The Committee on Education (Berman) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 108 - 639

and insert:

or abate an active assailant incident on a school premises. A contract employee licensed under s. 493.6301 who works in the school district or for a charter school through a contract with a security agency as that term is defined in s. 493.6101(18) may serve as a school guardian upon satisfactory completion of the requirements under this paragraph and certification by a sheriff. A contract employee may receive school guardian
training through a participating sheriff’s office contingent
upon defined financial or service obligations by the security
agency enumerated in the contract between the school district or
the charter school governing board, as appropriate, and the
security agency. Excluded from participating in the Coach Aaron
Feis Guardian Program are individuals who exclusively perform
classroom duties as classroom teachers as defined in s.
1012.01(2)(a). This limitation does not apply to classroom
teachers of a Junior Reserve Officers’ Training Corps program, a
current servicemember, as defined in s. 250.01, or a current or
former law enforcement officer, as defined in s. 943.10(1), (6),
or (8). The sheriff who establishes a program shall certify as school guardians, without the
power of arrest, school employees or contract employees, as
specified in s. 1006.12(3), who volunteer and who:

1. Hold a valid license issued under s. 790.06.

2. Complete 132 total hours of comprehensive firearm safety
and proficiency training conducted by Criminal Justice Standards
and Training Commission-certified instructors, which must
include:

   a. Eighty hours of firearms instruction based on the
Criminal Justice Standards and Training Commission’s Law
Enforcement Academy training model, which must include at least
10 percent but no more than 20 percent more rounds fired than
associated with academy training. Program participants must
achieve an 85 percent pass rate on the firearms training.

   b. Sixteen hours of instruction in precision pistol.

   c. Eight hours of discretionary shooting instruction using
state-of-the-art simulator exercises.
41. Eight hours of instruction in active shooter or
assailant scenarios.

e. Eight hours of instruction in defensive tactics.

f. Twelve hours of instruction in legal issues.

3. Pass a psychological evaluation administered by a
psychologist licensed under chapter 490 and designated by the
Department of Law Enforcement and submit the results of the
evaluation to the sheriff’s office. The Department of Law
Enforcement is authorized to provide the sheriff’s office with
mental health and substance abuse data for compliance with this
paragraph.

4. Submit to and pass an initial drug test and subsequent
random drug tests in accordance with the requirements of s.
112.0455 and the sheriff’s office.

5. Successfully complete ongoing training, weapon
inspection, and firearm qualification on at least an annual
basis.

6. Successfully complete at least 12 hours of a certified
nationally recognized diversity training program.

The sheriff shall issue a school guardian certificate to
individuals who meet the requirements of this paragraph and
subparagraph 2. The sheriff shall maintain documentation of
weapon and equipment inspections, as well as the training,
certification, inspection, and qualification records of each
school guardian appointed by the sheriff.

Section 1. Subsection (4) of section 943.082, Florida
Statutes, is amended to read:

943.082 School Safety Awareness Program.—
(4)(a) Law enforcement dispatch centers, school districts, schools, and other entities identified by the department must be made aware of the mobile suspicious activity reporting tool.

(b) The district school board shall promote the use of the mobile suspicious activity reporting tool by advertising it on the school district website, in newsletters, on school campuses, and in school publications and by installing it on all computer devices issued to students.

Section 2. Subsection (9) is added to section 1001.10, Florida Statutes, to read:

1001.10 Commissioner of Education; general powers and duties.—

(9) The commissioner shall review the report of the School Hardening and Harm Mitigation Workgroup regarding hardening and harm mitigation strategies and recommendations submitted by the Office of Safe Schools, pursuant to s. 1001.212(12). By September 1, 2019, the commissioner shall submit a summary of such recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives. At a minimum, the summary must include recommendations for policy and funding enhancements and the estimated costs of and timeframes for implementation of the campus hardening and harm mitigation strategies recommended by the workgroup.

