	LEGISLATIVE ACTION	
Senate		House
Comm: RCS		
02/21/2020		
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The Committee on Appropriations (Diaz) recommended the following:

Senate Amendment (with title amendment)

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Delete everything after the enacting clause and insert:

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) Assist district school boards and charter school

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governing boards in complying with s. 1006.12. A sheriff must, at a minimum, provide access to a Coach Aaron Feis Guardian Program training to aid in the prevention or abatement of active assailant incidents on school premises, as required under this paragraph. Persons certified as Feis guardian program certified school quardians or Feis guardian program certified school security guards pursuant to this paragraph do not have no authority to act in any law enforcement capacity except to the extent necessary to prevent or abate an active assailant incident.

1.a. If a local school board has voted by a majority to implement a Feis guardian program, the sheriff in that county shall establish a Feis quardian program to provide training, pursuant to subparagraph 2., to school district or charter school employees directly; through a contract with an entity selected by the local sheriff, provided that the local sheriff oversees, supervises, and certifies all aspects of the contract governing the Feis guardian program for the local jurisdiction; , either directly or through a contract with another sheriff's office that has established a Feis guardian program; or through any combination thereof. To facilitate effective training and emergency response in the event of an active assailant situation, a sheriff who contracts with one or more county sheriffs to provide Feis guardian program training and certification for the local school district and charter schools within its county jurisdiction shall notify, in writing, the local district school superintendent and charter school administrators of all county-specific protocols incorporated into the contracted Feis guardian program training and



certification requirements.

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- b. A charter school governing board in a school district that has not voted, or has declined, to implement a Feis quardian program may request the sheriff in the county to establish a Feis guardian program for the purpose of training the charter school employees. If the county sheriff denies the request, the charter school governing board may contract with a sheriff that has established a Feis quardian program to provide such training. The charter school governing board must notify, in writing, the superintendent and the sheriff in the charter school's county of the contract prior to its execution.
- c. The sheriff conducting the Feis guardian program training pursuant to subparagraph 2. shall will be reimbursed by the Department of Education for screening-related and trainingrelated costs for Feis guardian program certified school guardians and Feis guardian program certified school security guards as provided in s. 1006.12(3) and (4), respectively, and for providing a one-time stipend of \$500 to each Feis guardian program certified school quardian who participates in the Feis school guardian program as an employee of a school district or charter school.
- 2. A sheriff who establishes a Feis quardian training program shall consult with the Department of Law Enforcement on programmatic guiding principles, practices, and resources, and shall certify, without the power of arrest, Feis guardian program certified as school quardians, without the power of arrest, school employees, as specified in s. 1006.12(3) and Feis quardian program school security quards as specified in s. $1006.12(4)_{\tau}$ who:

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- a. Hold a valid license issued under s. 790.06, applicable to district or school employees serving as Feis guardian program certified school guardians pursuant to s. 1006.12(3); or hold a valid Class "D" and Class "G" license issued under chapter 493, applicable to individuals contracted to serve as Feis guardian program certified school security guards under s. 1006.12(4).
- b. Complete a 144-hour training program, consisting of 12 hours of certified nationally recognized diversity training and 132 total hours of comprehensive firearm safety and proficiency training, conducted by Criminal Justice Standards and Training Commission-certified instructors who hold active instructional certifications, which must include:
- (I) 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.
- (II) Sixteen hours of instruction in precision pistol. Training must include night and low-light shooting conditions.
- (III) Eight hours of discretionary shooting instruction using state-of-the-art simulator exercises.
- (IV) Eight hours of instruction in active shooter or assailant scenarios.
 - (V) Eight hours of instruction in defensive tactics.
 - (VI) Twelve hours of instruction in legal issues.
- c. Submit to and pass a psychological evaluation administered by a licensed professional 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 sheriff's office must review and approve the results of each applicant's psychological evaluation before accepting the applicant into the Feis guardian program. 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.

- d. 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. The sheriff's office must review and approve the results of each applicant's drug tests before accepting the applicant into the Feis guardian program.
- e. Successfully complete ongoing training conducted by a Criminal Justice Standards and Training Commission-certified instructor who holds an active instructional certification, weapon inspection, and firearm qualification on at least an annual basis, as required by the sheriff's office.

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> The sheriff who conducts the Feis quardian program training pursuant to this paragraph shall issue a Feis school guardian program certificate to individuals who meet the requirements of this section to the satisfaction of the sheriff, and shall maintain documentation of weapon and equipment inspections, as well as the training, certification, inspection, and qualification records of each Feis guardian program certified school guardian and Feis guardian program certified school security guard certified by the sheriff. An individual who is certified under this paragraph may serve as a Feis quardian program certified school guardian under s. 1006.12(3) or a Feis

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127 quardian program certified school security guard under s. 128 1006.12(4) only if he or she is appointed by the applicable 129 district school superintendent school district superintendent or 130 charter school administrator principal.

