assessment data that should be required to be  
58 entered into the database.

35-00123-22

20221072\_\_

59 (b) School district and public school personnel who should  
60 be allowed to input student records to the database and view  
61 such records.

62 (c) Database design and functionality, to include data  
63 security.

64 (d) Restrictions and authorities on information sharing,  
65 including:

66 1. Section 1002.22 and other applicable state laws.

67 2. The Family Educational Rights and Privacy Act (FERPA),  
68 20 U.S.C. s. 1232g, 42 C.F.R. part 2; the Health Insurance  
69 Portability and Accountability Act (HIPAA), 42 U.S.C. s. 1320d6,  
70 45 C.F.R. part 164, subpart E; and other applicable federal  
71 laws.

72 3. The appropriateness of interagency agreements that will  
73 allow law enforcement to view database records.

74 (e) The cost to develop and maintain a statewide online  
75 database.

76 (f) An implementation plan and timeline for the workgroup  
77 recommendations.

78 Section 2. Subsection (9) of section 1001.10, Florida  
79 Statutes, is amended to read:

80 1001.10 Commissioner of Education; general powers and  
81 duties.—

82 (9) The commissioner shall review the report of the School  
83 Hardening and Harm Mitigation Workgroup regarding hardening and  
84 harm mitigation strategies and recommendations submitted by the  
85 Office of Safe Schools, pursuant to s. 1001.212(12) ~~s.~~  
86 ~~1001.212(11)~~. By September 1, 2020, the commissioner shall  
87 submit a summary of such recommendations to the Governor, the

35-00123-22

20221072\_\_

88 President of the Senate, and the Speaker of the House of  
89 Representatives.

90 Section 3. Subsection (2) of section 1006.1493, Florida  
91 Statutes, is amended to read:

92 1006.1493 Florida Safe Schools Assessment Tool.—

93 (2) The FSSAT must help school officials identify threats,  
94 vulnerabilities, and appropriate safety controls for the schools  
95 that they supervise, pursuant to the security risk assessment  
96 requirements of s. 1006.07(6).

97 (a) At a minimum, the FSSAT must address all of the  
98 following components:

- 99 1. School emergency and crisis preparedness planning;
- 100 2. Security, crime, and violence prevention policies and  
101 procedures;
- 102 3. Physical security measures;
- 103 4. Professional development training needs;
- 104 5. An examination of support service roles in school  
105 safety, security, and emergency planning;
- 106 6. School security and school police staffing, operational  
107 practices, and related services;
- 108 7. School and community collaboration on school safety; and
- 109 8. A return on investment analysis of the recommended  
110 physical security controls.

111 (b) The department shall require by contract that the  
112 security consulting firm:

- 113 1. Generate written automated reports on assessment  
114 findings for review by the department and school and district  
115 officials;
- 116 2. Provide training to the department and school officials

35-00123-22

20221072\_\_

117 in the use of the FSSAT and other areas of importance identified  
118 by the department;

119 3. Advise in the development and implementation of  
120 templates, formats, guidance, and other resources necessary to  
121 facilitate the implementation of this section at state,  
122 district, school, and local levels; and

123 4. Review recommendations of the School Hardening and Harm  
124 Mitigation Workgroup established under s. 1001.212(12) ~~s.~~  
125 ~~1001.212(11)~~ to address physical security measures identified by  
126 the FSSAT.

127 Section 4. Subsection (7) of section 1006.07, Florida  
128 Statutes, is amended to read:

129 1006.07 District school board duties relating to student  
130 discipline and school safety.—The district school board shall  
131 provide for the proper accounting for all students, for the  
132 attendance and control of students at school, and for proper  
133 attention to health, safety, and other matters relating to the  
134 welfare of students, including:

135 (7) THREAT ASSESSMENT TEAMS.—Each district school board  
136 shall adopt policies for the establishment of threat assessment  
137 teams at each school whose duties include the coordination of  
138 resources and assessment and intervention with individuals whose  
139 behavior may pose a threat to the safety of school staff or  
140 students consistent with the model policies developed by the  
141 Office of Safe Schools. Such policies must include procedures  
142 for referrals to mental health services identified by the school  
143 district pursuant to s. 1012.584(4), when appropriate, and  
144 procedures for behavioral threat assessments in compliance with  
145 the instrument developed pursuant to s. 1001.212(13) ~~s.~~

35-00123-22

20221072\_\_

146 ~~1001.212(12)~~.

