



## Summary of SB 7026 – School Safety

**Section 1.** Amends s. 20.15 – Department of Education. (Page 4, Line 113)

Adds the Department of Safe Schools to the list of Divisions within the Department of Education.

**Section 2.** Creates s. 943.687 – Commission on School Safety and Security (Page 5, Line 120)  
Creates the Commission on School Safety and Security within the Florida Department of Law Enforcement (FDLE)

The commission shall convene no later than June 1, 2018. Commission to be comprised of 15 members with 5 appointed by the President of the Senate, 5 appointed by the Speaker of the House, and 5 appointed by the Governor. Each appointing authority must appoint one member representing law enforcement, one representing schools, one member representing social service agencies, one member representing the judiciary, and one member who is a survivor or the relative of a victim of a mass shooting or a mass violence incident. The terms of the members is 1 year. The Commissioner of the FDLE will chair the commission.

The commission will investigate system failures in the Parkland shooting and prior mass violence incidents in Florida and other states and develop recommendations for system improvements. At a minimum, the commission must analyze evidence to:

- Determine the extent to which failures in communications or coordination contributed to an inability to prevent deaths and injuries;
- Identify available state and local tools and resources, such as the FDLE Fusion Center or the Judicial Inquiry System, or other state or local systems and recommend ways such resources may be used more effectively to identify risks and threats; and
- Recommend changes in procedures or policies necessary to enhance communication among schools, law enforcement, and social service agencies.

FDLE staff shall assist the commission in performing its duties. The commission shall consider reports issued by other governmental and nongovernmental entities, to the extent such reports are available, in developing its recommendations. The commission shall complete its work within 1 year after the date it convenes and submit its recommendations to the Governor, the Cabinet, the President of the Senate, and the Speaker of the House. The commission may submit all or part of its recommendations at any time during the year, but a final report summarizing its recommendations must be submitted at the completion of its work.

**Section 3.** Creates s. 1000.051 – School safety and security. (Page 7, Line 177)

Provides legislative intent regarding school safety and security to:

- Provide that the Florida K-20 Education Code be liberally construed by the State Board of Education, the Commissioner of Education, district school boards, district superintendents, and law enforcement agencies to the end that student discipline and school safety policy objectives may be effective.
- Provide that, notwithstanding any other provision of the Florida K-20 Education Code and rules adopted pursuant thereto, with the exception of applicable public records exemption provisions pertaining to exempt, or confidential and exempt, information, that school district and law enforcement personnel be authorized to take necessary actions to ensure the fundamental protection and safety of public school students, personnel, and visitors.

**Section 4.** Creates s. 1001.217 – Office of Safe Schools. (Page 7, Line 195)

Creates the Office of Safe Schools (Office) within the Department of Education. Provides that the Office will be administered by an executive director, accountable to the Commissioner of Education, and will cooperate and coordinate with the Board of Governors of the State University System, public and nonpublic postsecondary institutions, school districts, public and nonpublic schools, state and local agencies, community organizations, and other organizations and persons, as directed by the commissioner.

The purpose of the Office is to serve as the state education agency's primary coordinating division assigned to promote and support safe-learning environments by addressing issues of student safety and academic success at the state, district, and school levels. In performing these functions, the office shall, at a minimum:

- Function as the state's primary contact for the coordination of activities, information, and reporting related to the implementation of the student discipline and school safety requirements of subpart I.C of chapter 1006 pertaining to public K-12 education support for learning and student services, as well as other requirements of law pertaining to school safety partnerships and responsibilities, as assigned by the commissioner.
- Function as the state contact and state education agency coordination office for school district safety specialists, as assigned pursuant to s. 1006.12, and primary emergency operations contact staff assigned by Florida College System institutions, state universities, and other entities identified by the commissioner.
- Coordinate with state and local agencies, school district personnel, and safety and security experts to establish safe school and security standards, review school safety and security plans, establish guidelines regarding school district appointments to and functions of public school threat assessment teams and district school safety specialists, and to update risk assessment procedures, as appropriate.
- Develop and implement a training program for district school safety specialists designated or appointed by a district school board pursuant to s. 1006.07(8). Training program elements must include, but need not be limited to, school safety specialist participation in active shooter situation training conducted pursuant to s. 1006.07(4)(b), campus tours performed pursuant to s. 1006.07(7), program activities of the Public School Emergency Response Learning System Program established pursuant to s. 1006.149, and training associated with the Florida Safe Schools Assessment Tool provided pursuant to s. 1006.1493.