Section 2. Effective October 1, 2020, paragraph (c) is added to subsection (2) of section 943.082, Florida Statutes, to read:

943.082 School Safety Awareness Program. -

- (2) The reporting tool must notify the reporting party of the following information:
- (c) That, if following investigation, it is determined that a person knowingly submitted a false tip through FortifyFL, the IP address of the device on which the tip was submitted will be provided to law enforcement agencies for further investigation and the reporting party may be subject to criminal penalties under s. 837.05. In all other circumstances, unless the reporting party has chosen to disclose his or her identity, the report must remain anonymous.

Section 3. Effective upon becoming law, paragraph (a) of subsection (2) of section 943.687, Florida Statutes, is amended to read:

943.687 Marjory Stoneman Douglas High School Public Safety Commission.-

(2) (a) 1. The commission shall convene no later than June 1, 2018, and shall be composed of 16 members. Five members shall be appointed by the President of the Senate, five members shall be appointed by the Speaker of the House of Representatives, and five members shall be appointed by the Governor. From the members of the commission, the Governor shall appoint the chair.

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Appointments must be made by April 30, 2018. The Commissioner of the Department of Law Enforcement shall serve as a member of the commission. The Secretary of Children and Families, the Secretary of Juvenile Justice, the Secretary of Health Care Administration, and the Commissioner of Education shall serve as ex officio, nonvoting members of the commission. Members shall serve at the pleasure of the officer who appointed the member. A vacancy on the commission shall be filled in the same manner as the original appointment.

2. In addition to the membership requirements of subparagraph 1., beginning June 1, 2020, the commission shall include three additional members selected from among the state's actively serving district school superintendents, school principals, and classroom teachers. The additional members must be appointed by May 30, 2020, one each by the Governor, the President of the Senate, and the Speaker of the House of Representatives. Thereafter, to the extent possible, future appointments to fill vacancies or replace members of the commission must give consideration to achieving an equal balance of school district, law enforcement, and health care professional representation which reflects the cultural diversity of the state.

Section 4. Paragraphs (c) and (f) of subsection (2) of section 985.12, Florida Statutes, are amended to read:

985.12 Civil citation or similar prearrest diversion programs.-

- (2) JUDICIAL CIRCUIT CIVIL CITATION OR SIMILAR PREARREST DIVERSION PROGRAM DEVELOPMENT, IMPLEMENTATION, AND OPERATION.
 - (c) The state attorney of each circuit shall operate a

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civil citation or similar prearrest diversion program in each circuit. A sheriff, police department, county, municipality, locally authorized entity, or public or private educational institution may continue to operate an independent civil citation or similar prearrest diversion program that is in operation as of October 1, 2018, if the independent program is reviewed by the state attorney of the applicable circuit and he or she determines that the independent program is substantially similar to the civil citation or similar prearrest diversion program developed by the circuit. If the state attorney determines that the independent program is not substantially similar to the civil citation or similar prearrest diversion program developed by the circuit, the operator of the independent diversion program may revise the program and the state attorney may conduct an additional review of the independent program. The department and the state attorney of each judicial circuit shall monitor and enforce compliance with school-based diversion program requirements.

(f) Each civil citation or similar prearrest diversion program shall enter the appropriate youth data into the Juvenile Justice Information System Prevention Web within 7 days after the admission of the youth into the program. Beginning in fiscal year 2021-2022, law enforcement officers must have field access to civil citation and prearrest diversion information.

Section 5. Subsection (9) of section 1001.11, Florida Statutes, is amended to read:

1001.11 Commissioner of Education; other duties.

(9) With the intent of ensuring safe learning and teaching environments, the commissioner shall oversee compliance with



214 education-related health, the safety, welfare, and security 215 requirements of law the Marjory Stoneman Douglas High School Public Safety Act, chapter 2018-3, Laws of Florida, by school 216 217 districts; district school superintendents; and public schools, 218 including charter schools; and other entities or constituencies 219 as may be applicable. The commissioner shall must facilitate 220 public and nonpublic school compliance to the maximum extent 221 provided under law, identify incidents of material 222 noncompliance, and impose or recommend to the State Board of 223 Education, the Governor, or the Legislature enforcement and 224 sanctioning actions pursuant to s. 1001.42, s. 1001.51, chapter 225 1002, and s. 1008.32, and other authority granted under law. For 226 purposes of this subsection, s. 1001.42(13)(b), and s. 227 1001.51(12)(b), the duties assigned to a district school 228 superintendent apply to charter school administrative personnel as defined in s. 1012.01(3), and charter school governing boards 229 230 shall designate at least one administrator to be responsible for 231 such duties. The duties assigned to a district school board 232 apply to a charter school governing board. 233 Section 6. Present subsections (14) and (15) of section 234 1001.212, Florida Statutes, are redesignated as subsections (16) 235 and (17), respectively, new subsections (14) and (15) are added 236 to that section, and subsections (2), (4), (6), and (8) of that

section are amended, 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

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regarding school safety and security, including prevention efforts, intervention efforts, and emergency preparedness planning. The office shall:

- (2) Provide ongoing professional development opportunities to school district and charter school personnel.
- (4) Develop and implement a School Safety Specialist Training Program for school safety specialists appointed pursuant to s. 1006.07(6). The office shall develop the training program, which shall be based on national and state best practices on school safety and security and must include active shooter training. Training must be developed in consultation with the Florida Department of Law Enforcement and include information about federal and state laws regarding education records, medical records, data privacy, and incident reporting requirements, particularly with respect to behavioral threat assessment and emergency planning and response procedures. The office shall develop training modules in traditional or online formats. A school safety specialist certificate of completion shall be awarded to a school safety specialist who satisfactorily completes the training required by rules of the office.
- (6) Coordinate with the Department of Law Enforcement to provide a unified search tool, known as the Florida Schools Safety Portal, centralized integrated data repository and data analytics resources to improve access to timely, complete, and accurate information integrating data from, at a minimum, but not limited to, the following data sources by August 1, 2019:
 - (a) Social media Internet posts;
 - (b) Department of Children and Families;

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- 272 (c) Department of Law Enforcement;
 - (d) Department of Juvenile Justice;
 - (e) Mobile suspicious activity reporting tool known as FortifyFL;
 - (f) School environmental safety incident reports collected under subsection (8); and
 - (g) Local law enforcement.

Data that is exempt or confidential and exempt from public records requirements retains its exempt or confidential and exempt status when incorporated into the centralized integrated data repository. To maintain the confidentiality requirements attached to the information provided to the centralized integrated data repository by the various state and local agencies, data governance and security shall ensure compliance with all applicable state and federal data privacy requirements through the use of user authorization and role-based security, data anonymization and aggregation and auditing capabilities. To maintain the confidentiality requirements attached to the information provided to the centralized integrated data repository by the various state and local agencies, each source agency providing data to the repository shall be the sole custodian of the data for the purpose of any request for inspection or copies thereof under chapter 119. The department shall only allow access to data from the source agencies in accordance with rules adopted by the respective source agencies and the requirements of the Federal Bureau of Investigation Criminal Justice Information Services security policy, where applicable.

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- (8) Oversee, facilitate, and coordinate district and school compliance with school safety incident reporting requirements in accordance with rules adopted by the state board enacting the school safety incident reporting requirements of this subsection, s. 1006.07(9), and other statutory safety incident reporting requirements. The office shall:
- (a) Provide technical assistance to school districts and charter school governing boards and administrators for school environmental safety incident reporting as required under s. 1006.07(9).
- (b) The office shall Collect data through school environmental safety incident reports on incidents involving any person which occur on school premises, on school transportation, and at off-campus, school-sponsored events.
- (c) Review and evaluate safety incident reports of each The office shall review and evaluate school district and charter school and other entities, as may be required by law, reports to ensure compliance with reporting requirements. The office shall timely notify the commissioner of all incidents of material noncompliance for purposes of invoking the commissioner's responsibilities provided under s. 1001.11(9). Upon notification by the commissioner department that a superintendent or charter school administrator has, based on clear and convincing evidence, failed to comply with the requirements of s. 1006.07(9), the district school board or charter school governing board, as applicable, 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, pending demonstration of full



330 compliance. 331 (14) Maintain a current directory of public and private 332 school-based diversion programs and cooperate with each judicial 333 circuit and the Department of Juvenile Justice to facilitate 334 their efforts to monitor and enforce each governing body's 335 compliance with s. 985.12. 336 (15) Develop, in coordination with the Division of 337 Emergency Management, other federal, state, and local law 338 enforcement agencies, fire and rescue agencies, and first 339 responder agencies, a model emergency event family reunification 340 plan for use by child care facilities, public K-12 schools, and 341 public postsecondary institutions that are closed or 342 unexpectedly evacuated due to natural or manmade disasters or 343 emergencies. 344 Section 7. Paragraph (b) of subsection (16) of section 345 1002.33, Florida Statutes, is amended to read: 346 1002.33 Charter schools.-347 (16) EXEMPTION FROM STATUTES.— 348 (b) Additionally, a charter school shall demonstrate and 349 certify in its contract, and if necessary through addendum to 350 its contract, the charter school's be in compliance with the 351 following statutes: 352 1. Section 286.011, relating to public meetings and 353 records, public inspection, and criminal and civil penalties. 354 2. Chapter 119, relating to public records. 355 3. Section 1003.03, relating to the maximum class size, 356 except that the calculation for compliance pursuant to s. 357 1003.03 shall be the average at the school level.

