

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K -12

BILL: SB 212

INTRODUCER: Senator Collins

SUBJECT: Emergency Response Mapping Data

DATE: February 6, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Brick</u>	<u>Bouck</u>	<u>ED</u>	<u>Pre-meeting</u>
2.	_____	_____	<u>AED</u>	_____
3.	_____	_____	<u>FP</u>	_____

I. Summary:

In order to assist local first responders in responding to emergencies in public schools, SB 212 requires the Department of Education to procure a vendor to produce standard emergency response mapping data for every public school building in this state. The bill requires the vendor to provide the data to the applicable county, district school boards, and the appropriate local, state, and federal public safety agencies for use in response to emergencies.

The bill also specifies minimum requirements for the emergency mapping data.

The bill has a significant but indeterminate fiscal impact.

The bill is effective July 1, 2023.

II. Present Situation:

Lessons learned from school emergencies highlight the importance of preparing school officials and first responders to implement emergency operations plans. By having plans in place to keep students and staff safe, schools play a key role in taking preventative and protective measures to stop an emergency from occurring or reduce the impact of an incident. They provide first aid, notify response partners, and provide instructions before first responders arrive.¹

Schools also work with their community partners (i.e., governmental organizations that have a responsibility in the school emergency operations plan to provide a cohesive, coordinated

¹ U.S. Department of Education, Office of Elementary and Secondary Education, Office of Safe and Healthy Students, *Guide for Developing High-Quality School Emergency Operations Plans* (2013), available at <https://www.fema.gov/sites/default/files/2020-07/guide-developing-school-emergency-operations-plans.pdf> at 7.

response). Community partners include first responders (law enforcement officers, fire officials, and emergency medical services personnel) as well as public and mental health entities.²

According to federal guidance,³ the planning process must include preparing and making available to first responders an up-to-date and well-documented site assessment as well as any other information that would assist them. These materials should include building schematics and photos of both the inside and the outside, and include information about door and window locations, and locks and access controls. Emergency responders should also have advance information on where students, staff, and others with disabilities as well as those with access and functional needs are likely to be sheltering or escaping, generally in physically accessible locations, along accessible routes, or in specific classrooms.⁴

State school safety guidance also highlights the importance of ensuring that first responders understand the layout of school facilities. In a 2019 report on school safety, the Marjory Stoneman Douglas High School Public Safety Commission recommended that schools quickly, with little to no funding required:⁵

- Ensure all campus doors and buildings are clearly marked with easily identifiable markings known to first responders.
- Mark exterior classroom windows so first responders can identify classrooms from the exterior of the building.
- Place building numbers on the roof for aerial support.
- Provide keys/access to on duty law enforcement so they can quickly enter the school.

State-Level Support

Comprehensive Emergency Management Plan

For the 3,697 public schools in Florida,⁶ emergency management is a collaborative process that includes the Division of Emergency Management (DEM), the Department of Education (DOE), local governments and first responders, and district school boards.

² U.S. Department of Education, Office of Elementary and Secondary Education, Office of Safe and Healthy Students, *Guide for Developing High-Quality School Emergency Operations Plans* (2013), available at <https://www.fema.gov/sites/default/files/2020-07/guide-developing-school-emergency-operations-plans.pdf> at 7.

³ The federal agencies collaborating on the guidance include the Federal Bureau of Investigation, the Federal Emergency Management Agency, and the U.S. Departments of Education, Health and Human Services, Homeland Security, and Justice.

⁴ U.S. Department of Education, Office of Elementary and Secondary Education, Office of Safe and Healthy Students, *Guide for Developing High-Quality School Emergency Operations Plans* (2013), available at <https://www.fema.gov/sites/default/files/2020-07/guide-developing-school-emergency-operations-plans.pdf> at 64.

⁵ Marjory Stoneman Douglas Public High School Safety Commission, *Initial Report* (Jan. 2019), available at <http://www.fdle.state.fl.us/MSDHS/CommissionReport.pdf> at 364.