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

1001.11 Commissioner of Education; other duties.—

(9) The commissioner shall oversee compliance with the safety and security requirements of the Marjory Stoneman Douglas
High School Public Safety Act, chapter 2018-03, Laws of Florida, by school districts; district school superintendents; public schools, including charter schools; and regional and state entities. 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 pursuant to s. 1008.32 and other authority granted under law.

Section 4. Subsection (1) is amended, and subsections (12) through (17) are added to section 1001.212, Florida Statutes, to read:

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

(1) Establish and update as necessary a school security risk assessment tool for use by school districts pursuant to s. 1006.07(6). The office shall make the security risk assessment tool available for use by charter schools. The office shall provide annual training to appropriate school district and charter school personnel on the proper assessment of physical site security and completion of the school security risk assessment tool.

(12)(a) Convene a School Hardening and Harm Mitigation
Workgroup comprised of individuals with subject matter expertise on school campus hardening best practices. The workgroup shall meet as necessary to review school hardening and harm mitigation policies including, but not limited to, the target hardening practices implemented in other states; the school safety guidelines developed by organizations such as the Partner Alliance for Safer Schools; and the tiered approach to target campus hardening strategies identified in the initial report submitted by the Marjory Stoneman Douglas High School Public Safety Commission pursuant to s. 943.687(9); and the Florida Building Code for educational facilities construction to determine whether the building code may need to be modified to strengthen school safety and security. Based on this review of school safety best practices, by August 1, 2019, the workgroup shall submit a report to the executive director of the office, which includes, at a minimum:

1. A prioritized list for the implementation of school campus hardening and harm mitigation strategies and the estimated costs of and timeframes for implementation of the strategies by school districts and charter schools. The estimated costs must include regional and statewide projections of the implementation costs.

2. Recommendations for policy and funding enhancements to strengthen school safety and security.

(b) Submit to the commissioner:

1. The workgroup’s report pursuant to paragraph (a); and

2. Recommendations regarding procedures for the office to use to monitor and enforce compliance by the school districts and charter schools in the implementation of the workgroup’s
recommended campus hardening and harm mitigation strategies.

(13) Provide technical assistance to school districts and charter school governing boards for school environmental safety incident reporting as required under s. 1006.07(9). The office shall review and evaluate school district reports to ensure compliance with reporting requirements. Upon notification by the department that a superintendent has failed to comply with the requirements of s. 1006.07(9), the district school board shall withhold further payment of his or her salary as authorized under s. 1001.42(13)(b) and impose other appropriate sanctions that the commissioner or state board by law may impose.

(14) By August 1, 2019, develop a standardized, statewide behavioral threat assessment instrument for use by all public schools, including charter schools, which addresses early identification, evaluation, early intervention, and student support.

(a) The standardized, statewide behavioral threat assessment instrument must include, but need not be limited to, components and forms that address:

1. An assessment of the threat, which includes an assessment of the student, family, and school and social dynamics.

2. An evaluation to determine if the threat is transient or substantive.

3. The response to a substantive threat, which includes the school response and the role of law enforcement agencies.

4. The response to a serious substantive threat, including mental health and law enforcement referrals.

5. Ongoing monitoring to assess implementation of safety
strategies.

6. Training for members of threat assessment teams established under s. 1006.07(7) and school administrators regarding the use of the instrument.

(b) The office shall:

1. By August 1, 2020, evaluate each school district’s behavioral threat assessment procedures for compliance with this subsection.

2. Notify the district school superintendent if the school district behavioral threat assessment is not in compliance with this subsection.

3. Report any issues of ongoing noncompliance with this subsection to the district school superintendent, commissioner, and state board.

(15) Establish the Statewide Threat Assessment Database Workgroup, comprised of members appointed by the department, to make recommendations regarding the development of a statewide threat assessment database. The database must allow authorized public school personnel to enter information related to any threat assessment conducted at their respective schools using the instrument developed by the office pursuant to subsection (14), and must provide such information to authorized personnel in each school district and public school and to appropriate stakeholders. By December 31, 2019, the workgroup shall provide a report to the office with recommendations that include, but need not be limited to:

(a) Threat assessment data that should be required to be entered into the database.