4. Section 1012.22(1)(c), relating to compensation and



359 salary schedules. 360

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- 5. Section 1012.33(5), relating to workforce reductions.
- 6. Section 1012.335, relating to contracts with 361 362 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 the Florida Safe Schools Assessment Tool.
 - 12. Section 1006.07(6)(c), relating to adopting an active assailant response plan.
 - 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.
 - 15. Section 1006.07(4), relating to emergency drills and emergency procedures.
 - 16. Section 1006.07(2)(n), relating to criteria for assigning a student to a civil citation or similar prearrest diversion program.
 - Section 8. Paragraph (r) is added to subsection (1) of section 1002.421, Florida Statutes to read:
- 385 1002.421 State school choice scholarship program 386 accountability and oversight.-
 - (1) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—A private

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school participating in an educational scholarship program established pursuant to this chapter must be a private school as defined in s. 1002.01(2) in this state, be registered, and be in compliance with all requirements of this section in addition to private school requirements outlined in s. 1002.42, specific requirements identified within respective scholarship program laws, and other provisions of Florida law that apply to private schools, and must:

(r) Comply with section 1006.07(2)(n), Florida Statutes.

The department shall suspend the payment of funds to a private school that knowingly fails to comply with this subsection, and shall prohibit the school from enrolling new scholarship students, for 1 fiscal year and until the school complies. If a private school fails to meet the requirements of this subsection or has consecutive years of material exceptions listed in the report required under paragraph (q), the commissioner may determine that the private school is ineligible to participate in a scholarship program.

Section 9. Paragraph (d) is added to subsection (2) of section 1003.5716, Florida Statutes, to read:

1003.5716 Transition to postsecondary education and career opportunities.—All students with disabilities who are 3 years of age to 21 years of age have the right to a free, appropriate public education. As used in this section, the term "IEP" means individual education plan.

(2) Beginning not later than the first IEP to be in effect when the student attains the age of 16, or younger if determined appropriate by the parent and the IEP team, the IEP must include

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the following statements that must be updated annually:

(d) Beginning in the 2021-2022 school year, a statement of post-high school performance expectations which includes a proposed transition plan that facilitates continuity of care and coordination of any behavioral health services needed to assist the student in reaching those expectations. The statement must also specify parent, student, and agency roles and responsibilities pertaining to the provision and funding of specified transition services, as applicable.

Section 10. Effective upon becoming law, subsection (5) is added to section 1004.44, Florida Statutes, to read:

1004.44 Louis de la Parte Florida Mental Health Institute.-There is established the Louis de la Parte Florida Mental Health Institute within the University of South Florida.

(5) In consultation with the Department of Children and Families, the Department of Juvenile Justice, and the Department of Education, the institute shall convene a workgroup of practitioners and experts to review, evaluate, and provide implementation guidance on the mental health-related findings and recommendations of the Marjory Stoneman Douglas High School Public Safety Commission, as approved in reports submitted pursuant to s. 943.687. The workgroup shall analyze, evaluate, and identify regulatory or legislative actions necessary to facilitate implementation of each recommendation. By August 1, 2020, the institute shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives an initial summary report of activities, specific policy and budget recommendations, including draft legislation and associated fiscal impact statements, and other information and

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policy or administrative recommendations to improve the state's mental health system of care. The institute must continue to monitor commission activities and coordinate with agency partners to advise them on implementation activities, and may submit subsequent reports and recommendations on an annual basis or as requested. This subsection shall expire July 1, 2024.

Section 11. Paragraph (a) of subsection (4), paragraph (a) of subsection (6), paragraph (a) of subsection (7), and subsection (9) of section 1006.07, Florida Statutes, are amended, and paragraph (n) of subsection (2), paragraph (d) of subsection (4), and subsection (10) are 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:

(2) CODE OF STUDENT CONDUCT.—Adopt a code of student conduct for elementary schools and a code of student conduct for middle and high schools and distribute the appropriate code to all teachers, school personnel, students, and parents, at the beginning of every school year. Each code shall be organized and written in language that is understandable to students and parents and shall be discussed at the beginning of every school year in student classes, school advisory council meetings, and parent and teacher association or organization meetings. Each code shall be based on the rules governing student conduct and discipline adopted by the district school board and shall be

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made available in the student handbook or similar publication. Each code shall include, but is not limited to:

- (n) Criteria for assigning a student to a civil citation or similar prearrest diversion program that is an alternative to expulsion or referral to law enforcement agencies. All civil citation or similar prearrest diversion programs must comply with s. 985.12.
 - (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES. -
- (a) Formulate and prescribe policies and procedures, in consultation with the appropriate public safety agencies, for emergency drills and for actual emergencies, including, but not limited to, fires, natural disasters, active shooter and hostage situations, and bomb threats, for all students and faculty at all public schools of the district comprised of grades K-12. Drills for active shooter and hostage situations shall be conducted in accordance with developmentally appropriate and age-appropriate procedures at least as often as other emergency drills. Law enforcement officers responsible for responding to the school in the event of an active assailant emergency, as determined necessary by the sheriff in coordination with the district's school safety specialist, must be physically present on campus and directly involved in the execution of active assailant emergency drills. District school board policies shall include commonly used alarm system responses for specific types of emergencies and verification by each school that drills have been provided as required by law and fire protection codes and may provide accommodations for drills conducted by ESE centers. The emergency response policy shall identify the individuals responsible for contacting the primary emergency response agency

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and the emergency response agency that is responsible for notifying the school district for each type of emergency.

- (d) Consistent with subsection (10), as a component of emergency procedures, each district school board and charter school governing board must adopt, in coordination with local law enforcement agencies, an emergency event family reunification plan to reunite students and employees with their families in the event of a mass casualty or other emergency event situation.
- (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 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.

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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 school district policies and procedures for compliance with state law and rules, including the district's timely and accurate submission of school environmental safety incident reports to the department pursuant to s. 1001.212(8).
- 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. In collaboration with the appropriate public safety agencies, as that term is defined in s. 365.171, by October 1 of each year, conduct a school security risk assessment at each public school using the Florida Safe Schools Assessment Tool developed by the Office of Safe Schools pursuant to s. 1006.1493. Based on the assessment findings, the district's school safety specialist shall provide recommendations to the district school superintendent and the district school board which identify strategies and activities that the district school board should implement in order to address the findings and improve school safety and security. Each district school board must receive such findings and the school safety

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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.

- (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(12).
- (a) A threat assessment team shall include a sworn law enforcement officer who has undergone threat assessment training identified by the Office of Safe Schools pursuant to s. 1001.212, and persons with expertise in counseling, instruction, and school administration, and law enforcement. All required members of the threat assessment team must be involved in the threat assessment process, from start to finish, including the determination of the final disposition decision. 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

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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(12), the threat assessment team shall use that instrument.

- (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. For purposes of s. 1001.212(8) and this subsection, incidents related to school safety and discipline include incidents reported pursuant to ss. 1006.09, 1006.13, 1006.135, 1006.147, and 1006.148. 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 reporting report.
- (10) EMERGENCY EVENT FAMILY REUNIFICATION POLICIES AND PLANS.—By August 1, 2021, each district school board shall adopt a school district emergency event family reunification policy establishing elements and requirements for a school district emergency event family reunification plan and individual schoolbased emergency event family reunification plans for the purpose of reuniting students and employees with their families in the event of a mass casualty or other emergency event situation. (a) School district policies and plans must be coordinated

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with the county sheriff and local law enforcement. School-based plans must be consistent with school board policy and the school district plan. The school board is encouraged to apply model mass casualty death notification and reunification policies and practices referenced in reports published pursuant to s. 943.687 and as developed by the Office of Safe Schools.

(b) Minimally, plans must identify potential reunification sites and ensure a unified command at each site, identify equipment needs, provide multiple methods of communication with family members of students and staff, address training for employees, and provide multiple methods to aid law enforcement in identification of students and staff, including written backup documents.

Section 12. Subsection (6) of section 1006.09, Florida Statutes, is amended to read:

1006.09 Duties of school principal relating to student discipline and school safety .-

(6) Each school principal must ensure that standardized forms prescribed by rule of the State Board of Education are used to report data concerning school safety and discipline to the department through the School Environmental Safety Incident Reporting (SESIR) System. The school principal must develop a plan to verify the accuracy of reported incidents.

Section 13. 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 district school superintendent school district superintendent shall partner with

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law enforcement agencies or security agencies to establish or assign one or more safe-school officers at each school facility within the district, including charter schools. A district school board must collaborate with charter school governing boards to facilitate charter school access to all safe-school officer options available under this section. The school district may implement one or more any combination of the options specified in subsections (1)-(4) to best meet the needs of the school district and charter schools.

- (1) SWORN LAW ENFORCEMENT SCHOOL RESOURCE OFFICER.—A school district may establish school resource officer programs through a cooperative agreement with law enforcement agencies.
- (a) Sworn law enforcement 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 sworn law enforcement school resource officer.
- (b) Sworn law enforcement 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 sworn law enforcement school resource officer which are part of the regular instructional program of the school shall be under the direction of the school principal.