⁶ As of August 2021, there were 3,697 public schools in Florida. Florida Department of Education, *PK-12 Public School Data Publications and Reports: 2021-22 Public School Files*, available at <https://www.fldoe.org/accountability/data-sys/edu-info-accountability-services/pk-12-public-school-data-pubs-reports/school/index.stml> (Excel file “Number of Elementary, Middle/Junior High, High, and Combination Schools, K-12 General Education, by District”).

The DEM is required to prepare a state comprehensive emergency management plan (CEMP).⁷ The CEMP serves as the master operations document for Florida and is the framework through which the state handles emergencies and disasters.⁸

Each county, or with approval from the Governor, a group of two or more adjoining counties, is required to establish and maintain such an emergency management agency and develop a county emergency management plan and program that is coordinated and consistent with the state comprehensive emergency management plan and program.⁹

During a declared state or local emergency and upon the request of the director of the local emergency management agency, the district school board or school boards in the affected area are required to participate in emergency management by providing facilities and necessary personnel to staff such facilities.¹⁰

The Department of Education

When the needs of disaster survivors exceed local government capabilities,¹¹ the DOE is tasked under the CEMP, in relevant part, to:¹²

- Coordinate, when necessary during emergency activations, the use of educational facilities, campuses and equipment by federal and state agencies, local school districts and Colleges.
- Serve as the primary liaisons in coordinating all phases of an emergency response from pre-disaster planning through post disaster recovery of educational facilities.
- Facilitate the coordination and implementation of an emergency communication network with the State Emergency Response Team and the public education school districts and Colleges.
- Be prepared to provide trained personnel to other emergency response agencies upon activation of the State Emergency Operations Center.

The Commissioner of Education oversees and enforces compliance with the requirements relating to school safety and security by district school boards, district school superintendents, and public schools, including charter schools. The commissioner must facilitate compliance to the maximum extent provided under law, identify incidents of noncompliance, and impose or recommend to the State Board of Education, the Governor, or the Legislature enforcement and sanctioning actions.¹³

The Office of Safe Schools

The Office of Safe Schools (OSS) is a division of the DOE that serves as a central repository for best practices, training standards, and compliance oversight in matters regarding school safety

⁷ Section 252.35(2), F.S.

⁸ *Id.* Florida Division of Emergency Management, *2020 Comprehensive Emergency Management Plan*, available at <https://www.floridadisaster.org/globalassets/cemp/2020-CEMP/2020-state-CEMP.pdf>.

⁹ Section 252.38(1)(a), F.S.

¹⁰ Section 252.38(1)(d), F.S.

¹¹ Florida Division of Emergency Management, *2020 Comprehensive Emergency Management Plan*, available at <https://www.floridadisaster.org/globalassets/cemp/2020-CEMP/2020-state-CEMP.pdf> at 92.

¹² *Id.* at 101.

¹³ Section 1001.11(9), F.S.

and security, including prevention efforts, intervention efforts, and emergency preparedness planning. OSS responsibilities include, in relevant part:

- The establishment of the school security risk assessment tool for use by school districts.
- The development of a model emergency event family reunification plan for use by child care facilities, public K-12 schools, and public postsecondary institutions that are closed or unexpectedly evacuated due to natural or man-made disasters or emergencies.
- The development and implementation of a School Safety Specialist Training Program for school safety specialists, which must be based on national and state best practices on school safety and include active shooter training.
- Provision of ongoing professional development opportunities to district school board and charter school personnel.¹⁴

School District Requirements Related to School Safety

Emergency Response Policies and Procedures

District school boards must formulate and prescribe policies and procedures for emergency drills and for actual emergencies, including, but not limited to, fires, natural disasters, active assailant and hostage situations, and bomb threats, for all students and faculty at all district K-12 public schools. District school board policies must establish emergency response and emergency preparedness policies and procedures, including emergency notification procedures.¹⁵

Each district school board must employ a school safety specialist to serve as the school district liaison with local public safety agencies and national, state, and community agencies and organizations in matters of school safety and security.¹⁶ The school safety specialist must also conduct a school security risk assessment at each public school using the Florida Safe Schools Assessment Tool (FSSAT).

