By the Committees on Infrastructure and Security; and Education

A bill to be entitled
An act relating to school safety and security;
amending s. 30.15, F.S.; requiring a sheriff to
establish a school guardian program under a certain
condition; removing the prohibition against classroom
teachers serving as school guardians; prohibiting
individuals from serving as school guardians unless
they are appointed by a superintendent; amending s.
843.08, F.S.; adding school guardians to the list of
officials the false personation of whom is prohibited
and subject to criminal penalties; making technical
changes; 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 safety specialist be a school
administrator employed by the school district or a law
enforcement officer employed by the sheriff’s office
located in the school district; providing requirements
for a school safety specialist designated from a
sheriff’s office; providing that a school safety
specialist designated from a sheriff’s office remains
an employee of such office for certain purposes;
authorizing the sheriff and school superintendent to
determine by agreement the reimbursement of or sharing
of costs associated with employment of the law
enforcement officer as a school safety specialist;
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; expanding the categories of individuals who may serve as school guardians; amending s. 1006.1493, F.S.; requiring the Florida Safe Schools Assessment Tool (FSSAT) to be the primary site security assessment tool for school districts; requiring the office to provide FSSAT training; requiring the superintendent to certify FSSAT assessments within a certain timeframe; providing penalties for failure to comply with requirements; deleting obsolete language; amending s. 1011.62, F.S.; modifying the required use of funds in the safe schools allocation; providing for retroactive application; providing legislative intent; expanding, as of a specified date, the categorical fund that may be accessed to improve classroom instruction or improve school safety; deleting obsolete language; reenacting s. 921.0022(3)(b), F.S., relating to the offense severity ranking chart of the Criminal Punishment Code, to incorporate the amendment made to s. 843.08, F.S., in a reference thereto; providing a declaration of important state interest; providing an effective date.

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

Section 1. Paragraph (k) of subsection (1) of section 30.15, Florida Statutes, is amended to read
30.15 Powers, duties, and obligations.—

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

(k) Establish, if the sheriff so chooses, a Coach Aaron
Feis Guardian Program to aid in the prevention or abatement of
active assailant incidents on school premises. However, if a
local school board has voted by a majority to implement such a
program, the sheriff in that county shall establish a program. A
school guardian may not have authority to act in any law
enforcement capacity except to the extent necessary to prevent
or abate an active assailant incident on a school premises. A
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 chooses to establish the
program shall certify appoint 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.

d. 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 certified appointed by the sheriff. At a
superintendent’s discretion, any such certified school guardian
may be appointed to a school by its respective superintendent.
An individual may not serve as a school guardian in a school
unless he or she is appointed by the superintendent.

Section 2. Effective October 1, 2019, section 843.08,
Florida Statutes, is amended to read:

843.08 False personation.—A person who falsely assumes or
pretends to be a firefighter, a sheriff, an officer of the
Florida Highway Patrol, an officer of the Fish and Wildlife
Conservation Commission, a fire or arson investigator of the
Department of Financial Services, an officer of the Department
of Financial Services, an officer of the Department of
Corrections, a correctional probation officer, a deputy sheriff,
state attorney or an assistant state attorney, a statewide
prosecutor or an assistant statewide prosecutor, a state
attorney investigator, a coroner, a police officer, a lottery
special agent or lottery investigator, a beverage enforcement
agent, a school guardian as described in s. 30.15(1)(k), a
security officer licensed under chapter 493 or watchman, or any
member of the Florida Commission on Offender Review or any
administrative aide or supervisor employed by the commission, or
any personnel or representative of the Department of Law
Enforcement, or a federal law enforcement officer as defined in
s. 901.1505, and takes upon himself or herself to act as such,
or to require any other person to aid or assist him or her in a
matter pertaining to the duty of any such officer, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. However, a person who falsely personates any such officer during the course of the commission of a felony commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. If the commission of the felony results in the death or personal injury of another human being, the person commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. The term “watchman” means a security officer licensed under chapter 493.