**Section 5.** Amends s. 1002.221 – K-12 education records (Page 9, Line 246)

Adds provision to specify that this section of law does not limit the application of exemptions from public records requirements for security system plans and public security systems, including security footage, or other information that would relate to or reveal the location or capabilities of such systems.

**Section 6.** Amends s. 1002.225 – Education records of students in public postsecondary educational institutions; penalty. (Page 9, Line 255)

Adds provision to specify that this section of law does not limit the application of exemptions from public records requirements for security system plans and public security systems, including security footage, or other information that would relate to or reveal the location or capabilities of such systems.

**Section 7.** Amends s. 1006.04 – Educational multiagency services for students with severe emotional disturbance. (Page 10, Line 265)

Expands upon the current requirements in law for a multiagency network to provide support for students with severe emotional disturbance. Establishes the Multiagency Service Network for Students with Severe Emotional Disturbance (SEDNET) as a function of the department in

partnership with other state, regional, and local partners as a statewide network of regional projects comprised of major child-serving agencies, community-based service providers, and students and their families.

Replaces references to “multiagency network” with “SEDNET” throughout this section of law and adds provisions to specify that, under the leadership and guidance of the department, the fundamental goal of SEDNET and its partners is to facilitate the process of cross system collaboration and inclusion of families as full partners. At a minimum, SEDNET shall:

- Focus on developing interagency collaboration and sustaining partnerships among professionals and families in the education, mental health, substance abuse, child welfare, and juvenile justice systems serving children and youth with, and at risk of, emotional and behavioral disabilities.
- Provide technical assistance and support in building service capacity within regional areas and collaborate in related state level activities impacting system of care.
- Serve as a collaborative resource for school districts, agencies, and families working to promote positive educational and community-based outcomes for children.

Amends the provision authorizing the department to award grants to clarify that the Legislature may provide funding for the department to award grants to district school boards for statewide planning and development of SEDNET.

**Section 8.** Creates s. 1006.05 – Mental health assistance allocation specifications. (Page 12, Line 327)

Provides that the mental health assistance allocation is created to provide supplemental funding to:

- Assist school districts and charter schools in establishing or expanding comprehensive mental health programs that increase awareness of mental health issues among children and school-age youth;
- Train educators and other school staff in detecting and responding to mental health issues; and
- Connect children, youth, and families who may experience behavioral or mental health issues with appropriate services.

Funding shall be allocated in accordance with the following:

- Before the distribution of the allocation:
  - The district must annually develop and submit a detailed plan outlining the local program and planned expenditures to the district school board for approval.
  - A charter school must annually develop and submit a detailed plan outlining the local program and planned expenditures of the funds in the plan to its governing body for approval. After the plan is approved by the governing body, it must be provided to its school district for submission to the commissioner.
- The plans must include, at a minimum, elements 1-3 and the districts and charter schools are strongly encouraged to include elements 4-6 as follows:
  1. A contract or a memorandum of understanding with at least one local nationally accredited community behavioral health provider or a provider 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, trauma-informed 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;
  2. Training opportunities in Mental Health First Aid or other similar nationally recognized evidence-based training programs for all school personnel who have contact with students.

The training must cover risk factors and warning signs for mental health and addiction concerns, strategies for providing assistance to individuals in both crisis and non-crisis situations, and the use of referral mechanisms that effectively link individuals to appropriate treatment and intervention services in the school and in the community. Topics covered should include depression and mood disorders, anxiety disorders, trauma, psychosis, substance use disorders, and suicide prevention;

3. A mental health crisis intervention strategy that provides for prompt resolution of identified, immediate threats within district schools, including Baker Act referrals and notification of law enforcement personnel, as appropriate;
4. Programs to assist students in dealing with anxiety, depression, bullying, trauma, and violence;
5. Strategies or programs to reduce the likelihood of at-risk students developing social, emotional, or behavioral health problems; suicidal tendencies; or substance use disorders; and
6. Strategies to improve the early identification of social, emotional, or behavioral problems or substance use disorders and to improve the provision of early intervention services.

The districts must submit approved plans to the commissioner by August 1 of each year.