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- (c) Sworn law enforcement school resource officers shall 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) SWORN LAW ENFORCEMENT SCHOOL SAFETY OFFICER.—A school district may commission one or more sworn law enforcement 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 sworn law enforcement school safety officers.
- (a) Sworn law enforcement 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 sworn law enforcement school safety officer has and shall exercise the power to make arrests for violations of law on district school board property or on property owned or leased by a charter school under the charter contract, as applicable, and to arrest persons, whether on or off such property, who

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violate any law on such property under the same conditions that deputy sheriffs are authorized to make arrests. A sworn law enforcement 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 sworn law enforcement school safety officer's salary may be paid jointly by the district school board and the law enforcement agency, as mutually agreed to.
- (d) Sworn law enforcement school safety officers shall complete mental health crisis intervention training using a curriculum developed by a national organization with expertise in mental health crisis intervention. The training must 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.
- (3) FEIS GUARDIAN PROGRAM CERTIFIED SCHOOL GUARDIAN. At the school district's or the charter school governing board's discretion, as applicable, pursuant to s. 30.15, a school district or charter school governing board may participate in the Coach Aaron Feis Guardian Program to meet the requirement of establishing a safe-school officer. The following individuals may serve as a Feis guardian program certified school guardian, in support of school-sanctioned activities for purposes of s. 790.115, 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

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under s. 1002.33(12)(a), who volunteers to serve as a Feis guardian program certified school guardian in addition to his or her official job duties; or

- (b) An employee of a school district or a charter school who is hired for the specific purpose of serving as a Feis quardian program certified school guardian.
- (4) FEIS GUARDIAN PROGRAM CERTIFIED SCHOOL SECURITY GUARD.-A school district or charter school governing board may contract with a security agency as defined in s. 493.6101(18) to employ as a Feis quardian program certified school security quard an individual who holds a Class "D" and Class "G" license pursuant to chapter 493, provided the following training and contractual conditions are met:
- (a) An individual who serves as a Feis guardian program certified school security guard, for purposes of satisfying the requirements of this section, must:
- 1. Demonstrate satisfactory completion of all training program requirements of the Coach Aaron Feis Guardian Program, as provided and certified by a county sheriff, 144 hours of required training pursuant to s. 30.15(1)(k)2.
- 2. Submit to and pass a psychological evaluation administered by a licensed professional 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, school district, or charter school governing board, as applicable. The sheriff's office must review and approve the results of each applicant's psychological evaluation before accepting the applicant into the Feis guardian program. The Department of Law Enforcement is authorized to provide the

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sheriff's office, school district, or charter school governing board with mental health and substance abuse data for compliance with this paragraph.

- 3. 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, school district, or charter school governing board, as applicable. The sheriff's office must review and approve the results of each applicant's drug tests before accepting the applicant into the Feis guardian program.
- 4. Successfully complete ongoing training, weapon inspection, and firearm qualification on at least an annual basis, as required by the sheriff's office and provide documentation to the sheriff's office, school district, or charter school governing board, as applicable.
- (b) The contract between a security agency and a school district or a charter school governing board regarding requirements applicable to Feis guardian program certified school security guards serving in the capacity of a safe-school officer for purposes of satisfying the requirements of this section shall define the county sheriff or sheriffs entity or entities responsible for Feis guardian program training and the responsibilities for maintaining records relating to training, inspection, and firearm qualification; and define conditions, requirements, costs, and responsibilities necessary to satisfy the background screening requirements of paragraph (d).
- (c) Feis guardian program certified school security guards serving in the capacity of a safe-school officer pursuant to this subsection are in support of school-sanctioned activities for purposes of s. 790.115, and must aid in the prevention or

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abatement of active assailant incidents on school premises.

- (d) A Feis guardian program certified school security guard serving in the capacity of a safe-school officer pursuant to this subsection is considered to be a "noninstructional contractor" subject to the background screening requirements of s. 1012.465, as they apply to each applicable school district or charter school, and these requirements must be satisfied before the Feis quardian program certified school security quard is given access to school grounds.
- (5) NOTIFICATION.—The school district superintendent or charter school administrator shall notify the county sheriff and the Office of Safe Schools immediately after, but no later than 72 hours after:
- (a) A safe-school officer is dismissed for misconduct or is otherwise disciplined.
- (b) A safe-school officer discharges his or her firearm in the exercise of the safe-school officer's duties, other than for training purposes.
- (6) EXEMPTION.—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.

