

1 A bill to be entitled
2 An act relating to school safety; amending s. 943.082,
3 F.S.; requiring the FortifyFL reporting tool to notify
4 reporting parties that submitting false information
5 may subject them to criminal penalties; providing that
6 certain reports will remain anonymous; amending s.
7 943.687, F.S.; revising the duties of the Marjory
8 Stoneman Douglas High School Public Safety Commission;
9 extending the scheduled repeal of the commission;
10 amending s. 1001.11, F.S.; requiring the Commissioner
11 of Education to oversee and enforce compliance with
12 requirements relating to school safety and security;
13 amending s. 1001.212, F.S.; revising the duties of the
14 Office of Safe Schools; amending s. 1006.07, F.S.;
15 requiring certain law enforcement officers to be
16 physically present and directly involved in active
17 assailant emergency drills; requiring school districts
18 to notify such law enforcement officers within a
19 specified time period of such drills; requiring the
20 State Board of Education to adopt rules; specifying
21 the requirements for the rules; requiring district
22 school boards and charter school governing boards, in
23 coordination with specified entities, to adopt family
24 reunification plans; providing for the update and
25 review of such plan; requiring all members of threat

26 assessment teams to be involved in certain processes
27 and decisions; requiring the Department of Education
28 to annually publish on its website specified data in
29 certain format; requiring district school boards to
30 adopt certain policies relating to suicide screening
31 instruments; amending s. 1006.12, F.S.; making
32 technical changes; authorizing school safety officers
33 to make arrests on property owned or leased by a
34 charter school under a charter contract; requiring
35 district school superintendents, charter school
36 administrators, or their designees, instead of school
37 districts, to notify county sheriffs and the Office of
38 Safe Schools of certain safe-school officer-related
39 incidents; specifying training requirements for safe-
40 school officers; amending s. 1006.1493, F.S.;;
41 requiring the Florida Safe Schools Assessment Tool to
42 address policies and procedures to prepare for and
43 respond to natural and manmade disasters; amending s.
44 1012.584, F.S.; requiring each school district to
45 annually certify that a specified percentage of school
46 personnel have received certain training by a
47 specified date; providing effective dates.

48
49 Be It Enacted by the Legislature of the State of Florida:
50

51 Section 1. Effective October 1, 2022, paragraph (c) is
 52 added to subsection (2) of section 943.082, Florida Statutes, to
 53 read:

54 943.082 School Safety Awareness Program.—

55 (2) The reporting tool must notify the reporting party of
 56 the following information:

57 (c) That if, following an investigation, it is determined
 58 that a person knowingly submitted a false tip through FortifyFL,
 59 the Internet protocol (IP) address of the device on which the
 60 tip was submitted will be provided to law enforcement agencies
 61 for further investigation, and the reporting party may be
 62 subject to criminal penalties under s. 837.05. In all other
 63 circumstances, unless the reporting party has chosen to disclose
 64 his or her identity, the report will remain anonymous.

65 Section 2. Subsections (3) and (9) of section 943.687,
 66 Florida Statutes, are amended to read:

67 943.687 Marjory Stoneman Douglas High School Public Safety
 68 Commission.—

69 (3) The commission shall monitor implementation of school
 70 safety legislation by ~~investigate system failures in the Marjory~~
 71 ~~Stoneman Douglas High School shooting and prior mass violence~~
 72 ~~incidents in this state and develop recommendations for system~~
 73 ~~improvements. At a minimum, the commission shall analyze~~
 74 ~~information and evidence from the Marjory Stoneman Douglas High~~
 75 ~~School shooting and other mass violence incidents in this state.~~

76 ~~At a minimum, the commission shall:~~

77 (a) Evaluating the activities of the Office of Safe
78 Schools to provide guidance to school districts, identifying
79 areas of noncompliance and mechanisms used to achieve
80 compliance.

81 (b) Reviewing the findings of the Auditor General
82 regarding school district school safety policies and procedures
83 that need improvement to ensure and demonstrate compliance with
84 state law.

85 (c) Reviewing school hardening grant expenditures and
86 evaluating such expenditures based on the report of the School
87 Hardening and Harm Mitigation Workgroup, recommendations of law
88 enforcement agencies pursuant to s. 1006.07(8), and the return
89 on investment analysis required by s. 1006.1493.

90 (d) Evaluating the utilization of the centralized
91 integrated data repository by schools and its effectiveness in
92 conducting threat assessments.

