

1 A bill to be entitled
 2 An act relating to public records; amending s. 30.15,
 3 F.S.; providing that certain information relating to
 4 school guardians which is held and reported by any
 5 school district, charter school, private school, or
 6 sheriff to the Department of Law Enforcement is exempt
 7 from public records requirements; providing a
 8 contingent effective date.

9
 10 Be It Enacted by the Legislature of the State of Florida:

11
 12 Section 1. Paragraph (k) of subsection (1) of section
 13 30.15, Florida Statutes, as amended by HB 1473, 2024 Regular
 14 Session, is amended to read:

15 30.15 Powers, duties, and obligations; public records
 16 exemption.—

17 (1) Sheriffs, in their respective counties, in person or
 18 by deputy, shall:

19 (k) Assist district school boards and charter school
 20 governing boards in complying with, or private schools in
 21 exercising options in, s. 1006.12. A sheriff must, at a minimum,
 22 provide access to a Chris Hixon, Coach Aaron Feis, and Coach
 23 Scott Beigel Guardian Program to aid in the prevention or
 24 abatement of active assailant incidents on school premises, as
 25 required under this paragraph. Persons certified as school

26 guardians pursuant to this paragraph have no authority to act in
27 any law enforcement capacity except to the extent necessary to
28 prevent or abate an active assailant incident.

29 1.a. If a local school board has voted by a majority to
30 implement a guardian program, the sheriff in that county shall
31 establish a guardian program to provide training, pursuant to
32 subparagraph 2., to school district, charter school, or private
33 school employees, either directly or through a contract with
34 another sheriff's office that has established a guardian
35 program.

36 b. A charter school governing board in a school district
37 that has not voted, or has declined, to implement a guardian
38 program may request the sheriff in the county to establish a
39 guardian program for the purpose of training the charter school
40 employees. If the county sheriff denies the request, the charter
41 school governing board may contract with a sheriff that has
42 established a guardian program to provide such training. The
43 charter school governing board must notify the superintendent
44 and the sheriff in the charter school's county of the contract
45 prior to its execution.

46 c. A private school in a school district that has not
47 voted, or has declined, to implement a guardian program may
48 request that the sheriff in the county of the private school
49 establish a guardian program for the purpose of training private
50 school employees. If the county sheriff denies the request, the

51 private school may contract with a sheriff from another county
52 who has established a guardian program to provide such training.
53 The private school must notify the sheriff in the private
54 school's county of the contract with a sheriff from another
55 county before its execution. The private school is responsible
56 for all training and screening-related costs for a school
57 guardian program. The sheriff providing such training must
58 ensure that any moneys paid by a private school are not
59 commingled with any funds provided by the state to the sheriff
60 as reimbursement for screening-related and training-related
61 costs of any school district or charter school employee.

62 d. The training program required in sub-subparagraph 2.b.
63 is a standardized statewide curriculum, and each sheriff
64 providing such training shall adhere to the course of
65 instruction specified in that sub-subparagraph. This
66 subparagraph does not prohibit a sheriff from providing
67 additional training. A school guardian who has completed the
68 training program required in sub-subparagraph 2.b. may not be
69 required to attend another sheriff's training program pursuant
70 to that sub-subparagraph unless there has been at least a 1-year
71 break in his or her appointment as a guardian.

72 e. The sheriff conducting the training pursuant to
73 subparagraph 2. for school district and charter school employees
74 will be reimbursed for screening-related and training-related
75 costs and for providing a one-time stipend of \$500 to each

76 | school guardian who participates in the school guardian program.

77 | f. The sheriff may waive the training and screening-
78 | related costs for a private school for a school guardian
79 | program.

80 | g. A person who is certified under the Florida Criminal
81 | Justice Standards and Training Commission, who meets the
82 | qualifications established in s. 943.13, and who is otherwise
83 | qualified for the position of a school guardian may be certified
84 | as a school guardian by the sheriff without completing the
85 | training requirements of sub-subparagraph 2.b. However, a person
86 | certified as a school guardian under this sub-subparagraph must
87 | meet the requirements of sub-subparagraphs 2.c.-e.

88 | 2. A sheriff who establishes a program shall consult with
89 | the Department of Law Enforcement on programmatic guiding
90 | principles, practices, and resources, and shall certify as
91 | school guardians, without the power of arrest, school employees,
92 | as specified in s. 1006.12(3), who:

93 | a. Hold a valid license issued under s. 790.06.

94 | b. Complete a 144-hour training program, consisting of 12
95 | hours of certified nationally recognized diversity training and
96 | 132 total hours of comprehensive firearm safety and proficiency
97 | training conducted by Criminal Justice Standards and Training
98 | Commission-certified instructors, which must include:

99 | (I) Eighty hours of firearms instruction based on the
100 | Criminal Justice Standards and Training Commission's Law

101 Enforcement Academy training model, which must include at least
 102 10 percent but no more than 20 percent more rounds fired than
 103 associated with academy training. Program participants must
 104 achieve an 85 percent pass rate on the firearms training.

105 (II) Sixteen hours of instruction in precision pistol.

106 (III) Eight hours of discretionary shooting instruction
 107 using state-of-the-art simulator exercises.

108 (IV) Sixteen hours of instruction in active shooter or
 109 assailant scenarios.

110 (V) Eight hours of instruction in defensive tactics.

111 (VI) Four hours of instruction in legal issues.

112 c. Pass a psychological evaluation administered by a
 113 psychologist licensed under chapter 490 and designated by the
 114 Department of Law Enforcement and submit the results of the
 115 evaluation to the sheriff's office. The Department of Law
 116 Enforcement is authorized to provide the sheriff's office with
 117 mental health and substance abuse data for compliance with this
 118 paragraph.