The FSSAT is required to be used by school officials at each school district and public school site in the state in conducting security assessments and is intended to help school officials identify threats, vulnerabilities, and appropriate safety controls for the schools that they supervise. The FSSAT is required to address certain components of school safety, such as school emergency and crisis preparedness planning.¹⁷

Each district school superintendent must provide to the law enforcement agency and fire department that has jurisdiction over each educational facility a copy of the floor plans and other relevant documents for each educational facility in the district. After the initial submission of the floor plans and other relevant documents, the district school superintendent is required to submit, by October 1 of each year, revised floor plans and other relevant documents for each educational facility in the district that was modified during the preceding year.¹⁸

¹⁴ Section 1001.212, F.S.

¹⁵ Section 1006.07(4), F.S.

¹⁶ Section 1006.07(6)(a), F.S.

¹⁷ Section 1006.1493, F.S.

¹⁸ Section 1013.13(1), F.S.

Trends in Emergency Response Mapping Data in Schools

At least 24 states are actively investing in digital maps, according to Critical Response Group, Inc., the country's largest school-mapping contractor.¹⁹ An initial digital or critical incident map by a third-party contractor can cost between roughly \$3,500 and \$5,000 per school.²⁰

Virginia

In Virginia, as part of required safety audits, each school board must create a detailed and accurate floor plan for each public school building in the local school division or certify that the existing floor plan for each such school is sufficiently detailed and accurate.²¹ In 2022, the Virginia Department of Criminal Justice Services announced it will reimburse each district school board up to \$3,500 for each school that collaborates with local first responder partners and chooses an approved vendor to provide digital mapping services for the school.²²

New Jersey

Under a bill passed in New Jersey in 2022, public and private schools are required to submit to local law enforcement authorities digital mapping data of school facilities.²³ The state has allocated \$6.5 million in funding from the American Rescue Plan Act of 2021²⁴ to cover digital mapping for the 1,500 public and private schools that do not have digital maps.²⁵

Washington

The Washington Legislature has appropriated \$24 million to map schools and cover operational costs of the school mapping system since 2003, when it directed the Washington Association of Sheriffs and Police Chiefs to create a statewide first responder mapping system for schools and other public buildings.²⁶ Currently, school districts update the information at their own expense. Among districts and agencies that report using the system, 33 to 53 percent intend to use it during an incident. Following a review of the status of the system in schools, the Joint Legislative Audit and Review Committee recommended that the Washington Association of Sheriffs and Police Chiefs should:²⁷

- Develop and implement detailed training and outreach strategies that have measurable goals and targets.

¹⁹ Pew, *After Uvalde, States Look to New Digital Maps to Keep Schools Safe* (Oct. 2022), <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2022/10/18/after-ualde-states-look-to-new-digital-maps-to-keep-schools-safe> (last visited Feb. 2, 2023).

²⁰ *Id.*

²¹ Va. Code s. 22.1-279.8.

²² Virginia Department of Criminal Justice Services, *Digital Mapping Program for Virginia K-12 Schools*, <https://www.dcjs.virginia.gov/digital-mapping-program-virginia-k-12-schools> (last visited Jan. 31, 2023).

²³ New Jersey Legislature, *S2426* (Session 2022-2023), <https://www.njleg.state.nj.us/bill-search/2022/S2426> (last visited Jan. 31, 2023).

²⁴ Pub. L. No. 117-2, 135 Stat. 1517 (Mar. 11, 2021).

²⁵ State of New Jersey Governor Phil Murphy, *Governor Murphy Unveils Statewide School Security Initiative* (Aug. 2022), <https://www.nj.gov/governor/news/news/562022/20220830a.shtml> (last visited Jan. 31, 2023).

²⁶ Washington JLARC, *20-02 Final Report: First Responder Mapping System in K-12 Schools* (June 2020), https://leg.wa.gov/jlarc/reports/2020/mapping/f_3/default.html (last visited Jan. 31, 2023).

²⁷ *Id.*

- Periodically review technology standards, address user feedback about technology issues, and use system data to inform its program management decisions.