93 (e) Assessing efforts by local governments to improve
94 communication and coordination among regional emergency
95 communications systems ~~Develop a timeline of the incident,~~
96 ~~incident response, and all relevant events preceding the~~
97 ~~incident, with particular attention to all perpetrator contacts~~
98 ~~with local, state, and national government agencies and entities~~
99 ~~and any contract providers of such agencies and entities.~~

100 (f)-(b) Investigating ~~Investigate~~ any failures in incident

101 responses by local law enforcement agencies and school resource
 102 officers.

103 1. Identifying ~~Identify~~ existing policies and procedures
 104 for active assailant incidents on school premises and evaluating
 105 ~~evaluate~~ the compliance with such policies and procedures in the
 106 execution of incident responses.

107 ~~2. Evaluate existing policies and procedures for active~~
 108 ~~assailant incidents on school premises in comparison with~~
 109 ~~national best practices.~~

110 ~~2.3. Evaluating~~ Evaluate the extent to which any failures
 111 in policy, procedure, or execution may contribute ~~contributed~~ to
 112 an inability to prevent deaths and injuries.

113 ~~3.4. Making~~ Make specific recommendations for improving
 114 law enforcement and school resource officer responses to
 115 incidents ~~incident response in the future.~~

116 ~~5. Make specific recommendations for determining the~~
 117 ~~appropriate ratio of school resource officers per school by~~
 118 ~~school type. At a minimum, the methodology for determining the~~
 119 ~~ratio should include the school location, student population,~~
 120 ~~and school design.~~

121 ~~(g)-(e)~~ Investigating ~~Investigate~~ any failures in
 122 interactions with perpetrators preceding incidents of mass
 123 ~~violence incidents.~~

124 ~~1. Identify the history of interactions between~~
 125 ~~perpetrators and governmental entities such as schools, law~~

126 ~~enforcement agencies, courts, and social service agencies, and~~
 127 ~~identify any failures to adequately communicate or coordinate~~
 128 ~~regarding indicators of risk or possible threats.~~

129 1.2. ~~Evaluating~~ Evaluate the extent to which any such
 130 failures contributed to an inability to prevent deaths and
 131 injuries.

132 2.3. ~~Making~~ Make specific recommendations for improving
 133 communication and coordination among entities with knowledge of
 134 indicators of risk or possible threats of ~~mass~~ violence ~~in the~~
 135 ~~future.~~

136 ~~4. Identify available state and local tools and resources~~
 137 ~~for enhancing communication and coordination regarding~~
 138 ~~indicators of risk or possible threats, including, but not~~
 139 ~~limited to, the Department of Law Enforcement Fusion Center or~~
 140 ~~Judicial Inquiry System, and make specific recommendations for~~
 141 ~~using such tools and resources more effectively in the future.~~

142 (9) The commission shall submit an initial report on its
 143 findings and recommendations to the Governor, President of the
 144 Senate, and Speaker of the House of Representatives by January
 145 1, 2019, and may issue reports annually thereafter. The
 146 commission shall sunset July 1, 2026 ~~2023~~, and this section is
 147 repealed on that date.

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

150 1001.11 Commissioner of Education; other duties.—

151 (9) The commissioner shall oversee and enforce compliance
 152 with the requirements relating to school safety and security
 153 ~~requirements of the Marjory Stoneman Douglas High School Public~~
 154 ~~Safety Act, chapter 2018-3, Laws of Florida,~~ by school
 155 districts; district school superintendents; and public schools,
 156 including charter schools. The commissioner must facilitate
 157 compliance to the maximum extent provided under law, identify
 158 incidents of noncompliance, and impose or recommend to the State
 159 Board of Education, the Governor, or the Legislature enforcement
 160 and sanctioning actions pursuant to s. 1008.32 and other
 161 authority granted under law.

162 Section 4. Present subsections (14) and (15) of section
 163 1001.212, Florida Statutes, are redesignated as subsections (15)
 164 and (16), respectively, a new subsection (14) and subsection
 165 (17) are added to that section, and subsections (2), (6), and
 166 (10) of that section are amended, to read:

167 1001.212 Office of Safe Schools.—There is created in the
 168 Department of Education the Office of Safe Schools. The office
 169 is fully accountable to the Commissioner of Education. The
 170 office shall serve as a central repository for best practices,
 171 training standards, and compliance oversight in all matters
 172 regarding school safety and security, including prevention
 173 efforts, intervention efforts, and emergency preparedness
 174 planning. The office shall:

175 (2) Provide ongoing professional development opportunities

176 to school district and charter school personnel.