147 (a) A threat assessment team shall include persons with  
148 expertise in counseling, instruction, school administration, and  
149 law enforcement. The threat assessment teams shall identify  
150 members of the school community to whom threatening behavior  
151 should be reported and provide guidance to students, faculty,  
152 and staff regarding recognition of threatening or aberrant  
153 behavior that may represent a threat to the community, school,  
154 or self. Upon the availability of the behavioral threat  
155 assessment instrument developed pursuant to s. 1001.212(13) ~~s.~~  
156 ~~1001.212(12)~~, the threat assessment team shall use that  
157 instrument.

158 (b) Upon a preliminary determination that a student poses a  
159 threat of violence or physical harm to himself or herself or  
160 others, a threat assessment team shall immediately report its  
161 determination to the superintendent or his or her designee. The  
162 superintendent or his or her designee shall immediately attempt  
163 to notify the student's parent or legal guardian. Nothing in  
164 this subsection shall preclude school district personnel from  
165 acting immediately to address an imminent threat.

166 (c) Upon a preliminary determination by the threat  
167 assessment team that a student poses a threat of violence to  
168 himself or herself or others or exhibits significantly  
169 disruptive behavior or need for assistance, authorized members  
170 of the threat assessment team may obtain criminal history record  
171 information pursuant to s. 985.04(1). A member of a threat  
172 assessment team may not disclose any criminal history record  
173 information obtained pursuant to this section or otherwise use  
174 any record of an individual beyond the purpose for which such

35-00123-22

20221072\_\_

175 disclosure was made to the threat assessment team.

176 (d) Notwithstanding any other provision of law, all state  
177 and local agencies and programs that provide services to  
178 students experiencing or at risk of an emotional disturbance or  
179 a mental illness, including the school districts, school  
180 personnel, state and local law enforcement agencies, the  
181 Department of Juvenile Justice, the Department of Children and  
182 Families, the Department of Health, the Agency for Health Care  
183 Administration, the Agency for Persons with Disabilities, the  
184 Department of Education, the Statewide Guardian Ad Litem Office,  
185 and any service or support provider contracting with such  
186 agencies, may share with each other records or information that  
187 are confidential or exempt from disclosure under chapter 119 if  
188 the records or information are reasonably necessary to ensure  
189 access to appropriate services for the student or to ensure the  
190 safety of the student or others. All such state and local  
191 agencies and programs shall communicate, collaborate, and  
192 coordinate efforts to serve such students.

193 (e) If an immediate mental health or substance abuse crisis  
194 is suspected, school personnel shall follow policies established  
195 by the threat assessment team to engage behavioral health crisis  
196 resources. Behavioral health crisis resources, including, but  
197 not limited to, mobile crisis teams and school resource officers  
198 trained in crisis intervention, shall provide emergency  
199 intervention and assessment, make recommendations, and refer the  
200 student for appropriate services. Onsite school personnel shall  
201 report all such situations and actions taken to the threat  
202 assessment team, which shall contact the other agencies involved  
203 with the student and any known service providers to share

35-00123-22

20221072\_\_

204 information and coordinate any necessary followup actions. Upon  
205 the student's transfer to a different school, the threat  
206 assessment team shall verify that any intervention services  
207 provided to the student remain in place until the threat  
208 assessment team of the receiving school independently determines  
209 the need for intervention services.

210 (f) Each threat assessment team established pursuant to  
211 this subsection shall report quantitative data on its activities  
212 to the Office of Safe Schools in accordance with guidance from  
213 the office and shall utilize the threat assessment database  
214 developed pursuant to s. 1001.212(14) ~~s. 1001.212(13)~~ upon the  
215 availability of the database.

216 Section 5. This act shall take effect July 1, 2022.