

By the Committee on Appropriations; and Senators Gruters, Perry, Polsky, and Rodrigues

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1 A bill to be entitled
2 An act relating to school safety; amending s. 943.687,
3 F.S.; extending the sunset date of the Marjory
4 Stoneman Douglas High School Public Safety Commission;
5 amending s. 943.082, F.S.; requiring the FortifyFL
6 reporting tool to notify reporting parties that
7 submitting false information may subject them to
8 criminal penalties; providing that certain reports
9 will remain anonymous; amending s. 1001.11, F.S.;
10 requiring the Commissioner of Education to oversee and
11 enforce compliance with requirements relating to
12 school safety and security; amending s. 1001.212,
13 F.S.; revising the duties of the Office of Safe
14 Schools; amending s. 1006.07, F.S.; requiring certain
15 law enforcement officers to be physically present and
16 directly involved in active assailant emergency
17 drills; requiring school districts to notify such law
18 enforcement officers of such drills within a specified
19 time period; requiring the State Board of Education to
20 adopt rules; specifying the requirements for the
21 rules; requiring district school boards and charter
22 school governing boards, in coordination with
23 specified entities, to adopt family reunification
24 plans; providing for the update and review of such
25 plan; requiring all members of threat assessment teams
26 to be involved in certain processes and decisions;
27 requiring the Department of Education to annually
28 publish on its website specified data in a certain
29 format; requiring district school boards to adopt

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30 certain policies relating to suicide screening
31 instruments; amending s. 1006.12, F.S.; making
32 technical changes; authorizing school safety officers
33 to make arrests on property owned or leased by a
34 charter school under a charter contract; requiring
35 district school superintendents or charter school
36 administrators, instead of school districts, to notify
37 county sheriffs and the Office of Safe Schools of
38 certain safe-school officer-related incidents;
39 specifying training requirements for safe-school
40 officers; amending s. 1006.1493, F.S.; requiring the
41 Florida Safe Schools Assessment Tool to address
42 policies and procedures to prepare for and respond to
43 natural and manmade disasters; amending s. 1012.584,
44 F.S.; requiring each school district to certify that a
45 specified percentage of school personnel have received
46 certain training by a specified date; providing
47 effective dates.

48

49 Be It Enacted by the Legislature of the State of Florida:

50

51 Section 1. Subsection (9) of section 943.687, Florida
52 Statutes, is amended to read:

53 943.687 Marjory Stoneman Douglas High School Public Safety
54 Commission.—

55 (9) The commission shall submit an initial report on its
56 findings and recommendations to the Governor, President of the
57 Senate, and Speaker of the House of Representatives by January
58 1, 2019, and may issue reports annually thereafter. The

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59 commission shall sunset July 1, 2025 ~~2023~~, and this section is
60 repealed on that date.

61 Section 2. Effective October 1, 2022, paragraph (c) is
62 added to subsection (2) of section 943.082, Florida Statutes, to
63 read:

64 943.082 School Safety Awareness Program.—

65 (2) The reporting tool must notify the reporting party of
66 the following information:

67 (c) That if, following an investigation, it is determined
68 that a person knowingly submitted a false tip through FortifyFL,
69 the Internet protocol (IP) address of the device on which the
70 tip was submitted will be provided to law enforcement agencies
71 for further investigation, and the reporting party may be
72 subject to criminal penalties under s. 837.05. In all other
73 circumstances, unless the reporting party has chosen to disclose
74 his or her identity, the report will remain anonymous.

75 Section 3. Subsection (9) of section 1001.11, Florida
76 Statutes, is amended to read:

77 1001.11 Commissioner of Education; other duties.—

78 (9) The commissioner shall oversee and enforce compliance
79 with the requirements relating to school safety and security
80 ~~requirements of the Marjory Stoneman Douglas High School Public~~
81 ~~Safety Act, chapter 2018-3, Laws of Florida,~~ by school
82 districts; district school superintendents; and public schools,
83 including charter schools. The commissioner must facilitate
84 compliance to the maximum extent provided under law, identify
85 incidents of noncompliance, and impose or recommend to the State
86 Board of Education, the Governor, or the Legislature enforcement
87 and sanctioning actions pursuant to s. 1008.32 and other

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88 authority granted under law.

