A bill to be entitled
An act relating to school safety; amending s. 943.082, F.S.; requiring the FortifyFL reporting tool to notify reporting parties that submitting false information may subject them to criminal penalties; providing that certain reports shall remain anonymous; amending s. 985.12, F.S.; requiring law enforcement officers to have access to a specified system by a certain date for specified purposes; amending s. 1001.11, F.S.; requiring the Commissioner of Education to oversee compliance with requirements relating to school safety and security; requiring the commissioner to take specified actions under certain circumstances relating to noncompliance; amending s. 1001.212, F.S.; requiring the Office of Safe Schools to provide certain opportunities to charter school personnel; requiring such office to coordinate with specified entities to provide a specified tool for certain purposes and a model family reunification plan for certain purposes; amending s. 1002.33, F.S.; revising provisions relating to the immediate termination of a charter school's charter; amending s. 1006.07, F.S.; requiring codes of student conduct to include provisions relating to civil citation or similar prearrest diversion programs for specified purposes;
authorizing certain procedures to include accommodations for specified drills; requiring district school boards and charter school governing boards, in coordination with local law enforcement agencies, to adopt a family reunification plan for specified purposes; providing requirements for members of a threat assessment team; amending s. 1006.12, F.S.; revising provisions relating to the duties of school safety officers; requiring the district school superintendent or charter school administrator to provide certain notifications relating to safe-school officers; requiring safe-school officers to complete a specified training; providing requirements for such training; requiring individuals to meet certain criteria before participating in specified training; providing requirements for such training; amending s. 1006.1493, F.S.; requiring the Florida Safe Schools Assessment Tool to address policies and procedures relating to certain disasters; amending s. 1011.62, F.S.; revising required plans within the mental health assistance allocation to include certain interagency agreements or memoranda of understanding with specified entities to facilitate certain referrals and services; providing requirements for such agreements and memoranda of understanding and policies and
procedures; revising such plans to include policies
and procedures relating to certain behavioral health
services available to such students; requiring schools
districts to use specified services from certain
teams; providing requirements for referrals to certain
behavioral health services; providing effective dates.

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

Section 1. 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 an 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 2. Paragraph (f) of subsection (2) of section
985.12, Florida Statutes, is 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.—

(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 the Juvenile Justice Information System Prevention Web to access civil citation and prearrest diversion information.

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

1001.11 Commissioner of Education; other duties.—

(9) The commissioner shall oversee compliance with the requirements relating to school safety and security requirements of the Marjory Stoneman Douglas High School Public Safety Act, chapter 2018-3, Laws of Florida, by school districts; district school superintendents; and public schools, including charter schools. Upon notification by the Office of Safe Schools that a district school board has failed to comply with the requirements relating to school safety and security, the commissioner shall require the district school board to withhold further payment of the salary of the superintendent as authorized under s. 1001.42(13)(b). Upon notification by the Office of Safe Schools
that a charter school has failed to comply with the requirements relating to school safety and security, the commissioner must facilitate compliance by charter schools by recommending actions to the district school board pursuant to s. 1002.33. The commissioner must facilitate compliance to the maximum extent provided under law, identify incidents of noncompliance, and impose or recommend to the State Board of Education, the Governor, or the Legislature enforcement and sanctioning actions pursuant to s. 1008.32 and other authority granted under law.

Section 4. Subsections (14) and (15) of section 1001.212, Florida Statutes, are renumbered as subsections (15) and (16), respectively, subsections (2), (6), and (8) are amended, and a new subsection (14) is added to that section, to read:

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

(2) Provide ongoing professional development opportunities to school district and charter school personnel.

(6) Coordinate with the Department of Law Enforcement to provide a unified search tool, known as the Florida School
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;
(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.

(8) Provide technical assistance to school districts and
charter school governing boards for school environmental safety
incident reporting as required under s. 1006.07(9). The office
shall 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. The office shall review and evaluate school
district reports to ensure compliance with reporting
requirements. Upon notification by the department that a
superintendent has failed to comply with the requirements of s.
1006.07(9), the district school board shall withhold further
payment of his or her salary as authorized under s.
1001.42(13)(b) and impose other appropriate sanctions that the
commissioner or state board by law may impose.

