

By Senator Gruters

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1                                   A bill to be entitled  
2       An act relating to school safety; amending s. 943.082,  
3       F.S.; requiring the FortifyFL reporting tool to notify  
4       reporting parties that submitting false information  
5       may subject them to criminal penalties; providing that  
6       certain reports will remain anonymous; amending s.  
7       1001.11, F.S.; requiring the Commissioner of Education  
8       to oversee and enforce compliance with requirements  
9       relating to school safety and security; requiring the  
10      commissioner to take specified actions under certain  
11      circumstances relating to noncompliance; amending s.  
12      1001.20, F.S.; requiring the Department of Education's  
13      Office of Inspector General to investigate certain  
14      allegations if the commissioner determines that a  
15      district school board is unwilling or unable to  
16      address the allegations; amending s. 1001.212, F.S.;  
17      revising the duties of the Office of Safe Schools;  
18      amending s. 1006.07, F.S.; requiring certain law  
19      enforcement officers to be physically present and  
20      directly involved in active assailant emergency  
21      drills; requiring the State Board of Education to  
22      adopt rules; specifying the requirements for the  
23      rules; requiring district school boards and charter  
24      school governing boards to adopt family reunification  
25      plans; providing for the update and review of such  
26      plan; requiring all members of threat assessment teams  
27      to be involved in certain processes and decisions;  
28      amending s. 1006.12, F.S.; making technical changes;  
29      authorizing school safety officers to make arrests on

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30 property owned or leased by a charter school under a  
31 charter contract; requiring district school  
32 superintendents or charter school administrators,  
33 instead of school districts, to notify county sheriffs  
34 and the Office of Safe Schools of certain safe-school  
35 officer-related incidents; specifying training  
36 requirements for certain safe-school officers;  
37 amending s. 1006.1493, F.S.; requiring the Florida  
38 Safe Schools Assessment Tool to address policies and  
39 procedures to prepare for and respond to natural and  
40 manmade disasters; amending s. 1008.32, F.S.;

41 authorizing the State Board of Education to direct a  
42 school district to suspend the salaries of certain  
43 officials if the state board determines the district  
44 school board is unwilling or unable to comply with law  
45 or state board rule; providing effective dates.

46  
47 Be It Enacted by the Legislature of the State of Florida:

48  
49 Section 1. Effective October 1, 2022, paragraph (c) is  
50 added to subsection (2) of section 943.082, Florida Statutes, to  
51 read:

52 943.082 School Safety Awareness Program.—

53 (2) The reporting tool must notify the reporting party of  
54 the following information:

55 (c) That if, following an investigation, it is determined  
56 that a person knowingly submitted a false tip through FortifyFL,  
57 the Internet protocol (IP) address of the device on which the  
58 tip was submitted will be provided to law enforcement agencies

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59 for further investigation, and the reporting party may be  
60 subject to criminal penalties under s. 837.05. In all other  
61 circumstances, unless the reporting party has chosen to disclose  
62 his or her identity, the report will remain anonymous.

63 Section 2. Subsection (9) of section 1001.11, Florida  
64 Statutes, is amended to read:

65 1001.11 Commissioner of Education; other duties.—

66 (9) The commissioner shall oversee and enforce compliance  
67 with the requirements relating to school safety and security  
68 ~~requirements of the Marjory Stoneman Douglas High School Public~~  
69 ~~Safety Act, chapter 2018-3, Laws of Florida,~~ by school  
70 districts; district school superintendents; and public schools,  
71 including charter schools. Upon notification by the Office of  
72 Safe Schools of a school district's substantiated noncompliance  
73 with school safety and security requirements, the commissioner  
74 must require the district school board to withhold further  
75 payment of the salary of the superintendent, as authorized under  
76 s. 1001.42(13)(b). Upon notification by the Office of Safe  
77 Schools that a charter school has failed to comply with the  
78 requirements relating to school safety and security, the  
79 commissioner must facilitate compliance by charter schools by  
80 recommending actions to the district school board pursuant to s.  
81 1002.33. The commissioner must facilitate compliance to the  
82 maximum extent provided under law, identify incidents of  
83 noncompliance, and impose or recommend to the State Board of  
84 Education, the Governor, or the Legislature enforcement and  
85 sanctioning actions pursuant to s. 1008.32 and other authority  
86 granted under law.