Beginning September 30, 2019, and by each September 30 thereafter, each entity that receives an allocation must submit to the commissioner, in a format prescribed by the department, a final report on its program outcomes and its expenditures for each element of the program. At a minimum, the report must include the number of each of the following:

- o Students who receive screenings or assessments.
- o Students who are referred for services or assistance.
- o Students who receive services or assistance.
- o Parents or guardians notified.
- o School personnel who are trained to engage in the services, techniques, strategies, or programs identified in the required plan.

**Section 9.** Amends s. 1006.07 – District school board duties relating to student discipline and school safety. (Page 15, Line 408)

Revises provisions relating to ***emergency drills and emergency procedures*** by adding “hostage and active shooter situations” to the types of drills that the district must formulate and prescribe policies and procedures.

Revises provisions relating to the establishment of ***model emergency management and emergency preparedness procedures*** relating to weapon-use and hostage situations by adding “active shooter” situations and specifying that the active shooter situation training for each school must engage the participation of the district school safety specialist, threat assessment team members, faculty, staff, and students and must be conducted by the law enforcement agency or agencies that are designated as first responders to the school's campus.

Revises provisions relating to ***safety and security best practices***. Reference to OPPAGA safety and security best practices is deleted and existing provisions are amended and clarified to provide that each school district must:

- Designate a threat assessment team, in accordance with guidelines established by the Office of Safe Schools, at each school in the district. The threat assessment team must operate under the direction of the district school safety specialist.
- Conduct security risk assessments in accordance with s. 1006.1493 at each public school and conduct a self-assessment of the school districts' current safety and security practices using

a format prescribed by the department. Based on these findings, the district school superintendent must 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 superintendent'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 district school superintendent shall report such findings and school board action to the commissioner within 30 days after the district school board meeting.

- Develop a plan, in a format prescribed by the department, which includes a secure, single point of entry onto school grounds.

Adds provisions relating to ***safety in construction planning*** to require a district school board to allow the law enforcement agency or agencies that are designated as first responders to the district's campus and school's campuses to tour such campuses once every 3 years. Any changes related to school safety and emergency issues recommended by a law enforcement agency based on a campus tour must be documented by the district school board.

Adds provisions relating to ***district school safety specialist*** to provide that a district school board must designate or appoint a district school safety specialist to serve at the direction of the superintendent as the district's primary point of public contact regarding the district's coordination, communication, and implementation of policies, procedures, responsibilities, and reporting related to district and public school safety functions. The school safety specialist shall do all of the following:

- Coordinate with the Office of Safe Schools.
- Facilitate the collection and dissemination of information among and between the school district, school personnel, students and their families, state and local law enforcement agencies, community health entities, and other state and community partners.
- Maintain records and reports and facilitate the implementation of policies regarding the respective duties and responsibilities of the school districts, superintendents, and principals and reporting regarding student discipline and school safety requirements.
- Oversee and coordinate threat assessment teams and provide a coordinated approach to evaluating and responding to students who pose, or appear to pose, a credible potential threat of violence or harm to themselves or others.
- Perform other responsibilities assigned by the superintendent and requested by the Office of Safe Schools to facilitate and coordinate the effective implementation of student discipline and school safety requirements.

**Section 10.** Amends s. 1006.12 – Safe-school officers at each public school. (Page 18, Line 508) Provides that each district school board and school district superintendent must cooperate 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:

- Establish school resource officer programs, through a cooperative agreement with law enforcement agencies.
  - 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.
  - 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.

- 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.
  - 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.
  - 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.
  - 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.
- Participate in the Florida Sheriff's Marshal Program, established pursuant to s. 1006.1491. Upon a participant's completion of the program, the district school board shall designate a special deputy sheriff, as appointed by the sheriff as a law enforcement officer certified under chapter 943.

**Section 11.** Creates s. 1006.149 – Public School Emergency Response Learning System Program. (Page 20, Line 574)

Establishes the Public School Emergency Response Learning System Program, administer by the Office of Safe Schools, to assist school personnel in preparing for and responding to active emergency situations and to implement local notification systems for all Florida public schools.