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

Section 5. Paragraph (c) of subsection (8) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.—

(c) A charter may be terminated immediately if the sponsor sets forth in writing the particular facts and circumstances demonstrating indicating that an immediate and serious danger to the health, safety, or welfare of the charter school's students exists, that the immediate and serious danger is likely to continue, and that an immediate termination of the charter is necessary. The sponsor's determination is subject to the procedures set forth in paragraph (b), except that the hearing may take place after the charter has been terminated. The sponsor shall notify in writing the charter school's governing board, the charter school principal, and the department of the facts and circumstances supporting the emergency termination if a charter is terminated immediately. The sponsor shall clearly identify the specific issues that resulted in the immediate termination and provide evidence of prior notification of issues.
resulting in the immediate termination, if applicable when appropriate. Upon receiving written notice from the sponsor, the charter school's governing board has 10 calendar days to request a hearing. A requested hearing must be expedited and the final order must be issued within 60 days after the date of request. The sponsor shall assume operation of the charter school throughout the pendency of the hearing under paragraph (b) unless the continued operation of the charter school would materially threaten the health, safety, or welfare of the students. Failure by the sponsor to assume and continue operation of the charter school shall result in the awarding of reasonable costs and attorney's fees to the charter school if the charter school prevails on appeal.

Section 6. Paragraph (a) of subsection (4) and paragraph (a) of subsection (7) of section 1006.07, Florida Statutes, are amended, paragraph (n) is added to subsection (2) and paragraph (d) is added to subsection (6) of 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

CODING: Words struck are deletions; words underlined are additions.
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 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 that are used by a school district as an alternative to referral to law enforcement 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. 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 and the emergency response agency that is responsible for notifying the school district for each type of emergency.

(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.

(d) Each district school board and charter school governing board must adopt, in coordination with local law enforcement agencies, a family reunification plan to reunite students and employees with their families in the event that a school is closed or unexpectedly evacuated due to a natural or man-made disaster.

(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 persons with
expertise in counseling, instruction, school administration, and
law enforcement. Members of the threat assessment team must be
involved in the threat assessment process and final 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 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.

Section 7. Subsection (6) of section 1006.12, Florida
Statutes, is renumbered as subsection (8), paragraph (c) of
subsection (1), paragraphs (a) and (b) of subsection (2), and
subsection (5) are amended, and new subsections (6) and (7) are
added to that section, to read:
1006.12 Safe-school officers at each public school.—For the protection and safety of school personnel, property, students, and visitors, each district school board and school district superintendent shall partner with 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 any combination of the options in subsections (1)-(4) to best meet the needs of the school district and charter schools.

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

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

(2) SCHOOL SAFETY OFFICER.—A school district may commission one or more school safety officers for the protection and safety
of school personnel, property, and students within the school
district. The district school superintendent may recommend, and
the district school board may appoint, one or more school safety
officers.

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

(b) A school safety officer has and shall exercise the
power to make arrests for violations of law on district school
board property 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 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.

(5) NOTIFICATION.—The district school superintendent or
charter school administrator school district 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) CRISIS INTERVENTION TRAINING.—Each safe-school officer must 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 the officer's knowledge and skills as a first responder to incidents involving students with emotional disturbance or mental illness, including de-escalation skills to ensure student and officer safety.

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

If a district school board, through its adopted policies, procedures, or actions, denies a charter school access to any safe-school officer options pursuant to this section, the school district must assign a school resource officer or school safety officer to the charter school. Under such circumstances, the
charter school's share of the costs of the school resource officer or 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 8. 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
8. Policies and procedures to prepare for and respond to
natural and man-made disasters, including family reunification plans to reunite students and employees with their families after a school is closed or unexpectedly evacuated due to such disasters; and

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

Section 9. Paragraph (b) of 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 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.

(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:

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 identify strategies to increase the amount of time that school-based 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. An interagency agreement or memorandum of understanding with a managing entity, as defined in s. 394.9082(2), that facilitates referrals of students to community-based services and coordinates care for students served by school-based and community-based providers. Such agreement or memorandum of understanding must address the sharing of records and information as authorized under s. 1006.07(7)(d) to coordinate care and increase access to appropriate services.

3. 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, 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.
4.3. Policies and procedures, including contracts with service providers, which will ensure that:

a. A parent of a student is provided information about behavioral health services available through the student's school or local community-based behavioral health services providers, including, but not limited to, the community action treatment team established in s. 394.495 serving the student's area. A school may meet this requirement by providing information about and Internet addresses for web-based directories or guides for local behavioral health services. Such directories or guides must be easily navigated and understood by individuals unfamiliar with behavioral health delivery systems or services and include specific contact information for local behavioral health providers.

b. Each school district uses the services of the community action treatment team established in s. 394.495 to the extent that such services are available.

c. 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 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 community-based mental health services must be initiated
within 30 days after the school or district makes a referral.

d. Referrals to behavioral health services available
through other delivery systems or payors for which a student or
individuals living in the household of a student receiving
services under this subsection may qualify, if such services
appear to be needed or enhancements in those individuals'
behavioral health would contribute to the improved well-being of
the student.

5.4 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.

6.5 Strategies to improve the early identification of
social, emotional, or behavioral problems or substance use
disorders, to improve the provision of early intervention
services, and to assist students in dealing with trauma and
violence.

Section 10. Except as otherwise expressly provided in this
act, this act shall take effect July 1, 2020.