87 Section 3. Paragraph (e) of subsection (4) of section

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88 1001.20, Florida Statutes, is amended to read:

89 1001.20 Department under direction of state board.—

90 (4) The Department of Education shall establish the  
91 following offices within the Office of the Commissioner of  
92 Education which shall coordinate their activities with all other  
93 divisions and offices:

94 (e) *Office of Inspector General.*—Organized using existing  
95 resources and funds and responsible for promoting  
96 accountability, efficiency, and effectiveness and detecting  
97 fraud and abuse within school districts, the Florida School for  
98 the Deaf and the Blind, and Florida College System institutions  
99 in Florida. If the Commissioner of Education determines that a  
100 district school board, the Board of Trustees for the Florida  
101 School for the Deaf and the Blind, or a Florida College System  
102 institution board of trustees is unwilling or unable to address  
103 substantiated allegations made by any person relating to waste,  
104 fraud, or financial mismanagement within the school district,  
105 the Florida School for the Deaf and the Blind, or the Florida  
106 College System institution, the office must ~~shall~~ conduct,  
107 coordinate, or request investigations into such substantiated  
108 allegations. If the Commissioner of Education determines that a  
109 district school board is unwilling or unable to address credible  
110 allegations made by any person relating to compliance with the  
111 requirements relating to school safety and security, the office  
112 must conduct, coordinate, or request investigations into such  
113 allegations. The office shall investigate allegations or reports  
114 of possible fraud or abuse against a district school board made  
115 by any member of the Cabinet; the presiding officer of either  
116 house of the Legislature; a chair of a substantive or

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117 appropriations committee with jurisdiction; or a member of the  
118 board for which an investigation is sought. The office shall  
119 have access to all information and personnel necessary to  
120 perform its duties and shall have all of its current powers,  
121 duties, and responsibilities authorized in s. 20.055.

122 Section 4. Present subsections (14) and (15) of section  
123 1001.212, Florida Statutes, are redesignated as subsections (15)  
124 and (16), respectively, a new subsection (14) and subsection  
125 (17) are added to that section, and subsections (2) and (6) of  
126 that section are amended, to read:

127 1001.212 Office of Safe Schools.—There is created in the  
128 Department of Education the Office of Safe Schools. The office  
129 is fully accountable to the Commissioner of Education. The  
130 office shall serve as a central repository for best practices,  
131 training standards, and compliance oversight in all matters  
132 regarding school safety and security, including prevention  
133 efforts, intervention efforts, and emergency preparedness  
134 planning. The office shall:

135 (2) Provide ongoing professional development opportunities  
136 to school district and charter school personnel.

137 (6) Coordinate with the Department of Law Enforcement to  
138 provide a unified search tool, known as the Florida School  
139 Safety Portal, ~~centralized integrated data repository and data~~  
140 ~~analytics resources~~ to improve access to timely, complete, and  
141 accurate information ~~integrating data~~ from, at a minimum, ~~but~~  
142 ~~not limited to~~, the following data sources ~~by August 1, 2019~~:

- 143 (a) Social media Internet posts;  
144 (b) The Department of Children and Families;  
145 (c) The Department of Law Enforcement;

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- 146 (d) The Department of Juvenile Justice;
- 147 (e) The mobile suspicious activity reporting tool known as
- 148 FortifyFL;
- 149 (f) School environmental safety incident reports collected
- 150 under subsection (8); and
- 151 (g) Local law enforcement.