Section 3. 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 4. 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 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 5. 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 6. 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; 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
(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 7. 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 8. 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 9. 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 be a school
administrator employed by the school district or a law
enforcement officer employed by the sheriff’s office located in
the school district. Any school safety specialist designated
from the sheriff’s office must first be authorized and approved
by the sheriff employing the law enforcement officer. Any school
safety specialist designated from the sheriff’s office remains
the employee of the office for purposes of compensation,
insurance, workers’ compensation, and other benefits authorized
by law for a law enforcement officer employed by the sheriff’s
office. The sheriff and the school superintendent may determine
by agreement the reimbursement for such costs, or may share the
costs, associated with employment of the law enforcement officer
as a school safety specialist. 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. 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 shall 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 10. 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. 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) A school district employee or personnel, as defined under s. 1012.01, or a charter school employee, as provided under s. 1002.33(12)(a), who volunteers to serve as a school guardian in addition to his or her official job duties;

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

(c) 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.

(4) Any information that would identify whether a
particular individual has been appointed as a safe-school
officer pursuant to this section held by a law enforcement
agency, school district, or charter school is exempt from s.
119.07(1) and s. 24(a), Art. I of the State Constitution. This
subsection is subject to the Open Government Sunset Review Act
in accordance with s. 119.15 and shall stand repealed on October
2, 2023, unless reviewed and saved from repeal through
reenactment by the Legislature.

Section 11. Section 1006.1493, Florida Statutes, is amended
to read:

1006.1493 Florida Safe Schools Assessment Tool.—

(1) The department, through the Office of Safe Schools
pursuant s. 1001.212, shall contract with a security consulting
firm that specializes in the development of risk assessment
software solutions and has experience in conducting security
assessments of public facilities to develop, update, and
implement a risk assessment tool, which shall be known as the
Florida Safe Schools Assessment Tool (FSSAT). The FSSAT must be
the primary physical site security assessment tool as revised and required by the Office of Safe Schools that is used by school officials at each school district and public school site in the state in conducting security assessments for use by school officials at each school district and public school site in the state.

(2) The FSSAT must help school officials identify threats, vulnerabilities, and appropriate safety controls for the schools that they supervise, pursuant to the security risk assessment requirements of s. 1006.07(6).

(a) At a minimum, the FSSAT must address all of the following components:

1. School emergency and crisis preparedness planning;
2. Security, crime, and violence prevention policies and procedures;
3. Physical security measures;
4. Professional development training needs;
5. An examination of support service roles in school safety, security, and emergency planning;
6. School security and school police staffing, operational practices, and related services;
7. School and community collaboration on school safety; and
8. A return on investment analysis of the recommended physical security controls.

(b) The department shall require by contract that the security consulting firm:

1. Generate written automated reports on assessment findings for review by the department and school and district officials;
2. Provide training to the department and school officials in the use of the FSSAT and other areas of importance identified by the department; and

3. Advise in the development and implementation of templates, formats, guidance, and other resources necessary to facilitate the implementation of this section at state, district, school, and local levels.

(3) The Office of Safe Schools must provide annual training to each district’s school safety specialist and other appropriate school district personnel on the assessment of physical site security and completing the FSSAT.

(4) Each district school superintendent, by August 1 of each year, shall submit an FSSAT assessment to the department for each school site. Each school-specific assessment must be approved by the district superintendent or his or her designee, who must be the district’s school safety specialist or a deputy superintendent or assistant superintendent. Any superintendent who fails to comply with the requirements of this subsection is subject to penalties under s. 1001.51(12)(b) and other sanctions that may be applied by the commissioner or state board.

(5) By December 1 of each year, By December 1, 2018, and annually by that date thereafter, the department shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the status of implementation across school districts and schools. The report must include a summary of the positive school safety measures in place at the time of the assessment and any recommendations for policy changes or funding needed to facilitate continued school safety planning, improvement, and response at the state,
In accordance with ss. 119.071(3)(a) and 281.301, data and information related to security risk assessments administered pursuant to this section and s. 1006.07(6) and the security information contained in the annual report required pursuant to subsection (3) are confidential and exempt from public records requirements.