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procedures, or actions, denies a charter school access to any safe-school officer options pursuant to this section, the school district must assign a sworn law enforcement school resource officer or sworn law enforcement school safety officer to the charter school. Under such circumstances, the charter school's share of the costs of the sworn law enforcement school resource officer or sworn law enforcement school safety officer may not exceed the safe school allocation funds provided to the charter school pursuant to s. 1011.62(15) and shall be retained by the school district.

Section 14. Paragraph (a) of subsection (2) of section 1006.1493, Florida Statutes, is amended to read:

1006.1493 Florida Safe Schools Assessment Tool.-

- (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

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- 8. A return on investment analysis of the recommended physical security controls and; -
- 9. Policies and procedures to prepare for and respond to natural or manmade disasters or emergencies, including plans to reunite students and employees with families after a school is closed or unexpectedly evacuated due to such disasters or emergencies.

Section 15. Subsection (16) 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:
- (16) MENTAL HEALTH ASSISTANCE ALLOCATION.—The mental health assistance allocation is created to provide funding to assist school districts in establishing or expanding school-based mental health care; train educators and other school staff in detecting and responding to mental health issues; and connect children, youth, and families who may experience behavioral health issues with appropriate services. These funds shall be allocated annually in the General Appropriations Act or other law to each eligible school district. Each school district shall receive a minimum of \$100,000, with the remaining balance allocated based on each school district's proportionate share of the state's total unweighted full-time equivalent student enrollment. Charter schools that submit a plan separate from the school district are entitled to a proportionate share of

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district funding. The allocated funds may not supplant funds that are provided for this purpose from other operating funds and may not be used to increase salaries or provide bonuses. School districts are encouraged to maximize third-party health insurance benefits and Medicaid claiming for services, where appropriate.

- (a) Before the distribution of the allocation:
- 1. The school district shall $\frac{1}{2}$ develop and submit a detailed plan outlining the local program and planned expenditures to the district school board for approval. The This plan, which must include input from school and community stakeholders, applies to all district schools, including charter schools, unless a charter school elects to submit a plan independently from the school district pursuant to subparagraph 2.
- 2. A charter school may develop and submit a detailed plan outlining the local program and planned expenditures to its governing body for approval. After the plan is approved by the governing body, it must be provided to the charter school's sponsor.
- (b) The plans required under paragraph (a) must be focused on a multitiered system of supports to deliver evidence-based mental health care assessment, diagnosis, intervention, treatment, and recovery services to students with one or more mental health or co-occurring substance abuse diagnoses and to students at high risk of such diagnoses. The provision of these services must be coordinated with a student's primary mental health care provider and with other mental health providers involved in the student's care. At a minimum, the plans must



include the following elements:

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- 1. Direct employment of school-based mental health services providers to expand and enhance school-based student services and to reduce the ratio of students to staff in order to better align with nationally recommended ratio models. These providers include, but are not limited to, certified school counselors, school psychologists, school social workers, and other licensed mental health professionals. The plan also must establish identify strategies to increase the amount of time that schoolbased student services personnel spend providing direct services to students, which may include the review and revision of district staffing resource allocations based on school or student mental health assistance needs.
- 2. Contracts or interagency agreements with one or more local community behavioral health providers or providers of Community Action Team services to provide a behavioral health staff presence and services at district schools. Services may include, but are not limited to, mental health screenings and assessments, individual counseling, family counseling, group counseling, psychiatric or psychological services, traumainformed care, mobile crisis services, and behavior modification. These behavioral health services may be provided on or off the school campus and may be supplemented by telehealth.
- 3. Policies and procedures, including contracts with service providers, which will ensure that students who are referred to a school-based or community-based mental health service provider for mental health screening for the identification of mental health concerns and ensure that the

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assessment of students at risk for mental health disorders occurs within 15 days of referral. School-based mental health services must be initiated within 15 days after identification and assessment, and support by community-based mental health service providers for students who are referred for communitybased mental health services must be initiated within 30 days after the school or district makes a referral.

- 4. Mental health policies and procedures that implement and support all of the following elements:
- a. Universal supports to promote psychological well-being and safe and supportive environments.
- b. Evidence-based strategies or programs to reduce the likelihood of at-risk students developing social, emotional, or behavioral health problems, depression, anxiety disorders, suicidal tendencies, or substance use disorders.
- c.5. Strategies to improve the early identification of social, emotional, or behavioral problems or substance use disorders; provide, to improve the provision of early intervention services; and to assist students in dealing with trauma and violence.
- d. Methods for responding to a student with suicidal ideation, including training in suicide risk assessment and the use of suicide awareness, prevention, and screening instruments developed under s. 1012.583; adoption of guidelines for informing parents of suicide risk; and implementation of board policies for initiating involuntary examination of students at risk of suicide.
- e. A school crisis response plan that includes strategies for the prevention of, preparation for, response to, and

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recovery from a range of school crises. The plan must establish or coordinate the implementation of district-level and schoollevel crisis response teams whose membership includes, but is not limited to, representatives of school administration and school-based mental health service providers.