152

153 Data that is exempt or confidential and exempt from public

154 records requirements retains its exempt or confidential and

155 exempt status when incorporated into the centralized integrated

156 data repository. To maintain the confidentiality requirements

157 attached to the information provided to the centralized

158 integrated data repository by the various state and local

159 agencies, data governance and security shall ensure compliance

160 with all applicable state and federal data privacy requirements

161 through the use of user authorization and role-based security,

162 data anonymization and aggregation and auditing capabilities. To

163 maintain the confidentiality requirements attached to the

164 information provided to the centralized integrated data

165 repository by the various state and local agencies, each source

166 agency providing data to the repository shall be the sole

167 custodian of the data for the purpose of any request for

168 inspection or copies thereof under chapter 119. The department

169 shall only allow access to data from the source agencies in

170 accordance with rules adopted by the respective source agencies

171 and the requirements of the Federal Bureau of Investigation

172 Criminal Justice Information Services security policy, where

173 applicable.

174 (14) Develop, in coordination with the Division of

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175 Emergency Management; other federal, state, and local law  
176 enforcement agencies; fire and rescue agencies; and first  
177 responder agencies, a model family reunification plan for use by  
178 child care facilities, public K-12 schools, and public  
179 postsecondary educational institutions that are closed or  
180 unexpectedly evacuated due to a natural or manmade disaster.  
181 This model plan must be reviewed annually and updated, as  
182 applicable.

183 (17) Maintain a current directory of public and private  
184 school-based diversion programs and cooperate with each judicial  
185 circuit and the Department of Juvenile Justice to facilitate  
186 their efforts to monitor and enforce each governing body's  
187 compliance with s. 985.12.

188 Section 5. Paragraph (a) of subsection (4) and paragraph  
189 (a) of subsection (7) of section 1006.07, Florida Statutes, are  
190 amended, and paragraph (d) is added to subsection (6) of that  
191 section, to read:

192 1006.07 District school board duties relating to student  
193 discipline and school safety.—The district school board shall  
194 provide for the proper accounting for all students, for the  
195 attendance and control of students at school, and for proper  
196 attention to health, safety, and other matters relating to the  
197 welfare of students, including:

198 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

199 (a) Formulate and prescribe policies and procedures, in  
200 consultation with the appropriate public safety agencies, for  
201 emergency drills and for actual emergencies, including, but not  
202 limited to, fires, natural disasters, active assailant and  
203 hostage situations, and bomb threats, for all students and

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204 faculty at all public schools of the district composed ~~comprised~~  
205 of grades K-12, pursuant to State Board of Education rules.  
206 Drills for active assailant and hostage situations must ~~shall~~ be  
207 conducted in accordance with developmentally appropriate and  
208 age-appropriate procedures, as specified in State Board of  
209 Education rules ~~at least as often as other emergency drills.~~ Law  
210 enforcement officers responsible for responding to the school in  
211 the event of an active assailant emergency, as determined  
212 necessary by the sheriff in coordination with the district's  
213 school safety specialist, must be physically present on campus  
214 and directly involved in the execution of active assailant  
215 emergency drills. District school board policies must ~~shall~~  
216 include commonly used alarm system responses for specific types  
217 of emergencies and verification by each school that drills have  
218 been provided as required by law, State Board of Education  
219 rules, and fire protection codes and may provide accommodations  
220 for drills conducted by exceptional student education centers.  
221 District school boards shall establish emergency response and  
222 emergency preparedness policies and procedures that include, but  
223 are not limited to, identifying the individuals responsible for  
224 contacting the primary emergency response agency and the  
225 emergency response agency ~~that is~~ responsible for notifying the  
226 school district for each type of emergency. The State Board of  
227 Education shall refer to recommendations provided in reports  
228 published pursuant to s. 943.687 for guidance and, by August 1,  
229 2023, consult with state and local constituencies to adopt rules  
230 applicable to the requirements of this subsection which, at a  
231 minimum, define the terms "emergency drill," "active threat,"  
232 and "after-action report" and establish minimum emergency drill



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233 policies and procedures related to the timing, frequency,  
234 participation, training, notification, accommodations, and  
235 responses to threat situations by incident type, school level,  
236 school type, and student and school characteristics. The rules  
237 must require all types of emergency drills to be conducted no  
238 less frequently than on an annual school year basis.