Section 12. Subsection (15) of section 1011.62, Florida Statutes, is amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(15) SAFE SCHOOLS ALLOCATION.—A safe schools allocation is created to provide funding to assist school districts in their compliance with s. 1006.07, with priority given to implementing the district’s school resource officer program pursuant to s. 1006.12. Each school district shall receive a minimum safe schools allocation in an amount provided in the General Appropriations Act. Of the remaining balance of the safe schools allocation, two-thirds shall be allocated to school districts based on the most recent official Florida Crime Index provided by the Department of Law Enforcement and one-third shall be allocated based on each school district’s proportionate share of the state’s total unweighted full-time equivalent student enrollment. Any additional funds appropriated to this allocation in the 2018-2019 fiscal year must to the school resource officer
program established pursuant to s. 1006.12 shall be used exclusively for employing or contracting for safe-school resource officers, established or assigned under s. 1006.12 which shall be in addition to the number of officers employed or contracted for in the 2017-2018 fiscal year. This subsection applies retroactively to July 1, 2018. The amendments to this subsection are intended to be clarifying and remedial in nature.

Section 13. Effective July 1, 2019, paragraph (b) of subsection (6) of section 1011.62, Florida Statutes, and subsection (15) of that section, as amended by this act, are amended to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(6) CATEGORICAL FUNDS.—

(b) If a district school board finds and declares in a resolution adopted at a regular meeting of the school board that the funds received for any of the following categorical appropriations are urgently needed to maintain school board specified academic classroom instruction or improve school safety, the school board may consider and approve an amendment to the school district operating budget transferring the identified amount of the categorical funds to the appropriate account for expenditure:

1. Funds for student transportation.
2. Funds for research-based reading instruction if the
required additional hour of instruction beyond the normal school day for each day of the entire school year has been provided for the students in each low-performing elementary school in the district pursuant to paragraph (9)(a).

3. Funds for instructional materials if all instructional material purchases necessary to provide updated materials that are aligned with applicable state standards and course descriptions and that meet statutory requirements of content and learning have been completed for that fiscal year, but no sooner than March 1. Funds available after March 1 may be used to purchase hardware for student instruction.

4. Funds for the guaranteed allocation as provided in subparagraph (1)(e)2.

5. Funds for the supplemental academic instruction allocation as provided in paragraph (1)(f).

6. Funds for Florida digital classrooms allocation as provided in subsection (12).

7. Funds for the federally connected student supplement as provided in subsection (13).

8. Funds for class size reduction as provided in s. 1011.685.

(15) SAFE SCHOOLS ALLOCATION.—A safe schools allocation is created to provide funding to assist school districts in their compliance with s. 1006.07, with priority given to implementing the district’s school resource officer program pursuant to s. 1006.12. Each school district shall receive a minimum safe schools allocation in an amount provided in the General Appropriations Act. Of the remaining balance of the safe schools allocation, one-third two-thirds shall be allocated to school
districts based on the most recent official Florida Crime Index provided by the Department of Law Enforcement and two-thirds one-third shall be allocated based on each school district’s proportionate share of the state’s total unweighted full-time equivalent student enrollment. Any additional funds appropriated to this allocation in the 2018-2019 fiscal year must be used exclusively for employing or contracting for safe-school officers, established or assigned under s. 1006.12. This subsection applies retroactively to July 1, 2018. The amendments to this subsection are intended to be clarifying and remedial in nature.