(b) School district and public school personnel who should
be allowed to input student records to the database and view such records.

(c) Database design and functionality, to include data security.

(d) Restrictions and authorities on information sharing, including:

1. Section 1002.22 and other applicable state laws.

2. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. s. 1232g, 42 C.F.R. part 2; the Health Insurance Portability and Accountability Act (HIPAA), 42 U.S.C. s. 1320d6, 45 C.F.R. part 164, subpart E; and other applicable federal laws.

3. The appropriateness of interagency agreements that will allow law enforcement to view database records.

(e) The cost to develop and maintain a statewide online database.

(f) An implementation plan and timeline for the workgroup recommendations.

(16) Monitor compliance with requirements relating to school safety by school districts and public schools, including charter schools. The office shall report incidents of noncompliance to the commissioner pursuant to 1001.11(9) and the state board pursuant to s. 1008.32 and other requirements of law, as appropriate.

(17) Review and approve each district school board’s and charter school governing board’s active assailant response policy submitted pursuant to ss. 1006.07(6)(c) and 1002.33(16)(b). The office shall report any policy deficiencies or issues of noncompliance to the commissioner pursuant to
1001.11(9) and the state board pursuant to s. 1008.32 and other requirements of law, as appropriate.

Section 5. Paragraph (b) of subsection (16) of section 1002.33, Florida Statutes, is amended, to read:

1002.33 Charter schools.—
(16) EXEMPTION FROM STATUTES.—
(b) Additionally, a charter school shall be in compliance with the following statutes:

1. Section 286.011, relating to public meetings and records, public inspection, and criminal and civil penalties.
2. Chapter 119, relating to public records.
3. Section 1003.03, relating to the maximum class size, except that the calculation for compliance pursuant to s. 1003.03 shall be the average at the school level.
4. Section 1012.22(1)(c), relating to compensation and salary schedules.
5. Section 1012.33(5), relating to workforce reductions.
6. Section 1012.335, relating to contracts with instructional personnel hired on or after July 1, 2011.
7. Section 1012.34, relating to the substantive requirements for performance evaluations for instructional personnel and school administrators.
8. Section 1006.12, relating to safe-school officers.
9. Section 1006.07(7), relating to threat assessment teams.
10. Section 1006.07(9), relating to School Environmental Safety Incident Reporting.
11. Section 1006.1493, relating to Florida Safe School Assessment Tool.
12. Section 1006.07(6)(c), relating to adopting an active
assailant response policy.

13. Section 943.082(4)(b), relating to the mobile suspicious activity reporting tool.

14. Section 1012.584, relating to youth mental health awareness and assistance training.

Section 6. Paragraph (c) of subsection (1) of section 1006.04, Florida Statutes, is amended to read:

1006.04 Educational multiagency services for students with severe emotional disturbance.—

(1)

(c) The multiagency network shall:

1. Support and represent the needs of students in each school district in joint planning with fiscal agents of children’s mental health funds, including the expansion of school-based mental health services, transition services, and integrated education and treatment programs.

2. Improve coordination of services for children with or at risk of emotional or behavioral disabilities and their families:

a. By assisting multi-agency collaborative initiatives to identify critical issues and barriers of mutual concern and develop local response systems that increase home and school connections and family engagement.

b. To provide that children who are referred for an evaluation or screening to determine eligibility for services receive the appropriate evaluation or screening within 45 days after the referral. Students who are eligible for services, and their families, must be provided a referral for the appropriate services within 30 days after completion of the evaluation or screening.
3. Increase parent and youth involvement and development with local systems of care.

4. Facilitate student and family access to effective services and programs for students with and at risk of emotional or behavioral disabilities that include necessary educational, residential, and mental health treatment services, enabling these students to learn appropriate behaviors, reduce dependency, and fully participate in all aspects of school and community living.