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

244 (d) Each district school board and charter school governing  
245 board shall adopt, in coordination with local law enforcement  
246 agencies, a family reunification plan to reunite students and  
247 employees with their families in the event that a school is  
248 closed or unexpectedly evacuated due to a natural or manmade  
249 disaster. This reunification plan must be reviewed annually and  
250 updated, as applicable.

251 (7) THREAT ASSESSMENT TEAMS.—Each district school board  
252 shall adopt policies for the establishment of threat assessment  
253 teams at each school whose duties include the coordination of  
254 resources and assessment and intervention with individuals whose  
255 behavior may pose a threat to the safety of school staff or  
256 students consistent with the model policies developed by the  
257 Office of Safe Schools. Such policies must include procedures  
258 for referrals to mental health services identified by the school  
259 district pursuant to s. 1012.584(4), when appropriate, and  
260 procedures for behavioral threat assessments in compliance with  
261 the instrument developed pursuant to s. 1001.212(12).

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262 (a) A threat assessment team shall include persons with  
263 expertise in counseling, instruction, school administration, and  
264 law enforcement. All members of the threat assessment team must  
265 be involved in the threat assessment process and final  
266 decisionmaking. The threat assessment teams shall identify  
267 members of the school community to whom threatening behavior  
268 should be reported and provide guidance to students, faculty,  
269 and staff regarding recognition of threatening or aberrant  
270 behavior that may represent a threat to the community, school,  
271 or self. Upon the availability of the behavioral threat  
272 assessment instrument developed pursuant to s. 1001.212(12), the  
273 threat assessment team shall use that instrument.

274 Section 6. Present subsection (6) of section 1006.12,  
275 Florida Statutes, is redesignated as subsection (8), a new  
276 subsection (6) and subsection (7) are added to that section, and  
277 paragraph (c) of subsection (1), paragraphs (a) and (b) of  
278 subsection (2), and subsection (5) of that section are amended,  
279 to read:

280 1006.12 Safe-school officers at each public school.—For the  
281 protection and safety of school personnel, property, students,  
282 and visitors, each district school board and school district  
283 superintendent shall partner with law enforcement agencies or  
284 security agencies to establish or assign one or more safe-school  
285 officers at each school facility within the district, including  
286 charter schools. A district school board must collaborate with  
287 charter school governing boards to facilitate charter school  
288 access to all safe-school officer options available under this  
289 section. The school district may implement any combination of  
290 the options in subsections (1)-(4) to best meet the needs of the

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291 school district and charter schools.

292 (1) SCHOOL RESOURCE OFFICER.—A school district may  
293 establish school resource officer programs through a cooperative  
294 agreement with law enforcement agencies.

295 ~~(c) Complete mental health crisis intervention training~~  
296 ~~using a curriculum developed by a national organization with~~  
297 ~~expertise in mental health crisis intervention. The training~~  
298 ~~shall improve officers' knowledge and skills as first responders~~  
299 ~~to incidents involving students with emotional disturbance or~~  
300 ~~mental illness, including de-escalation skills to ensure student~~  
301 ~~and officer safety.~~

302 (2) SCHOOL SAFETY OFFICER.—A school district may commission  
303 one or more school safety officers for the protection and safety  
304 of school personnel, property, and students within the school  
305 district. The district school superintendent may recommend, and  
306 the district school board may appoint, one or more school safety  
307 officers.

308 (a) School safety officers shall undergo criminal  
309 background checks, drug testing, and a psychological evaluation  
310 and be law enforcement officers, as defined in s. 943.10(1),  
311 certified under ~~the provisions of~~ chapter 943 and employed by  
312 either a law enforcement agency or by the district school board.  
313 If the officer is employed by the district school board, the  
314 district school board is the employing agency for purposes of  
315 chapter 943, and must comply with ~~the provisions of~~ that  
316 chapter.

