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LEGISLATIVE ACTION

Senate

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House

The Committee on Appropriations (Harrell) recommended the following:

Senate Amendment (with title amendment)

Delete lines 79 - 196

and insert:

19. A reasonable attempt to notify ~~Immediate notification~~
~~to~~ a student's parent, guardian, or caregiver before ~~if~~ the
student is removed from school, school transportation, or a
school-sponsored activity to be ~~and~~ taken to a receiving
facility for an involuntary examination pursuant to s. 394.463,
including and subject to the requirements and exceptions



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11 established under ss. 1002.20(3) and 1002.33(9), as applicable.

12 Section 2. Subsection (4) of section 394.463, Florida
13 Statutes, is amended to read:

14 394.463 Involuntary examination.—

15 (4) DATA ANALYSIS.—Using data collected under paragraph
16 (2)(a), the department shall, at a minimum, analyze data on both
17 the initiation of involuntary examinations of children and the
18 initiation of involuntary examinations of students who are
19 removed from a school, identify any patterns or trends and cases
20 in which involuntary examinations are repeatedly initiated on
21 the same child or student, study root causes for such patterns,
22 trends, or repeated involuntary examinations, and make
23 recommendations to encourage the use of ~~for encouraging~~
24 alternatives to eliminate ~~and eliminating~~ inappropriate
25 initiations of such examinations. The department shall submit a
26 report on its findings and recommendations to the Governor, the
27 President of the Senate, and the Speaker of the House of
28 Representatives by November 1 of each odd-numbered ~~odd-numbered~~
29 year.

30 Section 3. Subsection (7) of section 1001.212, Florida
31 Statutes, is amended to read:

32 1001.212 Office of Safe Schools.—There is created in the
33 Department of Education the Office of Safe Schools. The office
34 is fully accountable to the Commissioner of Education. The
35 office shall serve as a central repository for best practices,
36 training standards, and compliance oversight in all matters
37 regarding school safety and security, including prevention
38 efforts, intervention efforts, and emergency preparedness
39 planning. The office shall:



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40 (7) Provide data to support the evaluation of mental health
41 services pursuant to s. 1004.44. Such data must include, for
42 each school, the number of involuntary examinations as defined
43 in s. 394.455 which are initiated at the school, on school
44 transportation, or at a school-sponsored activity and the number
45 of children for whom an examination is initiated.

46 Section 4. Paragraph (1) of subsection (3) of section
47 1002.20, Florida Statutes, is amended, and a new subsection (25)
48 is added to that section, to read:

49 1002.20 K-12 student and parent rights.—Parents of public
50 school students must receive accurate and timely information
51 regarding their child's academic progress and must be informed
52 of ways they can help their child to succeed in school. K-12
53 students and their parents are afforded numerous statutory
54 rights including, but not limited to, the following:

55 (3) HEALTH ISSUES.—

56 (1) *Notification of involuntary examinations.*—

57 1. Except as provided in subparagraph 2., the public school
58 principal or the principal's designee shall make a reasonable
59 attempt to ~~immediately~~ notify the parent of a student before the
60 student ~~who~~ is removed from school, school transportation, or a
61 school-sponsored activity to be ~~and~~ taken to a receiving
62 facility for an involuntary examination pursuant to s. 394.463.

63 2. The principal or the principal's designee may delay the
64 required notification for no more than 24 hours after the
65 student is removed if:

66 a. The principal or the principal's designee deems the
67 delay to be in the student's best interest and ~~if~~ a report has
68 been submitted to the central abuse hotline, pursuant to s.



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69 39.201, based upon knowledge or suspicion of abuse, abandonment,
70 or neglect; or

71 b. The principal or principal's designee reasonably
72 believes that such delay is necessary to avoid jeopardizing the
73 health and safety of the student.

74 3. Before a principal or his or her designee contacts a law
75 enforcement officer, he or she must verify that deescalation de-
76 escalation strategies have been utilized and outreach to a
77 mobile response team has been initiated unless the principal or
78 the principal's designee reasonably believes that any delay in
79 removing the student will increase the likelihood of harm to the
80 student or others. This requirement does not supersede the
81 authority of a law enforcement officer to act under s. 394.463.