Section 7. Subsection (6) and subsection (7) of section 1006.07, Florida Statutes, are amended, and subsection (9) is added to that section, to read:

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

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

(a) Each district school superintendent shall designate a school administrator as a school safety specialist for the district. The school safety specialist must earn a certificate of completion of the school safety specialist training provided by the Office of Safe Schools within 1 year after appointment and is responsible for the supervision and oversight for all
school safety and security personnel, policies, and procedures in the school district. The school safety specialist shall:

1. Review policies and procedures for compliance with state law and rules.

2. Provide the necessary training and resources to students and school district staff in matters relating to youth mental health awareness and assistance; emergency procedures, including active shooter training; and school safety and security.

3. 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.

4. Conduct a school security risk assessment in accordance with s. 1006.1493 at each public school using the school security risk assessment tool developed by the Office of Safe Schools. The security risk assessment must be completed in conjunction with appropriate municipal or county first responders, as defined in s. 112.1815(1). Based on the assessment findings, the district’s school safety specialist shall provide recommendations to the district school board which identify strategies and activities that the district school board should implement in order to improve school safety and security. Annually, each district school board must receive such findings and the school safety specialist’s recommendations at a publicly noticed district school board meeting to provide the public an opportunity to hear the district school board members discuss and take action on the findings and recommendations. Each school safety specialist shall report such findings and school board action to the Office of Safe Schools within 30 days after the district school board meeting.
(b) Each school safety specialist shall coordinate with the appropriate public safety agencies, as defined in s. 365.171, that are designated as first responders to a school’s campus to conduct a tour of such campus once every 3 years and provide recommendations related to school safety. The recommendations by the public safety agencies must be considered as part of the recommendations by the school safety specialist pursuant to paragraph (a).

(c) Each district school board must adopt a well-developed, written, distributed, and trained upon active assailant response policy, which must be recommended by the district superintendent. The superintendent must approve any school-specific modifications to the district policy. Each district school board’s active assailant response policy, including school-specific modifications, must be submitted to the Office of Safe Schools for approval pursuant to s. 1001.212(17) by August 1, 2019.

(7) THREAT ASSESSMENT TEAMS.—Each district school board shall adopt policies for the establishment of threat assessment teams at each school whose duties include the coordination of resources and assessment and intervention with individuals whose behavior may pose a threat to the safety of school staff or students consistent with the model policies developed by the Office of Safe Schools. Such policies must include procedures for referrals to mental health services identified by the school district pursuant to s. 1012.584(4), when appropriate, and procedures for behavioral threat assessments in compliance with the instrument developed pursuant to s. 1001.212(14).
(a) A threat assessment team shall include persons with expertise in counseling, instruction, school administration, and law enforcement. The threat assessment teams shall identify members of the school community to whom threatening behavior should be reported and provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school, or self. Upon the availability of the behavioral threat assessment instrument developed pursuant to s. 1001.212(14), the threat assessment team shall use that instrument.

(b) Upon a preliminary determination that a student poses a threat of violence or physical harm to himself or herself or others, a threat assessment team shall immediately report its determination to the superintendent or his or her designee. The superintendent or his or her designee shall immediately attempt to notify the student’s parent or legal guardian. Nothing in this subsection shall preclude school district personnel from acting immediately to address an imminent threat.

(c) Upon a preliminary determination by the threat assessment team that a student poses a threat of violence to himself or herself or others or exhibits significantly disruptive behavior or need for assistance, the threat assessment team may obtain criminal history record information, as provided in s. 985.047. A member of a threat assessment team may not disclose any criminal history record information obtained pursuant to this section or otherwise use any record of an individual beyond the purpose for which such disclosure was made to the threat assessment team.

(d) Notwithstanding any other provision of law, all state
and local agencies and programs that provide services to students experiencing or at risk of an emotional disturbance or a mental illness, including the school districts, school personnel, state and local law enforcement agencies, the Department of Juvenile Justice, the Department of Children and Families, the Department of Health, the Agency for Health Care Administration, the Agency for Persons with Disabilities, the Department of Education, the Statewide Guardian Ad Litem Office, and any service or support provider contracting with such agencies, may share with each other records or information that are confidential or exempt from disclosure under chapter 119 if the records or information are reasonably necessary to ensure access to appropriate services for the student or to ensure the safety of the student or others. All such state and local agencies and programs shall communicate, collaborate, and coordinate efforts to serve such students.

