

School Safety Legislation

Section	Statute	SB 7030	HB 7093
HB Section 16	23.1225	N.A.	<p>Mutual Aid Agreements</p> <p>Technical Amendment.</p>
<p>SB Section 1</p> <p>HB Section 1</p>	30.15	<p>(Sheriffs’) Powers, Duties, and Obligations</p> <p>Requires a sheriff to establish a guardian program if the local school board votes by a majority to implement the program.</p> <p>Authorizes sheriff who has established guardian program to contract to provide training to district or charter school employee employed in county whose sheriff has not established guardian program. Sheriff conducting the training will be reimbursed for screening-related and training-related costs and for providing one-time \$500 stipend to each participating school guardian.</p> <p>Removes the prohibition on an individual who exclusively performs classroom duties as a teacher from participating in the guardian program.</p> <p>Requires sheriff who establishes program to consult with FDLE on programmatic guiding principles, practices, and resources and shall certify school guardians or contract employees as specifies in s. 1006.12(3).</p> <p>Specifies that the training program must be 144 hours, consisting of 12 hours of certified nationally recognized diversity training.</p> <p>Requires sheriff who conducts guardian training to issue certificate. An individual who is certified as a guardian may serve as a guardian only if appointed by the applicable</p>	<p>(Sheriffs’) Powers, Duties, and Obligations</p> <p>Removes the limitation on who may serve as a guardian and transfers the training requirements to the Criminal Justice Standards Training Commission.</p>

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		<p>school superintendent or charter school principal.</p> <p>An individual may not serve as a school guardian in a school unless he/she is appointed by superintendent.</p>	
HB Section 17	316.640	N.A.	<p>Enforcement</p> <p>Technical Amendment.</p>
HB Section 2	493.6305	N.A.	<p>Uniforms, Required Wear; Exceptions</p> <p>Authorizes school guardian to carry their authorized firearm concealed in the conduct of their duties while wearing a uniform.</p>
SB Section 2	843.08	<p>False Personation</p> <p>Adds school guardians and security officers licensed under chapter 493 to list of individuals for which a second degree felony may be charged for false personation.</p>	N.A.
SB Section 15	921.0022	<p>Criminal Punishment Code</p> <p>Technical Amendment.</p>	N.A.
SB Section 3	943.03	<p>Department of Law Enforcement</p> <p>Adds a subsection to specify that upon request, FDLE shall consult with sheriff to provide input regarding programmatic practices, etc. to assist in the development/implementation of guardian program. Input may include standards, curriculum, instructional strategies, evaluation, certification, records retention, equipment, and other resource needs.</p>	
SB Section 4	943.082	<p>School Safety Awareness Program</p> <p>Requires school boards to promote Fortify FL by advertising it on the school district’s website, in newsletters,</p>	N.A.

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		<p>on school campuses, and in school publications.</p> <p>Requires school boards to install it on all computer devices issued to students.</p>	
HB Section 3	943.1712	N.A.	<p>Skills Training for School Guardians</p> <p>Requires the Criminal Justice Standards Training Commission (CJST) to adopt training standards for school guardians. Establishes training standards.</p> <p>Authorizes sheriffs, law enforcement academies, and school districts that employ SROs to provide training.</p>
SB Section 5	1001.10	<p>Commissioner of Education; General Powers and Duties</p> <p>Requires the Commissioner of Education to review the report of the School Hardening and Harm Mitigation submitted by the Office of Safe Schools (OSS).</p> <p>By September 1, 2019, the Commissioner must provide a summary of the workgroup’s recommendations to the Governor, President of the Senate, and the Speaker of the House of Representatives.</p> <p>The summary must include:</p> <ul style="list-style-type: none"> • Policy and funding enhancements to strengthen school safety and security; and • Estimated costs and timeframes for the implementation of the campus hardening and harm mitigation strategies. 	N.A.
SB Section 6	1001.11	Commissioner of Education; Other Duties	N.A.

