

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 for future
 8 legislative review and repeal of the exemption;
 9 providing a statement of public necessity; providing a
 10 contingent effective date.

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

13
 14 Section 1. Paragraph (k) of subsection (1) of section
 15 30.15, Florida Statutes, as amended by HB 1473, 2024 Regular
 16 Session, is amended to read:

17 30.15 Powers, duties, and obligations; public records
 18 exemption.—

19 (1) Sheriffs, in their respective counties, in person or
 20 by deputy, shall:

21 (k) Assist district school boards and charter school
 22 governing boards in complying with, or private schools in
 23 exercising options in, s. 1006.12. A sheriff must, at a minimum,
 24 provide access to a Chris Hixon, Coach Aaron Feis, and Coach
 25 Scott Beigel Guardian Program to aid in the prevention or

26 abatement of active assailant incidents on school premises, as
27 required under this paragraph. Persons certified as school
28 guardians pursuant to this paragraph have no authority to act in
29 any law enforcement capacity except to the extent necessary to
30 prevent or abate an active assailant incident.

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

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

48 c. A private school in a school district that has not
49 voted, or has declined, to implement a guardian program may
50 request that the sheriff in the county of the private school

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

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

74 | e. The sheriff conducting the training pursuant to
75 | subparagraph 2. for school district and charter school employees

76 | will be reimbursed for screening-related and training-related
 77 | costs and for providing a one-time stipend of \$500 to each
 78 | school guardian who participates in the school guardian program.

79 | f. The sheriff may waive the training and screening-
 80 | related costs for a private school for a school guardian
 81 | program. Funds provided pursuant to sub-subparagraph e. may not
 82 | be used to subsidize any costs that have been waived by the
 83 | sheriff.

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

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

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

98 | b. Complete a 144-hour training program, consisting of 12
 99 | hours of training to improve the school guardian's knowledge and
 100 | skills necessary to respond to and de-escalate incidents on

101 school premises and 132 total hours of comprehensive firearm
 102 safety and proficiency training conducted by Criminal Justice
 103 Standards and Training Commission-certified instructors, which
 104 must include:

105 (I) Eighty hours of firearms instruction based on the
 106 Criminal Justice Standards and Training Commission's Law
 107 Enforcement Academy training model, which must include at least
 108 10 percent but no more than 20 percent more rounds fired than
 109 associated with academy training. Program participants must
 110 achieve an 85 percent pass rate on the firearms training.

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

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

114 (IV) Sixteen hours of instruction in active shooter or
 115 assailant scenarios.

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

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

118 c. Pass a psychological evaluation administered by a
 119 psychologist licensed under chapter 490 and designated by the
 120 Department of Law Enforcement and submit the results of the
 121 evaluation to the sheriff's office. The Department of Law
 122 Enforcement is authorized to provide the sheriff's office with
 123 mental health and substance abuse data for compliance with this
 124 paragraph.

125 d. Submit to and pass an initial drug test and subsequent

126 random drug tests in accordance with the requirements of s.
127 112.0455 and the sheriff's office.

128 e. Successfully complete ongoing training, weapon
129 inspection, and firearm qualification on at least an annual
130 basis.

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

144 3.a.(I) Within 30 days after issuing a school guardian
145 certificate, the sheriff who issued the certificate must report
146 to the Department of Law Enforcement the name, date of birth,
147 and certification date of the school guardian.

148 (II) By September 1, 2024, each sheriff who issued a
149 school guardian certificate must report to the Department of Law
150 Enforcement the name, date of birth, and certification date of

151 each school guardian who received a certificate from the
152 sheriff.

153 b.(I) By February 1 and September 1 of each school year,
154 each school district, charter school, and private school must
155 report to the Department of Law Enforcement the name, date of
156 birth, and appointment date of each person appointed as a school
157 guardian. The school district, charter school, and private
158 school must also report to the Department of Law Enforcement the
159 date such person separates from his or her appointment as a
160 school guardian.

161 (II) By September 1, 2024, each school district, charter
162 school, and private school must report to the Department of Law
163 Enforcement the name, date of birth, and appointment date of
164 each person appointed as a school guardian. Within 30 days after
165 a school guardian separates from his or her appointment, the
166 school district, charter school, and private school must report
167 to the Department of Law Enforcement the date such person
168 separated from his or her appointment as a school guardian.

169 c. The Department of Law Enforcement shall maintain a list
170 of each person appointed as a school guardian in the state. The
171 list must include the name and certification date of each school
172 guardian and the date the person was appointed as a school
173 guardian, including the name of the school district, charter
174 school, or private school in which the school guardian is
175 appointed, any information provided pursuant to s. 1006.12(5),

176 and, if applicable, the date such person separated from his or
177 her appointment as a school guardian. The Department of Law
178 Enforcement shall remove from the list any person whose training
179 has expired pursuant to sub-subparagraph 1.d.

180 d.(I) Any information held by the department or a law
181 enforcement agency, school district, or charter school pursuant
182 to sub-subparagraphs a.-c. that would identify a person who has
183 been certified to serve as a school guardian is exempt from s.
184 119.07(1) and s. 24(a), Art. I of the State Constitution.

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

189 ~~e.d.~~ Each sheriff must report on a quarterly basis to the
190 Department of Law Enforcement the schedule for upcoming school
191 guardian trainings, including the dates of the training, the
192 training locations, a contact person to register for the
193 training, and the class capacity. The Department of Law
194 Enforcement shall publish on its website a list of the upcoming
195 school guardian trainings. The Department of Law Enforcement
196 must update such list quarterly.

197 ~~f.e.~~ A sheriff who fails to report the information
198 required by this subparagraph may not receive reimbursement from
199 the Department of Education for school guardian trainings. Upon
200 the submission of the required information, a sheriff is deemed

201 eligible for such funding and is authorized to continue to
202 receive reimbursement for school guardian training.

203 ~~g.f.~~ A school district, charter school, or private school
204 that fails to report the information required by this
205 subparagraph may not operate a school guardian program for the
206 following school year. Upon the submission of the required
207 information, the school district, charter school, or private
208 school is authorized to resume operation of the school guardian
209 program.

210 ~~h.g.~~ By March 1 and October 1 of each school year, the
211 Department of Law Enforcement shall notify the Department of
212 Education of any sheriff, school district, charter school, or
213 private school that has not complied with the reporting
214 requirements of this subparagraph.

215 Section 2. The Legislature finds that it is a public
216 necessity that any information held and reported by any school
217 district, charter school, private school, or sheriff to the
218 Department of Law Enforcement that may identify whether a
219 particular person is or has been certified or appointed as a
220 school guardian be made exempt from s. 119.07(1), Florida
221 Statutes, and s. 24(a), Article I of the State Constitution.
222 School security and student safety are fundamental priorities in
223 the state. The safety of people serving or who have served as
224 school guardians is also an important priority in the state.
225 School guardians serve a critical role as safe-school officers

226 and first responders, and their presence on school grounds
227 serves as a deterrent against incidents threatening the lives of
228 students and school personnel. Disclosure of the identity of
229 school guardians, whether there is a school guardian on a school
230 campus, and the number of school guardians on any school campus
231 may compromise their safety and adversely affect their ability
232 to adequately respond to an active assailant incident.
233 Accordingly, it is necessary to protect the identity of school
234 guardians from public records requirements in order to
235 effectively and efficiently implement the purpose and intent of
236 a school guardian program.

237 Section 3. This act shall take effect on the same date
238 that HB 1473 or similar legislation takes effect, if such
239 legislation is adopted in the same legislative session or an
240 extension thereof and becomes a law.