- (c) School districts shall submit approved plans, including approved plans of each charter school in the district, to the commissioner by August 1 of each fiscal year.
- (d) By September 30 of each year Beginning September 30, 2019, and annually by September 30 thereafter, each school district shall submit its district report to the department. By November 1 of each year, the department shall submit a state summary report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on Department of Education a report on its program outcomes and expenditures for the previous fiscal year. The school district report must include program outcomes and expenditures for all public schools in the district, including charter schools that submitted a separate plan. At a minimum, the district and state reports also must that, at a minimum, must include school district-level and school-level, including charter schools, information, including multiple-year trend data, when available, for each of the number of each of the following indicators:
- 1. The number of students who receive screenings or assessments.
- 2. The number of students who are referred to either school-based or community-based providers for services or assistance.
 - 3. The number of students who receive either school-based

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997 or community-based interventions, services, or assistance.

- 4. The number of school-based and community-based mental health providers, including licensure type, paid for from funds provided through the allocation.
- 5. The number and ratio to students of school social workers, school psychologists, and certified school counselors employed by the district or charter school and the total number of licensed mental health professionals directly employed by the district or charter school.
- 6. Contract-based collaborative efforts or partnerships with community mental health programs, agencies, or providers.

Section 16. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2020.

======= T I T L E A M E N D M E N T ========= And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled

An act relating to implementation of the recommendations of the Marjory Stoneman Douglas High School Public Safety Commission; amending s. 30.15, F.S.; authorizing a sheriff to contract for services to provide training under the Coach Aaron Feis Guardian Program; revising training and evaluation requirements for school guardians; expanding the program to include the training and certification of school security guards; requiring the review and

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approval of evaluations and results; amending s. 943.082, F.S.; adding penalties for persons who knowingly submit false information to a law enforcement agency; amending s. 943.687, F.S.; requiring the addition of three members to the Marjory Stoneman Douglas High School Public Safety Commission as of a certain date; requiring consideration of balanced representation; amending s. 985.12, F.S.; requiring certain state agencies and state attorneys to cooperate in the oversight and enforcement of school-based diversion programs; requiring that law enforcement officers have access to certain information; amending s. 1001.11, F.S.; specifying legislative intent; assigning the Commissioner of Education specified duties regarding education-related school safety requirements; amending s. 1001.212, F.S.; revising the training, consultation, and coordination responsibilities of the Office of Safe Schools; conforming and requiring evaluation and coordination of incident reporting requirements; requiring the office to maintain a directory of programs; requiring the office to develop a model plan; amending s. 1002.33, F.S.; conforming safety requirements to changes made by the act; amending s. 1002.421, F.S.; requiring private schools comply with certain statutory provision related to criteria for assigning a student to a civil citation or similar prearrest diversion program; amending s. 1003.5716, F.S.; revising individual education plan requirements

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for certain students to include a statement of expectations for the transition of behavioral health services needed after high school graduation; requiring parent, student, and agency roles and responsibilities to be specified in a course of action transition plan, as applicable; amending s. 1004.44, F.S.; requiring the Louis de la Parte Florida Mental Health Institute to consult with specified state agencies and convene a workgroup to advise those agencies on the implementation of specified mental health recommendations; requiring the institute to submit a report with administrative and legislative policy recommendations to the Governor and the Legislature by a specified date; authorizing the institute to submit additional reports and recommendations as needed and requested; amending s. 1006.07, F.S.; requiring code of student conduct policies to contain prearrest diversion program criteria; specifying requirements applicable to emergency drill policies and procedures; adding threat assessment team membership, training, and procedural requirements; incorporating additional discipline and behavioral incident reports within school safety incident reporting requirements; requiring district school boards to adopt school district emergency event family reunification policies and plans; requiring school-based emergency event family reunification plans to be consistent with school board policy and the school district plan; requiring plans to address

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specified requirements within the framework of model policies and plans identified by the office; amending s. 1006.09, F.S.; requiring school principals to use a specified system to report school safety incidents; amending s. 1006.12, F.S.; requiring school safety officers to complete specified training to improve knowledge and skills as first responders to certain incidents; specifying county sheriffs' responsibility for specified training required for school security quards; requiring certain school security quards to meet district background screening requirements and qualification requirements; conforming notification requirements to changes made by the act; amending s. 1006.1493, F.S.; revising components that must be assessed by the Florida Safe Schools Assessment Tool to include policies and procedures to prepare for and respond to natural or manmade disasters or emergencies; amending s. 1011.62, F.S.; revising requirements that must be met before the distribution of the mental health assistance allocation; providing effective dates.