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		<p>Enhances the duties of the Commissioner to:</p> <ul style="list-style-type: none"> • Oversee compliance by districts, superintendents, public schools (including charter schools), and regional and state entities; • Facilitate compliance to the maximum extent provided under law; • Identify incidents of noncompliance; and • Impose or recommend enforcement or sanctions to the SBE, Governor, or Legislature. 	
<p>SB Section 7 HB Section 4</p>	<p>1001.212</p>	<p>Office of Safe Schools (OSS)</p> <p>Requires OSS to provide annual training on the assessment of physical site security and completion of FSSAT to district and charter school personnel.</p> <p>Requires OSS to coordinate with FDLE to provide centralized integrated data repository/data analytics resources to improve access to information by August 1, 2019.</p> <p>Data sources for repository must include (in addition to existing sources):</p> <ul style="list-style-type: none"> • Social media internet posts. • FortifyFL. • School environmental safety incident reports. <p>Data exempt/confidential and exempt from public records retain its exempt/confidential status when incorporated into data repository. To maintain such confidentiality, attached to information provided to the repository by various state and</p>	<p>Office of Safe Schools (OSS)</p> <p>Requires the OSS to:</p> <ul style="list-style-type: none"> • Administer FSSAT. • Coordinate with FDLE to provide data repository by August 1, 2019 and adds Fortify FL and school environment safety incident reports that are collected. Reiterates that data that is exempt or confidential retains such exemption or confidentiality. • Provide data to support evaluation of mental health services. • Collect data through school environment safety incident report on incidents that occur on school premises, on school transportation, and at off-campus, school-sponsored events, committed by students, nonstudents, or unknown offenders. • Define types of public schools and campuses that are subject to the requirements of assigning a safe school officer and school safety.

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		<p>local agencies, data governance and security must ensure compliance with all applicable state/federal data privacy requirements through use of user authorization and role-based security, data anonymization and aggregation and auditing capabilities. Each source agency providing data to repository must be the sole custodian of the data for purpose of any request for inspection or copies under ch. 119. DOE shall only allow ace to data in accordance with rule adopted by respective source agencies and FBI Criminal Justice Information Services security policy, where applicable.</p> <p>Requires OSS to provide data to support evaluation of mental health services pursuant to s. 1004.44 (Louis de la Parte Florida Mental Health Institute at USF).</p> <p>Requires OSS to provide technical assistance to district and charter school governing boards for environmental safety incident reporting required under s. 1006.07(9). OSS shall collect data through school environmental safety incident reports on incidents that occur on school premises, school transportation, and at off-campus, school-sponsored events. OSS shall review and evaluate district reports to ensure compliance with reporting requirements. Upon notification by DOE that superintendent has failed to comply with s. 1006.07(9), school board shall withhold payment of salary authorized under s. 1001.42(13)(b) and impose other appropriate sanctions that commissioner or SBE by law may impose.</p>	

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		<p>Requires OSS to convene a School Hardening and Harm Mitigation workgroup comprised of subject matter experts on hardening best practices.</p> <p>Based on review of best practices, workgroup must submit report to OSS Director by August 1, 2019 which includes:</p> <ul style="list-style-type: none"> • Prioritized list for implementation of campus hardening and estimated costs and implementation timeframes by districts and charter schools. • Recommendations for policy/funding enhancements to strengthen safety. <p>OSS Director then submits to Commission the report and recommendations regarding procedures to monitor and enforcement compliance by districts and charter schools of the strategies.</p> <p>By August 1, 2019, develop standardized behavioral threat assessment instrument for all public school, including charter schools, which addresses early identification, evaluation, etc. Establishes what the instrument must include.</p> <p>Requires OSS:</p> <ul style="list-style-type: none"> • By August 1, 2020, evaluate each district’s behavioral threat assessment procedures for compliance. • Notify the superintendent or charter school governing board, as applicable, if not in compliance. • Report any issues of ongoing noncompliance with superintendent, Commissioner and SBE. 	

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		<p>Requires OSS to establish Statewide Threat Assessment Database Workgroup. By December 31, 2019, workgroup must provide report to OSS with recommendations.</p> <p>Requires OSS to monitor compliance with requirements relating to school safety by districts, public schools and charter schools. OSS must report noncompliance to Commissioner and SBE.</p>	
HB Section 18	1002.32	N.A.	<p>Developmental Research (laboratory) Schools</p> <p>Technical Amendment.</p>
SB Section 8 HB Section 5	1002.33	<p>Charter Schools</p> <p>Specifies charter schools are not exempt from requirements for safe-school officers, threat assessment teams, School Environmental Safety Incident Reporting, FSSAT, active assailant response policy, mobile suspicious activity reporting tool, and youth mental health awareness and assistance training.</p>	<p>Charter Schools</p> <p>Requires charter schools to comply with requirements for emergency drills and procedures, safety and security best practices (establishing school safety specialist and related responsibilities), threat assessment teams, threat assessment teams, safety in construction planning, and mental health assistance.</p>
HB Section 6	1002.42	N.A.	<p>Private Schools</p> <p>Authorizes private schools to employ or contract for school guardians.1003.25</p>
SB Section 9 HB Section 7	1003.25	<p>Procedures for Maintenance and Transfer of Student Records</p> <p>Requires school districts to transfer student records between schools within one school day and between school districts within two school days.</p> <p>Reports must include verified reports of serious or recurrent behavior patterns, including threat assessment evaluations and intervention services.</p>	<p>Procedures for Maintenance and Transfer of Student Records</p> <p>Requires school districts to transfer student records between schools within one school day and between school districts within two school days.</p> <p>Reports must include verified reports of serious or recurrent behavior patterns, including threat assessment evaluations and intervention services.</p>