89 Section 4. Present subsections (14) and (15) of section
90 1001.212, Florida Statutes, are redesignated as subsections (15)
91 and (16), respectively, a new subsection (14) and subsection
92 (17) are added to that section, and subsections (2) and (6) of
93 that section are amended, to read:

94 1001.212 Office of Safe Schools.—There is created in the
95 Department of Education the Office of Safe Schools. The office
96 is fully accountable to the Commissioner of Education. The
97 office shall serve as a central repository for best practices,
98 training standards, and compliance oversight in all matters
99 regarding school safety and security, including prevention
100 efforts, intervention efforts, and emergency preparedness
101 planning. The office shall:

102 (2) Provide ongoing professional development opportunities
103 to school district and charter school personnel.

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

- 110 (a) Social media Internet posts;
- 111 (b) The Department of Children and Families;
- 112 (c) The Department of Law Enforcement;
- 113 (d) The Department of Juvenile Justice;
- 114 (e) The mobile suspicious activity reporting tool known as
115 FortifyFL;
- 116 (f) School environmental safety incident reports collected

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117 under subsection (8); and

118 (g) Local law enforcement.

119

120 Data that is exempt or confidential and exempt from public
121 records requirements retains its exempt or confidential and
122 exempt status when incorporated into the centralized integrated
123 data repository. To maintain the confidentiality requirements
124 attached to the information provided to the centralized
125 integrated data repository by the various state and local
126 agencies, data governance and security shall ensure compliance
127 with all applicable state and federal data privacy requirements
128 through the use of user authorization and role-based security,
129 data anonymization and aggregation and auditing capabilities. To
130 maintain the confidentiality requirements attached to the
131 information provided to the centralized integrated data
132 repository by the various state and local agencies, each source
133 agency providing data to the repository shall be the sole
134 custodian of the data for the purpose of any request for
135 inspection or copies thereof under chapter 119. The department
136 shall only allow access to data from the source agencies in
137 accordance with rules adopted by the respective source agencies
138 and the requirements of the Federal Bureau of Investigation
139 Criminal Justice Information Services security policy, where
140 applicable.

141 (14) Develop, in coordination with the Division of
142 Emergency Management; other federal, state, and local law
143 enforcement agencies; fire and rescue agencies; and first
144 responder agencies, a model family reunification plan for use by
145 child care facilities, public K-12 schools, and public

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146 postsecondary educational institutions that are closed or
147 unexpectedly evacuated due to a natural or manmade disaster.
148 This model plan must consider: the integration of student
149 information and notification systems to facilitate reunification
150 after a natural or manmade disaster; the provision of accurate
151 and real-time verification of reunification, including student
152 identification through a connection to the student information
153 system; parent or guardian custodial verification; a verifiable
154 chain of custody; and the provision of real-time reporting and
155 status of students and staff. This model plan must be reviewed
156 annually and updated, as applicable.

157 (17) Maintain a current directory of public and private
158 school-based diversion programs and cooperate with each judicial
159 circuit and the Department of Juvenile Justice to facilitate
160 their efforts to monitor and enforce each governing body's
161 compliance with s. 985.12.

