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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 121 - 196

and insert:

1002.20, Florida Statutes, is amended, and a new subsection (25) is added to that section, to read:

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child’s academic progress and must be informed of ways they can help their child to succeed in school. K-12



11 students and their parents are afforded numerous statutory
12 rights including, but not limited to, the following:

13 (3) HEALTH ISSUES.—

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

15 1. Except as provided in subparagraph 2., the public school
16 principal or the principal's designee shall ~~immediately~~ notify
17 the parent of a student before the student ~~who~~ is removed from
18 school, school transportation, or a school-sponsored activity to
19 be ~~and~~ taken to a receiving facility for an involuntary
20 examination pursuant to s. 394.463.

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

24 a. The principal or the principal's designee deems the
25 delay to be in the student's best interest and ~~if~~ a report has
26 been submitted to the central abuse hotline, pursuant to s.
27 39.201, based upon knowledge or suspicion of abuse, abandonment,
28 or neglect; or

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

32 3. Before a principal or his or her designee contacts a law
33 enforcement officer, he or she must verify that deescalation ~~de-~~
34 ~~escalation~~ strategies have been utilized and outreach to a
35 mobile response team has been initiated unless the principal or
36 the principal's designee reasonably believes that any delay in
37 removing the student will increase the likelihood of harm to the
38 student or others. This requirement does not supersede the
39 authority of a law enforcement officer to act under s. 394.463.



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41 Each district school board shall develop a policy and procedures
42 for notification under this paragraph.

43 (25) SAFE SCHOOLS.-

44 (a) School safety and emergency incidents.-Parents of
45 public school students have a right to timely notification of
46 threats, unlawful acts, and significant emergencies pursuant to
47 s. 1006.07(4) and (7).

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

51 Section 5. Paragraph (q) of subsection (9) of section
52 1002.33, Florida Statutes, is amended, and paragraph (r) is
53 added to that subsection, to read:

54 1002.33 Charter schools.-

55 (9) CHARTER SCHOOL REQUIREMENTS.-

56 (q)1. The charter school principal or the principal's
57 designee shall ~~immediately~~ notify the parent of a student before
58 the student ~~who~~ is removed from school, school transportation,
59 or a school-sponsored activity to be ~~and~~ taken to a receiving
60 facility for an involuntary examination pursuant to s. 394.463.

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

64 a. The principal or the principal's designee deems the
65 delay to be in the student's best interest and ~~if~~ a report has
66 been submitted to the central abuse hotline, pursuant to s.
67 39.201, based upon knowledge or suspicion of abuse, abandonment,
68 or neglect; or



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

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

80
81 Each charter school governing board shall develop a policy and
82 procedures for notification under this paragraph.

83 (r)1. Parents of charter school students have a right to
84 timely notification of threats, unlawful acts, and significant
85 emergencies pursuant to s. 1006.07(4) and (7).

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

89 Section 6. Paragraphs (a) and (b) of subsection (4) of
90 section 1006.07, Florida Statutes, are amended, and paragraphs
91 (n) and (o) of subsection (2) and subsection (10) are added to
92 that section, to read:

93 1006.07 District school board duties relating to student
94 discipline and school safety.—The district school board shall
95 provide for the proper accounting for all students, for the
96 attendance and control of students at school, and for proper
97 attention to health, safety, and other matters relating to the



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98 welfare of students, including:

99 (2) CODE OF STUDENT CONDUCT.—Adopt a code of student
100 conduct for elementary schools and a code of student conduct for
101 middle and high schools and distribute the appropriate code to
102 all teachers, school personnel, students, and parents, at the
103 beginning of every school year. Each code shall be organized and
104 written in language that is understandable to students and
105 parents and shall be discussed at the beginning of every school
106 year in student classes, school advisory council meetings, and
107 parent and teacher association or organization meetings. Each
108 code shall be based on the rules governing student conduct and
109 discipline adopted by the district school board and shall be
110 made available in the student handbook or similar publication.
111 Each code shall include, but is not limited to:

112 (n) Criteria for recommending to law enforcement that a
113 student who commits a criminal offense be allowed to participate
114 in a civil citation or similar prearrest diversion program as an
115 alternative to expulsion or arrest. All civil citation or
116 similar prearrest diversion programs must comply with s. 985.12.