Provides that local law enforcement agencies shall partner with participating public preschools, public child care providers, or public school districts and schools. Training, notifications, and resources must be available for school personnel and students and their families through, at minimum, the following mechanisms:

- Activities and direct training to mitigate risk and save lives in emergency situations, such as lockdown, bomb threat, active shooter, and other emergency situations.
- Vital local notification systems implemented to alert schools of imminent danger.
- Other resources provided in conjunction with the training including, but not limited to, an emergency plan flip chart, communication cards, instructional resources, activity books for children and teachers, and certificates of training and completion.

Each program participant must develop a preemptive plan of action that includes multiple options for addressing various situations based on the form of danger present and the unique needs and circumstances of each school and its faculty, staff, students, and visitors. A school district must include in its emergency notification procedures any program participant who notifies the district of his or her desire to participate.

Provides that funding for program activities may be provided by the Legislature to implement this section.

**Section 12.** Creates s. 1006.1491 – Florida Sheriff's Marshal Program. (Page 22, Line 613)  
Creates the Florida Sheriff's Marshal Program, administered by the Office of Safe Schools, as a voluntary program to assist school districts and public schools in enhancing the safety and security.

The purpose of the program is to provide comprehensive firearm safety and proficiency training for selected faculty and staff strategically focused on providing security on campus during an active assailant incident. Public school faculty and staff who voluntarily participate in and complete the program, as recommended by the school district, are designated as special deputy sheriffs with all rights, responsibilities, and obligations in carrying concealed firearms on campus, as authorized pursuant to s. 30.09.

Definitions – As used in this context, the term:

- "Active assailant incident" means a situation in which an armed assailant is posing an immediate deadly threat to persons on the premises or campus of a public school.
- "Campus" means a school and facilities and school plants operated and controlled by a public school district.
- "Partnership agreement" means a jointly-approved contract between the sheriff operating the program and the superintendent of a participating school district sponsor.
- "Program" means a Florida Sheriff's Marshal Program
- "Sheriff" means the county sheriff constitutional officer elected or appointed in accordance with chapter 30.
- "Sheriff's marshal" means a faculty or staff member who is recommended and sponsored by a school district and has been successfully screened and approved by the sheriff to participate in a program.
- "Special deputy sheriff" means a program participant who has successfully completed the program and who is appointed as a law enforcement officer in the same manner as a deputy sheriff as provided in s. 30.072(2) and certified under chapter 943.

Program eligibility – At a minimum, program eligibility and participation requirements must include:

- A school district may sponsor and recommend to the sheriff public school faculty and staff members as candidates for voluntary participation in the program. The sheriff shall establish timelines and requirements for participation through a partnership agreement with the sponsoring school district superintendent. To be eligible for consideration and recommendation, a candidate must be licensed to carry a concealed weapon or firearm in accordance with s. 790.06.
- After screening a candidate, including performing criminal background checks, drug testing, and a psychological evaluation, the sheriff may approve a candidate to participate in the program as a sheriff's marshal.
- Upon successful completion of the program, a sheriff's marshal ***may be*** appointed by the sheriff as a special deputy sheriff for the limited purpose of responding to an active assailant incident on a campus of his or her school district during an active assailant incident.

Special deputy sheriff – At a minimum, the partnership agreement must provide that a special deputy sheriff:

- Must participate in and complete the program's professional training requirements as a precondition to meeting the legal requirements of chapter 30 to be eligible to carry a concealed firearm on a campus of his or her sponsoring school district.
- May not act in any law enforcement capacity outside of an active assailant incident on a school district campus and does not have any authority in a law enforcement capacity off campus in any way, except as otherwise expressly authorized by law.
- May carry concealed, approved firearms on campus. The firearms must be specifically purchased and issued for the sole purpose of the program. Only concealed carry safety

holsters and firearms approved by the sheriff may be used under the program.

- Must successfully complete training with the sheriff's office before his or her appointment as a special deputy sheriff.

The appointment of a person as a special deputy sheriff does not entitle the person to the special risk category that applies to law enforcement officers pursuant to s. 121.0515.

Training and instruction – All training must be conducted by Criminal Justice Standards Training Commission-certified instructors.