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		<p>Psychological evaluations, including therapeutic treatment plans and therapy or progress notes created or maintained by school district staff.</p>	<p>Psychological evaluations, including therapeutic treatment plans and therapy or progress notes created or maintained by school district staff.</p>
<p>SB Section 10 HB Section 8</p>	<p>1006.07</p>	<p>District School Board Duties re to Student Discipline and School Safety</p> <p>Clarifies that disclosure of mental health services is only required for any referral to mental health services by the school district as a result of expulsion, arrest, and DJJ actions.</p> <p>Clarifies that the school safety specialist must be a school administrator employed by the district or a law enforcement officer employed by the sheriff's office located in the district.</p> <p>Requires school safety specialist to:</p> <ul style="list-style-type: none"> • Review district policies for compliance with state law and rules, including district's timely and accurate submission of school environmental safety incident report to DOE (SESIR). • In collaboration with appropriate public safety agencies, as term defined in s. 365.171, annually conduct school security risk assessment at each public school using FSSAT. Based on assessment findings, safety specialist shall provide recommendations to the superintendent and school board which identifies strategies that school board should implement to address the findings. <p>Requires each school board and charter school governing board to adopt active assailant response plan.</p>	<p>District School Board Duties re to Student Discipline and School Safety</p> <p>Clarifies that disclosure of mental health services is only required for any referral to mental health services by the school district as a result of expulsion, arrest, and DJJ actions.</p> <p>Active shooter drills must be conducted in accordance with requirements of OSS rather than as often as other emergency drills.</p> <p>Removes the requirement that the school safety specialist be a school administrator but is a school safety specialist for the district.</p> <p>Requires school districts to work with public safety agencies in conducting school security risk assessments and requires threat assessment teams to use the instrument developed by OSS.</p> <p>Requires that the teams have access to school and district level data and data from the centralized repository.</p> <p>Requires a threat assessment team to verify that intervention services continue when a student transfers schools, until the threat assessment team of the receiving school determines the needs for services.</p> <p>Requires schools to screen or assess student, within 45 days, students who are referred for mental assistance.</p>

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		<p>By October 1, 2019, and annually thereafter, each school superintendent and charter school principal must certify that all school personnel have received annual training on procedures contained in the active assailant response plan for the applicable school district or charter school.</p> <p>Modifies requirements for Threat Assessment Teams. Policies must include procedures for behavioral threat assessment in compliance with the standardized, statewide behavioral threat assessment developed and adopted by OSS.</p> <p>When there is preliminary determination by threat assessment team that a student does pose a threat of violence, etc., authorized members of the team may obtain criminal history record information pursuant to s. 985.04(1).</p> <p>Upon student’s transfer to different school, threat assessment team shall verify that any intervention services provided to student remain in place until threat assessment team of receiving school independently determines the need for intervention services.</p> <p>Teams must utilize the database when available.</p> <p>Requires each school board to adopt policies to ensure the accurate and timely reporting of incidents related to school safety and discipline.</p> <p>Superintendent who fails to comply is subject to penalties. SBE must adopt</p>	<p>Requires school-based interventions to occur within 30 days of screening and continue until the student receives community based care, where appropriate.</p>

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		rules establishing requirements for the school environment safety incident report.	
HB Section 9	1006.09	N.A.	<p>Duties of School Principal re to Student Discipline and School Safety</p> <p>Requires school principals to designate individuals who may declare an emergency in response to an incident and who must contact emergency response agencies.</p>
<p>SB Section 11</p> <p>HB Section 10</p>	1006.12	<p>Safe-School Officers at Each Public School</p> <p>In addition to school boards and superintendents, specifies that each charter school governing board must assign one or more safe-school officer as applicable at each school facility.</p> <p>Specifies participation in guardian program is at the discretion of district or charter school governing board.</p> <p>Three types of individuals can fill the role of a school guardian:</p> <ul style="list-style-type: none"> • A school district or charter school employee who <i>volunteers</i> to serve as a guardian in addition to the employee’s official job duties; • A school district or charter school employee hired for the specific purpose of serving as a guardian; or • A contract employee working at the school district or charter school through a contract with a private security agency. 	<p>Safe-School Officers at Each Public School</p> <p>Provides that school resource officers may be employed by law enforcement agencies or school boards.</p> <p>Allows school districts and charter schools to employ or contract for employment school guardians.</p> <p>Individual may not serve as school guardian in a school unless the individual is appointed by superintendent, or if a charter school, unless the individual is appointed by the charter school governing board.</p>
HB Section 11	1006.13	N.A.	<p>Policy of Zero Tolerance for Crime and Victimization</p> <p>Threat assessment team would no longer have ability to use alternative to expulsion or law enforcement referral</p>