(e) If an immediate mental health or substance abuse crisis is suspected, school personnel shall follow policies established by the threat assessment team to engage behavioral health crisis resources. Behavioral health crisis resources, including, but not limited to, mobile crisis teams and school resource officers trained in crisis intervention, shall provide emergency intervention and assessment, make recommendations, and refer the student for appropriate services. Onsite school personnel shall report all such situations and actions taken to the threat assessment team, which shall contact the other agencies involved with the student and any known service providers to share information and coordinate any necessary followup actions.

(f) Each threat assessment team established pursuant to
this subsection shall report quantitative data on its activities
to the Office of Safe Schools in accordance with guidance from
the office and shall utilize the threat assessment database
developed pursuant to s. 1001.212(15) upon the availability of
the database.
(9) SCHOOL ENVIRONMENTAL SAFETY INCIDENT REPORTING.—Each
district school board shall adopt policies to ensure the
accurate and timely reporting of incidents related to school
safety and discipline. The district school superintendent is
responsible for school environmental safety incident reporting.
A district school superintendent who fails to comply with this
subsection is subject to the penalties specified in law,
including, but not limited to, s. 1001.42(13)(b) or s.
1001.51(12)(b), as applicable. The State Board of Education
shall adopt rules establishing the requirements for the school
environmental safety incident report.

Section 8. Section 1006.12, Florida Statutes, is amended to
read:

1006.12 Safe-school officers at each public school.—For the
protection and safety of school personnel, property, students,
and visitors, each district school board, and school district
superintendent, and charter school governing board, as
applicable, shall partner with law enforcement agencies to
establish or assign one or more safe-school officers at each
school facility within the district by implementing any
combination of the following options which best meets the needs
of the school district:

(1) Establish school resource officer programs, through a
cooperative agreement with law enforcement agencies.
(a) School resource officers shall undergo criminal background checks, drug testing, and a psychological evaluation and be certified law enforcement officers, as defined in s. 943.10(1), who are employed by a law enforcement agency as defined in s. 943.10(4). The powers and duties of a law enforcement officer shall continue throughout the employee’s tenure as a school resource officer.

(b) School resource officers shall abide by district school board policies and shall consult with and coordinate activities through the school principal, but shall be responsible to the law enforcement agency in all matters relating to employment, subject to agreements between a district school board and a law enforcement agency. Activities conducted by the school resource officer which are part of the regular instructional program of the school shall be under the direction of the school principal.

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

(2) Commission one or more school safety officers for the protection and safety of school personnel, property, and students within the school district. The district school superintendent may recommend, and the district school board may appoint, one or more school safety officers.

(a) School safety officers shall undergo criminal background checks, drug testing, and a psychological evaluation
and be law enforcement officers, as defined in s. 943.10(1),
certified under the provisions of chapter 943 and employed by
either a law enforcement agency or by the district school board.

If the officer is employed by the district school board, the
district school board is the employing agency for purposes of
chapter 943, and must comply with the provisions of that
chapter.

(b) A school safety officer has and shall exercise the
power to make arrests for violations of law on district school
board property and to arrest persons, whether on or off such
property, who violate any law on such property under the same
conditions that deputy sheriffs are authorized to make arrests.
A school safety officer has the authority to carry weapons when
performing his or her official duties.

(c) A district school board may enter into mutual aid
agreements with one or more law enforcement agencies as provided
in chapter 23. A school safety officer’s salary may be paid
jointly by the district school board and the law enforcement
agency, as mutually agreed to.