Wisconsin

In 2022, the Wisconsin Department of Justice began offering grants of up to \$5,000 per building to district school boards, governing bodies of private schools, public schools, and tribal schools to submit to law enforcement a digital blueprint of a school that can be easily accessed by law enforcement on cell phones or other devices during a critical incident and provide a clear layout of a school for law enforcement when a quick response is necessary. A total of \$2 million is available in grant funding.²⁸

Michigan

The Michigan Legislature appropriated \$12.5 million²⁹ to districts, intermediate districts, and nonpublic schools for the implementation of critical incidence mapping that:³⁰

- Is compatible with platforms and applications used by local, state, and federal public safety officials.
- Does not require the purchase of additional software for use.
- Is provided in a printable format.
- Is verified for accuracy through a walk-through of a school building and school grounds.
- Is oriented true north.
- Includes accurate floor plans overlaid on or current aerial imagery of a school building or school plan.
- Includes site-specific labeling that matches the structure of the school building, including room labels, hallway names, external door or stairwell numbers, locations of hazards, key utility locations, key boxes, automated external defibrillators, and trauma kits.
- Includes site-specific labeling that matches the school grounds, including parking areas, athletic fields, surrounding roads, and neighboring properties.
- Includes a gridded overlay with x/y coordinates.
- Includes information that best assists first responders in an emergency, including, but not limited to, the following information:
 - Building numbers.
 - Floors.
 - Suite designations.
 - Room numbers.
 - Other available relevant location information for each school.

²⁸ Wisconsin Department of Justice, *DOJ Launches \$2 Million Critical Incident Mapping Data Grant Program* (July 2022), <https://www.doj.state.wi.us/news-releases/doj-launches-2-million-critical-incident-mapping-data-grant-program> (last visited Feb. 1, 2023).

²⁹ Michigan House Fiscal Agency, *FY 2021-22 Supplemental Appropriations Summary: Enacted Public Act 93 of 2022 (House Bill 6012)*, available at <http://www.legislature.mi.gov/documents/2021-2022/billanalysis/House/pdf/2021-HLA-6012-2F2BB5B1.pdf>.

³⁰ 2022 Mich. Pub. Act. 93, s. 97d.

III. Effect of Proposed Changes:

In order to assist local first responders in responding to emergencies in public schools, SB 212 amends s. 1013.13, F.S., to require the Department of Education procure a vendor to produce standard emergency response mapping data for every public school³¹ building in this state. The bill requires the vendor to provide the data to the applicable county, district school boards, and the appropriate local, state, and federal public safety agencies for use in response to emergencies.

The bill specifies minimum requirements for the emergency mapping data. Specifically, the bill requires the emergency response mapping data to be provided in an electronic or digital format to assist first responders in responding to emergencies at schools. The bill also requires the emergency response mapping data to:

- Be compatible with software platforms used by local, state, and federal public safety agencies that provide emergency services to the specific school for which the data is provided without requiring such agencies to purchase additional software or requiring the integration of third-party software to view the data.
- Be compatible with security software platforms in use by the specific school for which the data are provided without requiring local law enforcement agencies or school districts to purchase additional software or requiring the integration of third-party software to view data.
- Be provided in a printable format.
- Be verified for accuracy by a walk-through of school buildings and grounds.
- Be oriented true north.
- Be overlaid on current aerial imagery or plans of school buildings.
- Contain site-specific labeling that matches the structure of school buildings, including room labels, hallway names, and external door or stairwell numbers and locations of hazards, critical utility locations, key boxes, automated external defibrillators, and trauma kits.
- Contain site-specific labeling that matches the school grounds, including parking areas, athletic fields, surrounding roads, and neighboring properties.
- Be overlaid with gridded x/y coordinates.

Up-to-date mapping data for each public school may provide a more efficient and effective means for school officials and emergency responders to communicate critical information during a school emergency.

The bill is effective July 1, 2023.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

³¹ Public schools include charter schools. Section 1002.33(1), F.S.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

SB 212 may have a significant but indeterminate negative impact on general revenue.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1013.13 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.