162 Section 5. Paragraph (a) of subsection (4), paragraph (a)
163 of subsection (7), and subsection (9) of section 1006.07,
164 Florida Statutes, are amended, paragraph (d) is added to
165 subsection (6), and subsection (11) is added to that section, to
166 read:

167 1006.07 District school board duties relating to student
168 discipline and school safety.—The district school board shall
169 provide for the proper accounting for all students, for the
170 attendance and control of students at school, and for proper
171 attention to health, safety, and other matters relating to the
172 welfare of students, including:

173 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

174 (a) Formulate and prescribe policies and procedures, in

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175 consultation with the appropriate public safety agencies, for
176 emergency drills and for actual emergencies, including, but not
177 limited to, fires, natural disasters, active assailant and
178 hostage situations, and bomb threats, for all students and
179 faculty at all public schools of the district composed ~~comprised~~
180 of grades K-12, pursuant to State Board of Education rules.
181 Drills for active assailant and hostage situations must ~~shall~~ be
182 conducted in accordance with developmentally appropriate and
183 age-appropriate procedures, as specified in State Board of
184 Education rules at least as often as other emergency drills. Law
185 enforcement officers responsible for responding to the school in
186 the event of an active assailant emergency, as determined
187 necessary by the sheriff in coordination with the district's
188 school safety specialist, must be physically present on campus
189 and directly involved in the execution of active assailant
190 emergency drills. School districts must notify law enforcement
191 officers at least 24 hours before conducting an active assailant
192 emergency drill that such law enforcement officers are expected
193 to attend. District school board policies must ~~shall~~ include
194 commonly used alarm system responses for specific types of
195 emergencies and verification by each school that drills have
196 been provided as required by law, State Board of Education
197 rules, and fire protection codes and may provide accommodations
198 for drills conducted by exceptional student education centers.
199 District school boards shall establish emergency response and
200 emergency preparedness policies and procedures that include, but
201 are not limited to, identifying the individuals responsible for
202 contacting the primary emergency response agency and the
203 emergency response agency ~~that is~~ responsible for notifying the

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204 school district for each type of emergency. The State Board of
205 Education shall refer to recommendations provided in reports
206 published pursuant to s. 943.687 for guidance and, by August 1,
207 2023, consult with state and local constituencies to adopt rules
208 applicable to the requirements of this subsection which, at a
209 minimum, define the terms "emergency drill," "active threat,"
210 and "after-action report" and establish minimum emergency drill
211 policies and procedures related to the timing, frequency,
212 participation, training, notification, accommodations, and
213 responses to threat situations by incident type, school level,
214 school type, and student and school characteristics. The rules
215 must require all types of emergency drills to be conducted no
216 less frequently than on an annual school year basis.

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

222 (d) Each district school board and charter school governing
223 board shall adopt, in coordination with local law enforcement
224 agencies and local governments, a family reunification plan to
225 reunite students and employees with their families in the event
226 that a school is closed or unexpectedly evacuated due to a
227 natural or manmade disaster. This reunification plan must be
228 reviewed annually and updated, as applicable.

229 (7) THREAT ASSESSMENT TEAMS.—Each district school board
230 shall adopt policies for the establishment of threat assessment
231 teams at each school whose duties include the coordination of
232 resources and assessment and intervention with individuals whose

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233 behavior may pose a threat to the safety of school staff or
234 students consistent with the model policies developed by the
235 Office of Safe Schools. Such policies must include procedures
236 for referrals to mental health services identified by the school
237 district pursuant to s. 1012.584(4), when appropriate, and
238 procedures for behavioral threat assessments in compliance with
239 the instrument developed pursuant to s. 1001.212(12).

240 (a) A threat assessment team shall include persons with
241 expertise in counseling, instruction, school administration, and
242 law enforcement. All members of the threat assessment team must
243 be involved in the threat assessment process and final
244 decisionmaking. The threat assessment teams shall identify
245 members of the school community to whom threatening behavior
246 should be reported and provide guidance to students, faculty,
247 and staff regarding recognition of threatening or aberrant
248 behavior that may represent a threat to the community, school,
249 or self. Upon the availability of the behavioral threat
250 assessment instrument developed pursuant to s. 1001.212(12), the
251 threat assessment team shall use that instrument.