Section 14. For the purpose of incorporating the amendment made by this act to section 843.08, Florida Statutes, in a reference thereto, paragraph (b) of subsection (3) of section 921.0022, Florida Statutes, is reenacted to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(b) LEVEL 2

<table>
<thead>
<tr>
<th>Florida Statute</th>
<th>Felony Degree</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>379.2431 (1)(e)3.</td>
<td>3rd</td>
<td>Possession of 11 or fewer marine turtle eggs in violation of the Marine Turtle Protection Act.</td>
</tr>
<tr>
<td>Code</td>
<td>Section</td>
<td>Type</td>
</tr>
<tr>
<td>--------------</td>
<td>------------------</td>
<td>------</td>
</tr>
<tr>
<td>379.2431</td>
<td>(1)(e)4.</td>
<td>3rd</td>
</tr>
<tr>
<td>403.413(6)(c)</td>
<td></td>
<td>3rd</td>
</tr>
<tr>
<td>517.07(2)</td>
<td></td>
<td>3rd</td>
</tr>
<tr>
<td>590.28(1)</td>
<td></td>
<td>3rd</td>
</tr>
<tr>
<td>784.05(3)</td>
<td></td>
<td>3rd</td>
</tr>
<tr>
<td>787.04(1)</td>
<td></td>
<td>3rd</td>
</tr>
</tbody>
</table>
806.13(1)(b)3.  3rd  Criminal mischief; damage $1,000 or more to public communication or any other public service.

810.061(2)  3rd  Impairing or impeding telephone or power to a dwelling; facilitating or furthering burglary.

810.09(2)(e)  3rd  Trespassing on posted commercial horticulture property.

812.014(2)(c)1.  3rd  Grand theft, 3rd degree; $300 or more but less than $5,000.

812.014(2)(d)  3rd  Grand theft, 3rd degree; $100 or more but less than $300, taken from unenclosed curtilage of dwelling.

812.015(7)  3rd  Possession, use, or attempted use of an
<table>
<thead>
<tr>
<th>Line</th>
<th>Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>904</td>
<td>antishoplifting or inventory control device countermeasure.</td>
</tr>
<tr>
<td>905</td>
<td>817.234(1)(a)2. False statement in support of insurance claim.</td>
</tr>
<tr>
<td>906</td>
<td>817.481(3)(a) 3rd Obtain credit or purchase with false, expired, counterfeit, etc., credit card, value over $300.</td>
</tr>
<tr>
<td>907</td>
<td>817.52(3) 3rd Failure to redeliver hired vehicle.</td>
</tr>
<tr>
<td>908</td>
<td>817.54 3rd With intent to defraud, obtain mortgage note, etc., by false representation.</td>
</tr>
<tr>
<td>909</td>
<td>817.60(5) 3rd Dealing in credit cards of another.</td>
</tr>
<tr>
<td>910</td>
<td>817.60(6)(a) 3rd Forgery; purchase goods, services with false card.</td>
</tr>
<tr>
<td>Section</td>
<td>Degree</td>
</tr>
<tr>
<td>---------</td>
<td>--------</td>
</tr>
<tr>
<td>817.61</td>
<td>3rd</td>
</tr>
<tr>
<td>826.04</td>
<td>3rd</td>
</tr>
<tr>
<td>831.01</td>
<td>3rd</td>
</tr>
<tr>
<td>831.02</td>
<td>3rd</td>
</tr>
<tr>
<td>831.07</td>
<td>3rd</td>
</tr>
<tr>
<td>831.08</td>
<td>3rd</td>
</tr>
<tr>
<td>831.09</td>
<td>3rd</td>
</tr>
<tr>
<td>831.11</td>
<td>3rd</td>
</tr>
</tbody>
</table>
832.05(3)(a)  3rd  Cashing or depositing item with intent to defraud.

843.08  3rd  False personation.

893.13(2)(a)2.  3rd  Purchase of any s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) drugs other than cannabis.

893.147(2)  3rd  Manufacture or delivery of drug paraphernalia.

Section 15. The Legislature finds that a proper and legitimate state purpose is served when district school boards are afforded options for the provision of safe-school officers for the protection and safety of school personnel, property, students, and visitors. School guardians must be available to any district school board that chooses such an option. Therefore, the Legislature determines and declares that this act fulfills an important state interest.
Section 16. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.