82
83 Each district school board shall develop a policy and procedures
84 for notification under this paragraph.

85 (25) SAFE SCHOOLS.-

86 (a) School safety and emergency incidents.-Parents of
87 public school students have a right to timely notification of
88 threats, unlawful acts, and significant emergencies pursuant to
89 s. 1006.07(4) and (7).

90 (b) School environmental safety incident reporting.-Parents
91 of public school students have a right to access school safety
92 and discipline incidents as reported pursuant to s. 1006.07(9).

93 Section 5. Paragraph (q) of subsection (9) of section
94 1002.33, Florida Statutes, is amended, and paragraph (r) is
95 added to that subsection, to read:

96 1002.33 Charter schools.-

97 (9) CHARTER SCHOOL REQUIREMENTS.-



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98 (q)1. The charter school principal or the principal's
99 designee shall make a reasonable attempt to immediately notify
100 the parent of a student before the student ~~who~~ is removed from
101 school, school transportation, or a school-sponsored activity to
102 be and taken to a receiving facility for an involuntary
103 examination pursuant to s. 394.463.

104 2. The principal or the principal's designee may delay
105 notification for no more than 24 hours after the student is
106 removed if:

107 a. The principal or the principal's designee deems the
108 delay to be in the student's best interest and ~~if~~ a report has
109 been submitted to the central abuse hotline, pursuant to s.
110 39.201, based upon knowledge or suspicion of abuse, abandonment,
111 or neglect; or

112 b. The principal or the principal's designee reasonably
113 believes that such delay is necessary to avoid jeopardizing the
114 health and safety of the student.

115 3. Before a principal or his or her designee contacts a law
116 enforcement officer, he or she must verify that deescalation ~~de-~~
117 ~~escalation~~ strategies have been utilized and outreach to a
118 mobile response team has been initiated unless the principal or
119 the principal's designee reasonably believes that any delay in
120 removing the student will increase the likelihood of harm to the
121 student or others. This requirement does not supersede the
122 authority of a law enforcement officer to act under s. 394.463.

123
124 Each charter school governing board shall develop a policy and
125 procedures for notification under this paragraph.

126 (r)1. Parents of charter school students have a right to



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127 timely notification of threats, unlawful acts, and significant
128 emergencies pursuant to s. 1006.07(4) and (7).

129 2. Parents of charter school students have a right to
130 access school safety and discipline incidents as reported
131 pursuant to s. 1006.07(9).

132 Section 6. Paragraphs (a) and (b) of subsection (4) of
133 section 1006.07, Florida Statutes, are amended, and paragraphs
134 (n) and (o) of subsection (2) and subsection (10) are added to
135 that section, to read:

136 1006.07 District school board duties relating to student
137 discipline and school safety.—The district school board shall
138 provide for the proper accounting for all students, for the
139 attendance and control of students at school, and for proper
140 attention to health, safety, and other matters relating to the
141 welfare of students, including:

142 (2) CODE OF STUDENT CONDUCT.—Adopt a code of student
143 conduct for elementary schools and a code of student conduct for
144 middle and high schools and distribute the appropriate code to
145 all teachers, school personnel, students, and parents, at the
146 beginning of every school year. Each code shall be organized and
147 written in language that is understandable to students and
148 parents and shall be discussed at the beginning of every school
149 year in student classes, school advisory council meetings, and
150 parent and teacher association or organization meetings. Each
151 code shall be based on the rules governing student conduct and
152 discipline adopted by the district school board and shall be
153 made available in the student handbook or similar publication.
154 Each code shall include, but is not limited to:

155 (n) Criteria for recommending to law enforcement that a



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156 student who commits a criminal offense be allowed to participate
157 in a civil citation or similar prearrest diversion program as an
158 alternative to expulsion or arrest. All civil citation or
159 similar prearrest diversion programs must comply with s. 985.12.