252 (9) SCHOOL ENVIRONMENTAL SAFETY INCIDENT REPORTING.—Each
253 district school board shall adopt policies to ensure the
254 accurate and timely reporting of incidents related to school
255 safety and discipline. The district school superintendent is
256 responsible for school environmental safety incident reporting.
257 A district school superintendent who fails to comply with this
258 subsection is subject to the penalties specified in law,
259 including, but not limited to, s. 1001.42(13) (b) or s.
260 1001.51(12) (b), as applicable. The State Board of Education
261 shall adopt rules establishing the requirements for the school

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262 environmental safety incident report. Annually, the department
263 shall publish on its website the most recently available school
264 environmental safety incident data along with other school
265 accountability and performance data in a uniform, statewide
266 format that is easy to read and understand.

267 (11) SUICIDE SCREENING INSTRUMENT.—Each district school
268 board shall adopt policies to ensure that district schools and
269 local mobile response teams use the same suicide screening
270 instrument approved by the department pursuant to s. 1012.583.

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

277 1006.12 Safe-school officers at each public school.—For the
278 protection and safety of school personnel, property, students,
279 and visitors, each district school board and school district
280 superintendent shall partner with law enforcement agencies or
281 security agencies to establish or assign one or more safe-school
282 officers at each school facility within the district, including
283 charter schools. A district school board must collaborate with
284 charter school governing boards to facilitate charter school
285 access to all safe-school officer options available under this
286 section. The school district may implement any combination of
287 the options in subsections (1)-(4) to best meet the needs of the
288 school district and charter schools.

289 (1) SCHOOL RESOURCE OFFICER.—A school district may
290 establish school resource officer programs through a cooperative

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291 agreement with law enforcement agencies.

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

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

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

314 (b) A school safety officer has and shall exercise the
315 power to make arrests for violations of law on district school
316 board property or on property owned or leased by a charter
317 school under a charter contract, as applicable, and to arrest
318 persons, whether on or off such property, who violate any law on
319 such property under the same conditions that deputy sheriffs are

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320 authorized to make arrests. A school safety officer has the
321 authority to carry weapons when performing his or her official
322 duties.

323 (5) NOTIFICATION.—The district school superintendent or
324 charter school administrator, or a respective designee, ~~school~~
325 ~~district~~ shall notify the county sheriff and the Office of Safe
326 Schools immediately after, but no later than 72 hours after:

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

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

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

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

346
347 If a district school board, through its adopted policies,
348 procedures, or actions, denies a charter school access to any

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349 safe-school officer options pursuant to this section, the school
350 district must assign a school resource officer or school safety
351 officer to the charter school. Under such circumstances, the
352 charter school's share of the costs of the school resource
353 officer or school safety officer may not exceed the safe school
354 allocation funds provided to the charter school pursuant to s.
355 1011.62(13) and shall be retained by the school district.

356 Section 7. Paragraph (a) of subsection (2) of section
357 1006.1493, Florida Statutes, is amended to read:

358 1006.1493 Florida Safe Schools Assessment Tool.—

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

363 (a) At a minimum, the FSSAT must address all of the
364 following components:

- 365 1. School emergency and crisis preparedness planning;
- 366 2. Security, crime, and violence prevention policies and
367 procedures;
- 368 3. Physical security measures;
- 369 4. Professional development training needs;
- 370 5. An examination of support service roles in school
371 safety, security, and emergency planning;
- 372 6. School security and school police staffing, operational
373 practices, and related services;
- 374 7. School and community collaboration on school safety; ~~and~~
- 375 8. Policies and procedures for school officials to prepare
376 for and respond to natural and manmade disasters, including
377 family reunification plans to reunite students and employees

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378 with their families after a school is closed or unexpectedly
379 evacuated due to such disasters; and

380 9. A return on investment analysis of the recommended
381 physical security controls.

382 Section 8. Subsection (5) is added to section 1012.584,
383 Florida Statutes, to read:

384 1012.584 Continuing education and inservice training for
385 youth mental health awareness and assistance.—

386 (5) No later than July 1, 2023, and annually thereafter by
387 July 1, each school district shall certify to the department, in
388 a format determined by the department, that at least 80 percent
389 of school personnel in elementary, middle, and high schools have
390 received the training required under this section.

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