177 (6) Coordinate with the Department of Law Enforcement to
 178 provide a unified search tool, known as the Florida School
 179 Safety Portal, ~~centralized integrated data repository and data~~
 180 ~~analytics resources~~ to improve access to timely, complete, and
 181 accurate information ~~integrating data~~ from, at a minimum, ~~but~~
 182 ~~not limited to,~~ the following data sources ~~by August 1, 2019:~~

- 183 (a) Social media Internet posts;
- 184 (b) The Department of Children and Families;
- 185 (c) The Department of Law Enforcement;
- 186 (d) The Department of Juvenile Justice;
- 187 (e) The mobile suspicious activity reporting tool known as
 188 FortifyFL;
- 189 (f) School environmental safety incident reports collected
 190 under subsection (8); and
- 191 (g) Local law enforcement.

192
 193 Data that is exempt or confidential and exempt from public
 194 records requirements retains its exempt or confidential and
 195 exempt status when incorporated into the centralized integrated
 196 data repository. To maintain the confidentiality requirements
 197 attached to the information provided to the centralized
 198 integrated data repository by the various state and local
 199 agencies, data governance and security shall ensure compliance
 200 with all applicable state and federal data privacy requirements

201 through the use of user authorization and role-based security,
 202 data anonymization and aggregation and auditing capabilities. To
 203 maintain the confidentiality requirements attached to the
 204 information provided to the centralized integrated data
 205 repository by the various state and local agencies, each source
 206 agency providing data to the repository shall be the sole
 207 custodian of the data for the purpose of any request for
 208 inspection or copies thereof under chapter 119. The department
 209 shall only allow access to data from the source agencies in
 210 accordance with rules adopted by the respective source agencies
 211 and the requirements of the Federal Bureau of Investigation
 212 Criminal Justice Information Services security policy, where
 213 applicable.

214 (10) Disseminate, in consultation with the Department of
 215 Law Enforcement, to participating schools awareness and
 216 education materials on the proper use of the School Safety
 217 Awareness Program developed pursuant to s. 943.082, including
 218 the consequences of knowingly submitting false information.

219 (14) Develop, in coordination with the Division of
 220 Emergency Management; other federal, state, and local law
 221 enforcement agencies; fire and rescue agencies; and first
 222 responder agencies, a model family reunification plan for use by
 223 child care facilities, public K-12 schools, and public
 224 postsecondary educational institutions that are closed or
 225 unexpectedly evacuated due to a natural or manmade disaster.

226 This model plan shall consider the integration of student
 227 information and notification systems to facilitate reunification
 228 after a natural or manmade disaster. This model plan shall be
 229 reviewed annually and updated, as applicable.

230 (17) Maintain a current directory of public school-based
 231 diversion programs and cooperate with each judicial circuit and
 232 the Department of Juvenile Justice to facilitate their efforts
 233 to monitor and enforce each governing body's compliance with s.
 234 985.12.

235 Section 5. Paragraph (a) of subsection (4), paragraph (a)
 236 of subsection (7), and subsection (9) of section 1006.07,
 237 Florida Statutes, are amended, paragraph (d) is added to
 238 subsection (6), and subsection (11) is added to that section, to
 239 read:

240 1006.07 District school board duties relating to student
 241 discipline and school safety.—The district school board shall
 242 provide for the proper accounting for all students, for the
 243 attendance and control of students at school, and for proper
 244 attention to health, safety, and other matters relating to the
 245 welfare of students, including:

246 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

247 (a) Formulate and prescribe policies and procedures, in
 248 consultation with the appropriate public safety agencies, for
 249 emergency drills and for actual emergencies, including, but not
 250 limited to, fires, natural disasters, active assailant and

251 | hostage situations, and bomb threats, for all students and
252 | faculty at all public schools of the district composed ~~comprised~~
253 | of grades K-12, pursuant to State Board of Education rules.
254 | Drills for active assailant and hostage situations must ~~shall~~ be
255 | conducted in accordance with developmentally appropriate and
256 | age-appropriate procedures, as specified in State Board of
257 | Education rules ~~at least as often as other emergency drills~~. Law
258 | enforcement officers responsible for responding to the school in
259 | the event of an active assailant emergency, as determined
260 | necessary by the sheriff in coordination with the district's
261 | school safety specialist, must be physically present on campus
262 | and directly involved in the execution of active assailant
263 | emergency drills. School districts must notify law enforcement
264 | officers at least 24 hours before conducting an active assailant
265 | emergency drill at which such law enforcement officers are
266 | expected to attend. District school board policies must ~~shall~~
267 | include commonly used alarm system responses for specific types
268 | of emergencies and verification by each school that drills have
269 | been provided as required by law, State Board of Education
270 | rules, and fire protection codes and may provide accommodations
271 | for drills conducted by exceptional student education centers.
272 | District school boards shall establish emergency response and
273 | emergency preparedness policies and procedures that include, but
274 | are not limited to, identifying the individuals responsible for
275 | contacting the primary emergency response agency and the