317 (b) A school safety officer has and shall exercise the  
318 power to make arrests for violations of law on district school  
319 board property or on property owned or leased by a charter

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320 school under a charter contract, as applicable, and to arrest  
321 persons, whether on or off such property, who violate any law on  
322 such property under the same conditions that deputy sheriffs are  
323 authorized to make arrests. A school safety officer has the  
324 authority to carry weapons when performing his or her official  
325 duties.

326 (5) NOTIFICATION.—The district school superintendent or  
327 charter school administrator ~~school district~~ shall notify the  
328 county sheriff and the Office of Safe Schools immediately after,  
329 but no later than 72 hours after:

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

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

335 (6) CRISIS INTERVENTION TRAINING.—Each safe-school officer  
336 who is also a sworn law enforcement officer shall complete  
337 mental health crisis intervention training using a curriculum  
338 developed by a national organization with expertise in mental  
339 health crisis intervention. The training must improve the  
340 officer's knowledge and skills as a first responder to incidents  
341 involving students with emotional disturbance or mental illness,  
342 including de-escalation skills to ensure student and officer  
343 safety.

344 (7) LIMITATIONS.—An individual must satisfy the background  
345 screening, psychological evaluation, and drug test requirements  
346 and be approved by the sheriff before participating in any  
347 training required by s. 30.15(1)(k), which may be conducted only  
348 by a sheriff.

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349  
350 If a district school board, through its adopted policies,  
351 procedures, or actions, denies a charter school access to any  
352 safe-school officer options pursuant to this section, the school  
353 district must assign a school resource officer or school safety  
354 officer to the charter school. Under such circumstances, the  
355 charter school's share of the costs of the school resource  
356 officer or school safety officer may not exceed the safe school  
357 allocation funds provided to the charter school pursuant to s.  
358 1011.62(13) and shall be retained by the school district.

359 Section 7. Paragraph (a) of subsection (2) of section  
360 1006.1493, Florida Statutes, is amended to read:

361 1006.1493 Florida Safe Schools Assessment Tool.—

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

366 (a) At a minimum, the FSSAT must address all of the  
367 following components:

- 368 1. School emergency and crisis preparedness planning;
- 369 2. Security, crime, and violence prevention policies and  
370 procedures;
- 371 3. Physical security measures;
- 372 4. Professional development training needs;
- 373 5. An examination of support service roles in school  
374 safety, security, and emergency planning;
- 375 6. School security and school police staffing, operational  
376 practices, and related services;
- 377 7. School and community collaboration on school safety; ~~and~~

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378           8. Policies and procedures for school officials to prepare  
379 for and respond to natural and manmade disasters, including  
380 family reunification plans to reunite students and employees  
381 with their families after a school is closed or unexpectedly  
382 evacuated due to such disasters; and

383           9. A return on investment analysis of the recommended  
384 physical security controls.

385           Section 8. Paragraph (e) is added to subsection (4) of  
386 section 1008.32, Florida Statutes, to read:

387           1008.32 State Board of Education oversight enforcement  
388 authority.—The State Board of Education shall oversee the  
389 performance of early learning coalitions, district school  
390 boards, and Florida College System institution boards of  
391 trustees in enforcement of all laws and rules. District school  
392 boards and Florida College System institution boards of trustees  
393 shall be primarily responsible for compliance with law and state  
394 board rule.

395           (4) If the State Board of Education determines that an  
396 early learning coalition, a district school board, or a Florida  
397 College System institution board of trustees is unwilling or  
398 unable to comply with law or state board rule within the  
399 specified time, the state board has ~~shall have~~ the authority to  
400 initiate any of the following actions:

401           (e) When the noncompliance is related to school safety  
402 overseen by a district school board, direct the school district  
403 to suspend the salary of the district school superintendent and,  
404 if the superintendent is appointed, the salaries of the district  
405 school board members until such time as the noncompliance is  
406 remedied.

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407           Section 9. Except as otherwise expressly provided in this  
408 act, this act shall take effect July 1, 2022.