(3) At the school district’s, or charter school governing
board’s, discretion, participate in the Coach Aaron Feis
Guardian Program if such program is established pursuant to s.
30.15, to meet the requirement of establishing a safe-school
officer. Individuals who exclusively perform classroom duties as
classroom teachers as defined in s. 1012.01(2)(a) are excluded
from participation in the Coach Aaron Feis Guardian Program;
however, this exclusion does not apply to classroom teachers of
a Junior Reserve Officers’ Training Corps program, a current
servicemember, as defined in s. 250.01, or to classroom teachers
who are current or former law enforcement officers, as defined in s. 943.10(1), (6), or (8). The following individuals may serve as a school guardian upon satisfactory completion of the requirements under s. 30.15(1)(k) and certification by a sheriff:

   (a) An employee of a school district or a charter school who is hired for the specific purpose of serving as a school guardian; or

   (b) A contract employee licensed under s. 493.6301 who works in the school district or for a charter school through a contract with a security agency as that term is defined in s. 493.6101(18). Contract employees may receive school guardian training through a participating sheriff’s office contingent upon defined financial or service obligations by the security agency enumerated in the contract between the school district or the charter school governing board, as appropriate, and the security agency.

And the title is amended as follows:

Delete lines 5 - 75 and insert:

condition; authorizing certain contract employees to serve as school guardians; authorizing such contract employees to receive school guardian training through participating sheriffs’ offices contingent upon specified obligations; amending s. 943.082, F.S.; requiring school districts to promote a mobile suspicious activity reporting tool through specified
mediums; amending s. 1001.10, F.S.; requiring the Commissioner of Education to review recommendations from the School Hardening and Harm Mitigation Workgroup; requiring the commissioner to submit a summary to the Governor and the Legislature by a specified date; providing requirements for the summary; amending s. 1001.11, F.S.; revising the duties of the commissioner to include oversight of compliance with the safety and security requirements of the Marjory Stoneman Douglas High School Public Safety Act by specified persons and entities; amending s. 1001.212, F.S.; requiring the Office of Safe Schools to annually provide training for specified personnel; requiring the office to convene a School Hardening and Harm Mitigation Workgroup; providing for membership and duties of the workgroup; requiring the workgroup to submit a report and recommendations to the commissioner; requiring the office to provide technical assistance for school safety incident reporting; requiring the office to review and evaluate school district reports for compliance; requiring a district school board to withhold a superintendent’s salary in response to the superintendent’s noncompliance; requiring the office to develop a behavioral threat assessment instrument; providing requirements for the instrument; requiring the office to establish the Statewide Threat Assessment Database Workgroup to make certain recommendations relating to a statewide threat assessment database; providing
requirements for the database; requiring the workgroup
to report recommendations to the office by a specified
date; providing requirements for such recommendations;
requiring the office to monitor school district and
public school, including charter schools, compliance
with requirements relating to school safety; requiring
the office to review and approve district school board
and charter school active assailant policies and
report deficiencies; amending s. 1002.33, F.S.;
requiring a charter school to comply with specified
provisions; amending s. 1006.04, F.S.; establishing
timeframes within which students with mental,
emotional, or behavioral disorders must be referred
for services; amending s. 1006.07, F.S.; requiring
that a school security risk assessment conducted by a
school safety specialist be completed in conjunction
with specified municipal or county first responders;
requiring district school boards to adopt and submit
to the office an active assailant response policy;
requiring that the policy be recommended by the
district superintendent; requiring that any school-
specific modifications to the policy be approved by
the district superintendents; requiring that certain
policies adopted by school districts include
procedures for behavioral threat assessments;
requiring threat assessment teams to utilize the
behavioral threat assessment instrument and the threat
assessment database developed by the office when they
become available; requiring district school boards to
adopt policies for accurate and timely reporting of school environmental safety incidents; providing penalties for noncompliance with such policies; requiring the State Board of Education to adopt by rule requirements for school environmental safety incident reports; amending s. 1006.12, F.S.; requiring a charter school governing board to partner with law enforcement agencies to establish or assign a safe-school officer; excluding certain classroom teachers from serving as school guardians; providing that the exclusion does not apply to classroom teachers who are in a certain program, who are current servicemembers, or who are current or former law enforcement officers; expanding the categories of