276 emergency response agency ~~that is~~ responsible for notifying the
277 school district for each type of emergency. The State Board of
278 Education shall refer to recommendations provided in reports
279 published pursuant to s. 943.687 for guidance and, by August 1,
280 2023, consult with state and local constituencies to adopt rules
281 applicable to the requirements of this subsection which, at a
282 minimum, define the terms "emergency drill," "active threat,"
283 and "after-action report" and establish minimum emergency drill
284 policies and procedures related to the timing, frequency,
285 participation, training, notification, accommodations, and
286 responses to threat situations by incident type, school level,
287 school type, and student and school characteristics. The rules
288 must require all types of emergency drills to be conducted no
289 less frequently than on an annual school year basis.

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

295 (d) Each district school board and charter school
296 governing board shall adopt, in coordination with local law
297 enforcement agencies and local governments, a family
298 reunification plan to reunite students and employees with their
299 families in the event that a school is closed or unexpectedly
300 evacuated due to a natural or manmade disaster. This

301 reunification plan must be reviewed annually and updated, as
302 applicable.

303 (7) THREAT ASSESSMENT TEAMS.—Each district school board
304 shall adopt policies for the establishment of threat assessment
305 teams at each school whose duties include the coordination of
306 resources and assessment and intervention with individuals whose
307 behavior may pose a threat to the safety of school staff or
308 students consistent with the model policies developed by the
309 Office of Safe Schools. Such policies must include procedures
310 for referrals to mental health services identified by the school
311 district pursuant to s. 1012.584(4), when appropriate, and
312 procedures for behavioral threat assessments in compliance with
313 the instrument developed pursuant to s. 1001.212(12).

314 (a) A threat assessment team shall include persons with
315 expertise in counseling, instruction, school administration, and
316 law enforcement. All members of the threat assessment team must
317 be involved in the threat assessment process and final
318 decisionmaking. The threat assessment teams shall identify
319 members of the school community to whom threatening behavior
320 should be reported and provide guidance to students, faculty,
321 and staff regarding recognition of threatening or aberrant
322 behavior that may represent a threat to the community, school,
323 or self. Upon the availability of the behavioral threat
324 assessment instrument developed pursuant to s. 1001.212(12), the
325 threat assessment team shall use that instrument.

326 (9) SCHOOL ENVIRONMENTAL SAFETY INCIDENT REPORTING.—Each
327 district school board shall adopt policies to ensure the
328 accurate and timely reporting of incidents related to school
329 safety and discipline. The district school superintendent is
330 responsible for school environmental safety incident reporting.
331 A district school superintendent who fails to comply with this
332 subsection is subject to the penalties specified in law,
333 including, but not limited to, s. 1001.42(13) (b) or s.
334 1001.51(12) (b), as applicable. The State Board of Education
335 shall adopt rules establishing the requirements for the school
336 environmental safety incident report. Annually, the department
337 shall publish on its website the most recently available school
338 environmental safety incident data along with other school
339 accountability and performance data in a uniform, statewide
340 format that is easy to read and understand.

341 (11) SUICIDE SCREENING INSTRUMENT.—Each district school
342 board shall adopt policies to ensure that district schools and
343 local mobile response teams use the same suicide screening
344 instrument approved by the department pursuant to s. 1012.583.

345 Section 6. Present subsection (6) of section 1006.12,
346 Florida Statutes, is redesignated as subsection (8), a new
347 subsection (6) and subsection (7) are added to that section, and
348 paragraph (c) of subsection (1), paragraphs (a) and (b) of
349 subsection (2), and subsection (5) of that section are amended,
350 to read:

351 1006.12 Safe-school officers at each public school.—For
 352 the protection and safety of school personnel, property,
 353 students, and visitors, each district school board and school
 354 district superintendent shall partner with law enforcement
 355 agencies or security agencies to establish or assign one or more
 356 safe-school officers at each school facility within the
 357 district, including charter schools. A district school board
 358 must collaborate with charter school governing boards to
 359 facilitate charter school access to all safe-school officer
 360 options available under this section. The school district may
 361 implement any combination of the options in subsections (1)-(4)
 362 to best meet the needs of the school district and charter
 363 schools.