119 d. Submit to and pass an initial drug test and subsequent
 120 random drug tests in accordance with the requirements of s.
 121 112.0455 and the sheriff's office.

122 e. Successfully complete ongoing training, weapon
 123 inspection, and firearm qualification on at least an annual
 124 basis.

125

126 The sheriff who conducts the guardian training or waives the
127 training requirements for a person under sub-subparagraph 1.g.
128 shall issue a school guardian certificate to persons who meet
129 the requirements of this section to the satisfaction of the
130 sheriff, and shall maintain documentation of weapon and
131 equipment inspections, as well as the training, certification,
132 inspection, and qualification records of each school guardian
133 certified by the sheriff. A person who is certified under this
134 paragraph may serve as a school guardian under s. 1006.12(3)
135 only if he or she is appointed by the applicable school district
136 superintendent, charter school principal, or private school head
137 of school.

138 3.a.(I) Within 30 days after issuing a school guardian
139 certificate, the sheriff who issued the certificate must report
140 to the Department of Law Enforcement the name, date of birth,
141 and certification date of the school guardian.

142 (II) By August 1, 2024, each sheriff who issued a school
143 guardian certificate must report to the Department of Law
144 Enforcement the name, date of birth, and certification date of
145 each school guardian who received a certificate from the
146 sheriff.

147 b.(I) Annually, by February 1 and September 1, each school
148 district, charter school, and private school must report to the
149 Department of Law Enforcement the name, date of birth, and
150 appointment date of each person appointed as a school guardian.

HB 1509

2024

151 The school district, charter school, and private school must
152 also report to the Department of Law Enforcement the date such
153 person ends his or her appointment as a school guardian.

154 (II) By August 1, 2024, each school district, charter
155 school, and private school must report to the Department of Law
156 Enforcement the name, date of birth, and appointment date of
157 each person appointed as a school guardian. Within 30 days after
158 a school guardian ends his or her appointment, the school
159 district, charter school, and private school must report to the
160 Department of Law Enforcement the date such person ended his or
161 her appointment as a school guardian.

162 c. The Department of Law Enforcement shall maintain a list
163 of each person appointed as a school guardian in the state. The
164 list must include the name and certification date of each school
165 guardian and the date the person was appointed as a school
166 guardian, including the name of the school district, charter
167 school, or private school in which the school guardian is
168 appointed and, if applicable, the date such person ended his or
169 her appointment as a school guardian. The Department of Law
170 Enforcement shall remove from the list any person whose training
171 has expired pursuant to sub-subparagraph 1.d.

172 d.(I) Any information held by the department or a law
173 enforcement agency, school district, or charter school pursuant
174 to sub-subparagraphs a.-c. that would identify an individual who
175 has been certified to serve as a school guardian is exempt from

176 s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

177 (II) This sub-subparagraph is subject to the Open
178 Government Sunset Review Act in accordance with s. 119.15 and
179 shall stand repealed on October 2, 2029, unless reviewed and
180 saved from repeal through reenactment by the Legislature.

181 ~~e.d.~~ Each sheriff must report on a quarterly basis to the
182 Department of Law Enforcement the schedule for upcoming school
183 guardian trainings, including the dates of the training, the
184 training locations, a contact person to register for the
185 training, and the class capacity. The Department of Law
186 Enforcement shall publish on its website a list of the upcoming
187 school guardian trainings. The Department of Law Enforcement
188 must update such list quarterly.

189 ~~f.e.~~ A sheriff who fails to report the information
190 required by this subparagraph may not receive reimbursement from
191 the Department of Education for school guardian trainings. Upon
192 the submission of the required information, a sheriff is deemed
193 eligible for such funding and is authorized to continue to
194 receive reimbursement for school guardian training.

195 ~~g.f.~~ A school district, charter school, or private school
196 that fails to report the information required by this
197 subparagraph may not operate a school guardian program. Upon the
198 submission of the required information, the school district,
199 charter school, or private school is authorized to resume
200 operation of the school guardian program.

201 ~~h.g.~~ Annually, by March 1 and October 1, the Department of
202 Law Enforcement shall notify the Department of Education of any
203 sheriff, school district, charter school, or private school that
204 has not complied with the reporting requirements of this
205 subparagraph.

206 Section 2. The Legislature finds that it is a public
207 necessity that any information held and reported by any school
208 district, charter school, private school, or sheriff to the
209 Department of Law Enforcement that may identify whether a
210 particular person is or has been certified or appointed as a
211 school guardian be made exempt from s. 119.07(1), Florida
212 Statutes, and s. 24(a), Article I of the State Constitution.
213 School security and student safety are fundamental priorities in
214 the state. The safety of people serving or who have served as
215 school guardians is also an important priority in the state.
216 School guardians serve a critical role as safe-school officers
217 and first responders, and their presence on school grounds
218 serves as a deterrent against incidents threatening the lives of
219 students and school personnel. Disclosure of the identity of
220 school guardians, whether there is a school guardian on a school
221 campus, and the number of school guardians on any school campus
222 may compromise their safety and adversely affect their ability
223 to adequately respond to an active assailant incident.
224 Accordingly, it is necessary to protect the identity of school
225 guardians from public records requirements in order to

HB 1509

2024

226 | effectively and efficiently implement the purpose and intent of
227 | a school guardian program.

228 | Section 3. This act shall take effect on the same date
229 | that HB 1473 or similar legislation takes effect, if such
230 | legislation is adopted in the same legislative session or an
231 | extension thereof and becomes a law.