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			<p>when student commits misdemeanors, minor fights or disturbances.</p> <p>Requires each district school board to adopt a zero tolerance policy that defines criteria for reporting to law enforcement any act that poses a threat to school safety; defines acts that pose a threat vs a serious threat to school safety, and defines petty acts of misconduct which are not a threat to school safety and do not require consultation with law enforcement.</p> <p>Required agreement with law enforcement must include procedures when school personnel required to consult with school resource officers concerning appropriate delinquent acts and crime.</p> <p>Language not requiring the reporting of petty acts of misconduct and misdemeanors to law enforcement is deleted.</p> <p>Reinforces that principal must notify all school personal as to the responsibility of reporting acts that pose a threat to school safety and that the disposition of the incident is property documents.</p>
<p>SB Section 12 HB Section 12</p>	<p>1006.1493</p>	<p>Florida Safe Schools Assessment Tool (FSSAT)</p> <p>Specifies FSSAT must be the primary physical site security assessment tool as revised and required by OSS.</p> <p>OSS must provide annual training to each district’s school safety specialist and other appropriate district personnel on assessing physical site security and completing the FSSAT.</p>	<p>Florida Safe Schools Assessment Tool (FSSAT)</p> <p>Requires the FSSAT to be the primary physical site security assessment.</p> <p>Requires OSS to make the revised FSSAT available to schools and charter schools by May 1 and review all FSSAT results submitted before October 1.</p> <p>Provides requirements for the DOE’s annual report due on December 1, which must include summary of:</p>

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		<p>Superintendent must annually submit an FSSAT assessment to DOE for each school site by October 1.</p> <p>Requires each superintendent, or authorized designee, to approve each school specific FSSAT assessment.</p> <p>Any superintendent who fails to comply is subject to having his or her salary withheld as authorized by law.</p>	<ul style="list-style-type: none"> • Any deficiencies identified by FSSAT • Amount of funds used to correct the deficiencies, and whether the deficiencies have been corrected • Any noncompliance identified by the OSS and actions taken to achieve compliance <p>Statewide SESIR data and qualitative data on threat assessments.</p>
<p>SB Section 13</p> <p>HB Section 13</p>	<p>1011.62</p>	<p>Funds for Operation of Schools</p> <p>Allows funds from the Safe Schools Allocation to be used for school safety with priority given to safe-school officers.</p> <p>Amends Safe Schools Allocation to apply to retroactively to July 1, 2018 for the employment or contracting for safe-school officers, established or assigned under s. 1006.12.</p>	<p>Funds for Operation of Schools</p> <p>Allows funds from the Safe Schools Allocation to be used for school safety with priority given to safe-school officers.</p> <p>These changes are retroactive to allow school districts to use the money to compensate school guardians.</p>
<p>SB Section 14</p> <p>HB Section 14</p>	<p>1011.62</p>	<p>Funds for Operation of Schools.</p> <p>Authorizes the transfer of funds from additional categoricals if a school board declares in a resolution that funds are needed to maintain classroom instruction or improve school safety.</p> <p>Amends the Safe School Allocation and requires one-third funds be allocated to school districts based on the most recent official FDLE Florida Crime Index.</p> <p>The remaining two-thirds must be allocated based on each district school district’s proportionate share of the state’s total UWFTE.</p>	<p>Funds for Operation of Schools.</p> <p>Revises the methodology for distributing funds from the safe school allocation.</p> <p>Funds distributed based on minimum allocation provided in GAA and on district’s proportionate share of the state’s total UFTE.</p> <p>Beginning September 30, 2019—and annually on September 30 thereafter—Requires the OSS to verify compliance with school safety obligations before there is a distribution of funds from the safe school allocation.</p> <p>Accordingly, the condition for the release of funds used for guardians is compliance with submission of the FSSAT.</p>

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Section	Statute	SB 7030	HB 7093
HB Section 15	1012.795	N.A.	<p>Education Practices Commission; Authority to Discipline.</p> <p>Authorizes the Education Practices Commission to fine school board members, superintendents, and school personnel who are not in compliance with the requirements of OSS.</p>
SB Section 16	Undesignated Section	Statement of legitimate state purpose.	N.A.
SB Section 17 HB Section 19	Effective Date	Except as otherwise provided, upon becoming a law.	Same.

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