364 (1) SCHOOL RESOURCE OFFICER.—A school district may
 365 establish school resource officer programs through a cooperative
 366 agreement with law enforcement agencies.

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

374 (2) SCHOOL SAFETY OFFICER.—A school district may
 375 commission one or more school safety officers for the protection

376 and safety of school personnel, property, and students within
 377 the school district. The district school superintendent may
 378 recommend, and the district school board may appoint, one or
 379 more school safety officers.

380 (a) School safety officers shall undergo criminal
 381 background checks, drug testing, and a psychological evaluation
 382 and be law enforcement officers, as defined in s. 943.10(1),
 383 certified under ~~the provisions of~~ chapter 943 and employed by
 384 either a law enforcement agency or by the district school board.
 385 If the officer is employed by the district school board, the
 386 district school board is the employing agency for purposes of
 387 chapter 943, and must comply with ~~the provisions of~~ that
 388 chapter.

389 (b) A school safety officer has and shall exercise the
 390 power to make arrests for violations of law on district school
 391 board property or on property owned or leased by a charter
 392 school under a charter contract, as applicable, and to arrest
 393 persons, whether on or off such property, who violate any law on
 394 such property under the same conditions that deputy sheriffs are
 395 authorized to make arrests. A school safety officer has the
 396 authority to carry weapons when performing his or her official
 397 duties.

398 (5) NOTIFICATION.—The district school superintendent or
 399 charter school administrator, or a respective designee, ~~school~~
 400 ~~district~~ shall notify the county sheriff and the Office of Safe

401 Schools immediately after, but no later than 72 hours after:

402 (a) A safe-school officer is dismissed for misconduct or
403 is otherwise disciplined.

404 (b) A safe-school officer discharges his or her firearm in
405 the exercise of the safe-school officer's duties, other than for
406 training purposes.

407 (6) CRISIS INTERVENTION TRAINING.—

408 (a) Each safe-school officer who is also a sworn law
409 enforcement officer shall complete mental health crisis
410 intervention training using a curriculum developed by a national
411 organization with expertise in mental health crisis
412 intervention. The training must improve the officer's knowledge
413 and skills as a first responder to incidents involving students
414 with emotional disturbance or mental illness, including de-
415 escalation skills to ensure student and officer safety.

416 (b) Each safe-school officer who is not a sworn law
417 enforcement officer shall receive training to improve the
418 officer's knowledge and skills necessary to respond to and de-
419 escalate incidents on school premises.

420 (7) LIMITATIONS.—An individual must satisfy the background
421 screening, psychological evaluation, and drug test requirements
422 and be approved by the sheriff before participating in any
423 training required by s. 30.15(1)(k), which may be conducted only
424 by a sheriff.

425

426 If a district school board, through its adopted policies,
 427 procedures, or actions, denies a charter school access to any
 428 safe-school officer options pursuant to this section, the school
 429 district must assign a school resource officer or school safety
 430 officer to the charter school. Under such circumstances, the
 431 charter school's share of the costs of the school resource
 432 officer or school safety officer may not exceed the safe school
 433 allocation funds provided to the charter school pursuant to s.
 434 1011.62(13) and shall be retained by the school district.

435 Section 7. Paragraph (a) of subsection (2) of section
 436 1006.1493, Florida Statutes, is amended to read:

437 1006.1493 Florida Safe Schools Assessment Tool.—

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

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

- 444 1. School emergency and crisis preparedness planning;
- 445 2. Security, crime, and violence prevention policies and
 446 procedures;
- 447 3. Physical security measures;
- 448 4. Professional development training needs;
- 449 5. An examination of support service roles in school
 450 safety, security, and emergency planning;

451 6. School security and school police staffing, operational
452 practices, and related services;

453 7. School and community collaboration on school safety;
454 and

455 8. Policies and procedures for school officials to prepare
456 for and respond to natural and manmade disasters, including
457 family reunification plans to reunite students and employees
458 with their families after a school is closed or unexpectedly
459 evacuated due to such disasters; and

460 9. A return on investment analysis of the recommended
461 physical security controls.

462 Section 8. Subsection (5) is added to section 1012.584,
463 Florida Statutes, to read:

464 1012.584 Continuing education and inservice training for
465 youth mental health awareness and assistance.—

466 (5) No later than July 1, 2023, and annually thereafter by
467 July 1, each school district shall certify to the department, in
468 a format determined by the department, that at least 80 percent
469 of school personnel in elementary, middle, and high schools have
470 received the training required under this section.

471 Section 9. Except as otherwise expressly provided in this
472 act, this act shall take effect July 1, 2022.