117 (o) Criteria for assigning a student who commits a petty
118 act of misconduct, as defined by the district school board
119 pursuant to s. 1006.13(2)(c), to a school-based intervention
120 program. If a student's assignment is based on a noncriminal
121 offense, the student's participation in a school-based
122 intervention program may not be entered into the Juvenile
123 Justice Information System Prevention Web.

124 (4) EMERGENCY DRILLS; EMERGENCY PROCEDURES.—

125 (a) Formulate and prescribe policies and procedures, in
126 consultation with the appropriate public safety agencies, for



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127 emergency drills and for actual emergencies, including, but not
128 limited to, fires, natural disasters, active assailant shooter
129 and hostage situations, and bomb threats, for all students and
130 faculty at all public schools of the district comprised of
131 grades K-12. Drills for active assailant shooter and hostage
132 situations shall be conducted in accordance with developmentally
133 appropriate and age-appropriate procedures at least as often as
134 other emergency drills. District school board policies shall
135 include commonly used alarm system responses for specific types
136 of emergencies and verification by each school that drills have
137 been provided as required by law and fire protection codes and
138 may provide accommodations for drills conducted by exceptional
139 student education centers. District school boards shall
140 establish ~~The~~ emergency response and emergency preparedness
141 policies and procedures that include, but are not limited to,
142 identifying ~~policy shall identify~~ the individuals responsible
143 for contacting the primary emergency response agency and the
144 emergency response agency that is responsible for notifying the
145 school district for each type of emergency.

146 (b) Provide timely ~~Establish model emergency management and~~
147 ~~emergency preparedness procedures, including emergency~~
148 notification to parents of threats pursuant to policies adopted
149 under subsection (7) and ~~procedures pursuant to paragraph (a),~~
150 ~~for~~ the following unlawful acts or significant emergencies that
151 occur on school grounds, during school transportation, or during
152 school-sponsored activities ~~life-threatening emergencies:~~

153 1. Weapons possession or use when there is intended harm
154 toward another person ~~Weapon-use~~, hostage, and active assailant
155 ~~shooter~~ situations. The active assailant shooter situation



156 training for each school must engage the participation of the
157 district school safety specialist, threat assessment team
158 members, faculty, staff, and students and must be conducted by
159 the law enforcement agency or agencies that are designated as
160 first responders to the school's campus.

161 2. Murder, homicide, or manslaughter.

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

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

165 ~~4.3. Natural Weather~~ emergencies, including hurricanes,
166 tornadoes, and severe storms.

167 ~~5.4.~~ Exposure as a result of a manmade emergency.

168
169 ===== T I T L E A M E N D M E N T =====

170 And the title is amended as follows:

171 Delete lines 11 - 21

172 and insert:

173 guardian notification requirements; providing an
174 exception; providing that parents of public school
175 students have a right to access school safety and
176 discipline incidents as reported; amending s. 1002.33,
177 F.S.; revising parent and guardian notification
178 requirements; providing an exception; providing that
179 parents of charter school students have a right to
180 access school safety and discipline incidents as
181 reported; amending s. 1006.07, F.S.; requiring codes
182 of student conduct to include provisions relating to
183 civil citation or similar prearrest diversion programs
184 for specified purposes; requiring codes of student



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185 conduct to include provisions relating to the
186 assignment of students to school-based intervention
187 programs; prohibiting participation in such programs
188 from being entered into a specified system under
189 certain circumstances; authorizing certain procedures
190 to include accommodations for specified drills;
191 requiring district school boards to establish certain
192 emergency response and emergency preparedness policies
193 and procedures and provide timely notification to
194 parents following certain unlawful acts or significant
195 emergencies; creating reporting requirements for
196 schools