160 (o) Criteria for assigning a student who commits a petty
161 act of misconduct, as defined by the district school board
162 pursuant to s. 1006.13(2)(c), to a school-based intervention
163 program. If a student's assignment is based on a noncriminal
164 offense, the student's participation in a school-based
165 intervention program may not be entered into the Juvenile
166 Justice Information System Prevention Web.

167 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

168 (a) Formulate and prescribe policies and procedures, in
169 consultation with the appropriate public safety agencies, for
170 emergency drills and for actual emergencies, including, but not
171 limited to, fires, natural disasters, active assailant ~~shooter~~
172 and hostage situations, and bomb threats, for all students and
173 faculty at all public schools of the district comprised of
174 grades K-12. Drills for active assailant ~~shooter~~ and hostage
175 situations shall be conducted in accordance with developmentally
176 appropriate and age-appropriate procedures at least as often as
177 other emergency drills. District school board policies shall
178 include commonly used alarm system responses for specific types
179 of emergencies and verification by each school that drills have
180 been provided as required by law and fire protection codes and
181 may provide accommodations for drills conducted by exceptional
182 student education centers. District school boards shall
183 establish ~~The~~ emergency response and emergency preparedness
184 policies and procedures that include, but are not limited to,



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185 identifying policy shall identify the individuals responsible
186 for contacting the primary emergency response agency and the
187 emergency response agency that is responsible for notifying the
188 school district for each type of emergency.

189 (b) Provide timely ~~Establish model emergency management and~~
190 ~~emergency preparedness procedures, including emergency~~
191 notification to parents of threats pursuant to policies adopted
192 under subsection (7) and procedures pursuant to paragraph (a),
193 ~~for~~ the following unlawful acts or significant emergencies that
194 occur on school grounds, during school transportation, or during
195 school-sponsored activities ~~life-threatening emergencies:~~

196 1. Weapons possession or use when there is intended harm
197 toward another person ~~Weapon use~~, hostage, and active assailant
198 ~~shooter~~ situations. The active assailant ~~shooter~~ situation
199 training for each school must engage the participation of the
200 district school safety specialist, threat assessment team
201 members, faculty, staff, and students and must be conducted by
202 the law enforcement agency or agencies that are designated as
203 first responders to the school's campus.

204 2. Murder, homicide, or manslaughter.

205 3. Sex offenses, including rape, sexual assault, or sexual
206 misconduct with a student by school personnel.

207 ~~2. Hazardous materials or toxic chemical spills.~~

208 ~~4.3.~~ Natural ~~Weather~~ emergencies, including hurricanes,
209 tornadoes, and severe storms.

210 ~~5.4.~~ Exposure as a result of a manmade emergency.

211
212 ===== T I T L E A M E N D M E N T =====

213 And the title is amended as follows:



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214 Delete lines 2 - 21
215 and insert:
216 An act relating to school safety; amending s.
217 381.0056, F.S.; revising parent, guardian, or
218 caregiver notification requirements that must be met
219 before an involuntary examination of a minor; amending
220 s. 394.463, F.S.; revising data reporting requirements
221 for the Department of Children and Families; amending
222 s. 1001.212, F.S.; revising data reporting
223 requirements for the Office of Safe Schools; amending
224 s. 1002.20, F.S.; revising parent and guardian
225 notification requirements; providing an exception;
226 providing that parents of public school students have
227 a right to access school safety and discipline
228 incidents as reported; amending s. 1002.33, F.S.;
229 revising parent and guardian notification
230 requirements; providing an exception; providing that
231 parents of charter school students have a right to
232 access school safety and discipline incidents as
233 reported; amending s. 1006.07, F.S.; requiring codes
234 of student conduct to include provisions relating to
235 civil citation or similar prearrest diversion programs
236 for specified purposes; requiring codes of student
237 conduct to include provisions relating to the
238 assignment of students to school-based intervention
239 programs; prohibiting participation in such programs
240 from being entered into a specified system under
241 certain circumstances; authorizing certain procedures
242 to include accommodations for specified drills;



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243 requiring district school boards to establish certain
244 emergency response and emergency preparedness policies
245 and procedures and provide timely notification to
246 parents following certain unlawful acts or significant
247 emergencies; creating reporting requirements for
248 schools