- Required instruction must include 132 total hours of comprehensive firearm safety and proficiency training in the following topics:
  - Firearms: 80-hour block of instruction. The firearms instruction must be based on the CJSTC Law Enforcement Academy training model and must be enhanced to include 10 percent to 20 percent more rounds fired by each program participant beyond the minimum average of approximately 1,000 training rounds associated with academy training. Program participants must achieve an 85 percent pass rate on the firearms training.
  - Firearms precision pistol: 16-hour block of instruction.
  - Firearms discretionary shooting: 4-hour block of instruction using state-of-the-art simulator exercises.
  - Active shooter or assailant: 8-hour block of instruction.
  - Defensive tactics: 4-hour block of instruction.
  - Legal or high liability: 20-hour block of instruction.
- Program participants may complete an optional, 16-hour precision pistol course as additional training.
- Ongoing and annual proficiency retraining must be conducted by the sheriff, as specified in the agreement.

Participation denial or termination – The sheriff or the district superintendent may deny or terminate a sheriff's marshal or special deputy sheriff's participation in the program for any reason, including, but not limited to, any of the following circumstances:

- An arrest or filing of criminal charges against a program participant by a law enforcement agency.
- The service of process on the program participant as the respondent of an injunction for protection.
- The involuntarily placement of the program participant in a treatment facility for a mental health examination under The Baker Act.
- A violation of sheriff PCSO General Orders by the program participant.
- A violation of the school district's code of conduct or employee handbook or policy by the program participant.

Implementation –

- The sheriff shall maintain documentation of weapon and equipment inspections, as well as the training, certification, inspection, and qualification records of each program participant.
- Each program participant must be distinctly and visually identifiable to responding law enforcement officers, faculty, staff, and students, in the case of any active assailant incident on a sponsoring school district's campus.
- Each sheriff's marshal must execute a volunteer agreement with the sheriff's office outlining duties and responsibilities.
- A sponsoring school district must conduct awareness training about the program for all school district faculty and staff members.
- Specific implementation requirements, responsibilities, and other aspects of implementation must be specified in a partnership agreement.



Funding – The costs of program participation must be established in the partnership agreement. Funding may be provided by the Legislature to support school district and sheriff office administration, sponsorship, participation, and implementation of the provisions of this section.

**Section 13.** Creates s. 1006.1493 – Florida Safe Schools Assessment Tool. (Page 27, Line 760) Requires the department to 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 used by school officials at each school district and public school site in the state in conducting security assessments.
- The FSSAT must help school officials identify threats, vulnerabilities, and appropriate safety controls for the schools that they supervise, pursuant to the required security risk assessment. At minimum, the FSSAT must address all of the following components:
  - School emergency and crisis preparedness planning;
  - Security, crime, and violence prevention policies and procedures;
  - Physical security measures;
  - Professional development training needs;
  - An examination of support service roles in school safety, security, and emergency planning;
  - School security and school police staffing, operational practices, and related services;
  - School and community collaboration on school safety; and
  - A return on investment analysis of the recommended physical security controls.
- The department shall require by contract that the security consulting firm:
  - Generate written automated reports on assessment findings for review by the department and school and district officials;
  - Provide training to the department and school officials in the use of the FSSAT and other areas of importance identified by the department; and
  - 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.
- By December 1, 2018, and annually by that date thereafter, the department must report to the Governor, the President of the Senate, and the Speaker of the House on the status of implementation across school districts and schools. The report must include a summary 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, district, or school levels.
- 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 required annual report are confidential and exempt from public records requirements.

**Section 14.** Amends s. 1011.62 – Funds for operation of schools. (Page 29, Line 819) Amends (14) relating to the Quality Assurance Guarantee and (15) relating to the Safe Schools Allocation to correct/conform with the provisions of the bill (does not change the provisions of the safe schools allocation). Adds (16) and rennumbers subsequent paragraphs.

Creates paragraph (16) relating to the **Mental Health Assistance Allocation** to provide that the mental health assistance allocation is created to provide funding to assist school districts and charter schools in their compliance with the requirements and specifications established in s. 1006.05 relating to mental health assistance allocation specifications created by the bill (See Section 8).

Provides that these funds must be allocated annually in the General Appropriations Act to each eligible school district and developmental research school based on each entity's proportionate share of Florida Education Finance Program base funding. The district funding allocation must include a minimum amount, as provided in the General Appropriations Act. Eligible charter schools are entitled to a proportionate share of district funding for the program. 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, except for personnel hired to implement the plans required by s. 1006.05. School districts and schools must maximize third-party funding from Medicaid and private insurance when appropriate.

**Section 15.** Provides that this act shall take effect July 1, 2018.