

By Senator Brandes

22-00772C-13

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1 A bill to be entitled
2 An act relating to public records; amending s.
3 1006.07, F.S.; exempting from public records
4 requirements a school district's after-drill report
5 that summarizes the emergency drills of each school in
6 the district and the recommendations from
7 participating law enforcement officers or fire
8 officials; providing for future repeal and legislative
9 review of the exemption under the Open Government
10 Sunset Review Act; providing a statement of public
11 necessity; providing a contingent effective date.
12

13 Be It Enacted by the Legislature of the State of Florida:
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15 Section 1. Subsection (7) is added to section 1006.07,
16 Florida Statutes, to read:

17 1006.07 District school board duties relating to student
18 discipline and school safety.—The district school board shall
19 provide for the proper accounting for all students, for the
20 attendance and control of students at school, and for proper
21 attention to health, safety, and other matters relating to the
22 welfare of students, including:

23 (7) AFTER-DRILL REPORTS.—A school district's after-drill
24 report and the recommendations from participating law
25 enforcement officers or fire officials are exempt from s.
26 119.07(1) and s. 24(a), Art. I of the State Constitution. This
27 subsection is subject to the Open Government Sunset Review Act
28 in accordance with s. 119.15 and shall stand repealed on October
29 2, 2018, unless reviewed and saved from repeal through

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30 reenactment by the Legislature.

31 Section 2. The Legislature finds that it is a public
32 necessity that information contained in a school district's
33 after-drill report and the recommendations from participating
34 law enforcement officers or fire officials be made exempt from
35 public records requirements. While educating students is a
36 school district's primary focus, each school district must also
37 protect its students along with its employees and faculty
38 members at each school. In light of the tragic events at Sandy
39 Hook Elementary School in Newtown, Connecticut, where 20
40 students and six adults were killed on December 14, 2012, and at
41 Columbine High School in Columbine, Colorado, where 12 students
42 and one teacher were murdered and an additional 21 students were
43 injured on April 20, 1999, school districts in this state are
44 keenly aware that the safety and security of students,
45 employees, and faculty members is of paramount concern. The
46 information contained in an after-drill report and the
47 recommendations from participating law enforcement officers or
48 fire officials regarding a school's conducted emergency drills
49 and the school's strengths and weaknesses in conducting those
50 drills is information that could be used by a person who intends
51 harm, possibly deadly harm, against the school's students,
52 employees, and faculty members. Failing to exempt this
53 information from public records requirements could expose a
54 school's safety measures to a person who means ill will or is
55 mentally unstable and could hamper the school's efforts to keep
56 its students, employees, and faculty members safe and secure.
57 Accordingly, the Legislature finds that the harm to a school's
58 students, employees, and faculty members which would result from

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59 the release of the school district's after-drill report and the
60 recommendations from participating law enforcement officers or
61 fire officials substantially outweighs any public benefit
62 derived from disclosure to the public.

63 Section 3. This act shall take effect on the same date that
64 SB _____ or similar legislation takes effect, if such
65 legislation is adopted in the same legislative session or an
66 extension thereof and becomes a law.