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LEGISLATIVE ACTION

Senate

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House

Senators Harrell and Gibson moved the following:

Senate Amendment (with title amendment)

Delete lines 97 - 189

and insert:

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

For purposes of this subparagraph, "a reasonable attempt to notify" means the exercise of reasonable diligence and care by the principal or the principal's designee to make contact with the student's parent, guardian, or other known emergency contact whom the student's parent or guardian has authorized to receive notification of an involuntary examination. At a minimum, the



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12 principal or the principal's designee must take the following
13 actions:

14 a. Use available methods of communication to contact the
15 student's parent, guardian, or other known emergency contact,
16 including but not limited to, telephone calls, text messages, e-
17 mails, and voice mail messages following the decision to
18 initiate an involuntary examination of the student.

19 b. Document the method and number of attempts made to
20 contact the student's parent, guardian, or other known emergency
21 contact, and the outcome of each attempt.

22
23 A principal or his or her designee who successfully notifies any
24 other known emergency contact may share only the information
25 necessary to alert such contact that the parent or caregiver
26 must be contacted. All such information must be in compliance
27 with federal and state law.

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

30 394.463 Involuntary examination.—

31 (4) DATA ANALYSIS.—Using data collected under paragraph
32 (2)(a), the department shall, at a minimum, analyze data on both
33 the initiation of involuntary examinations of children and the
34 initiation of involuntary examinations of students who are
35 removed from a school, identify any patterns or trends and cases
36 in which involuntary examinations are repeatedly initiated on
37 the same child or student, study root causes for such patterns,
38 trends, or repeated involuntary examinations, and make
39 recommendations to encourage the use of ~~for encouraging~~
40 alternatives to ~~eliminate and eliminating~~ inappropriate



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41 initiations of such examinations. The department shall submit a
42 report on its findings and recommendations to the Governor, the
43 President of the Senate, and the Speaker of the House of
44 Representatives by November 1 of each odd-numbered ~~odd-numbered~~
45 year.

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

48 1001.212 Office of Safe Schools.—There is created in the
49 Department of Education the Office of Safe Schools. The office
50 is fully accountable to the Commissioner of Education. The
51 office shall serve as a central repository for best practices,
52 training standards, and compliance oversight in all matters
53 regarding school safety and security, including prevention
54 efforts, intervention efforts, and emergency preparedness
55 planning. The office shall:

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

62 Section 4. Paragraph (1) of subsection (3) of section
63 1002.20, Florida Statutes, is amended, and subsection (25) is
64 added to that section, to read:

65 1002.20 K-12 student and parent rights.—Parents of public
66 school students must receive accurate and timely information
67 regarding their child's academic progress and must be informed
68 of ways they can help their child to succeed in school. K-12
69 students and their parents are afforded numerous statutory



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70 rights including, but not limited to, the following:

71 (3) HEALTH ISSUES.—

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

73 1. Except as provided in subparagraph 2., the public school
74 principal or the principal's designee shall make a reasonable
75 attempt to immediately notify the parent of a student before the
76 student who is removed from school, school transportation, or a
77 school-sponsored activity to be and taken to a receiving
78 facility for an involuntary examination pursuant to s. 394.463.
79 For purposes of this subparagraph, "a reasonable attempt to
80 notify" means the exercise of reasonable diligence and care by
81 the principal or the principal's designee to make contact with
82 the student's parent, guardian, or other known emergency contact
83 whom the student's parent or guardian has authorized to receive
84 notification of an involuntary examination. At a minimum, the
85 principal or the principal's designee must take the following
86 actions:

87 a. Use available methods of communication to contact the
88 student's parent, guardian, or other known emergency contact,
89 including but not limited to, telephone calls, text messages, e-
90 mails, and voice mail messages following the decision to
91 initiate an involuntary examination of the student.

92 b. Document the method and number of attempts made to
93 contact the student's parent, guardian, or other known emergency
94 contact, and the outcome of each attempt.

95
96 A principal or his or her designee who successfully notifies any
97 other known emergency contact may share only the information
98 necessary to alert such contact that the parent or caregiver



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99 must be contacted. All such information must be in compliance
100 with federal and state law.

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

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

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

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

120
121 Each district school board shall develop a policy and procedures
122 for notification under this paragraph.

123 (25) SAFE SCHOOLS.—

124 (a) School safety and emergency incidents.—Parents of
125 public school students have a right to timely notification of
126 threats, unlawful acts, and significant emergencies pursuant to
127 s. 1006.07(4) and (7).



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128 (b) School environmental safety incident reporting.—Parents
129 of public school students have a right to access school safety
130 and discipline incidents as reported pursuant to s. 1006.07(9).

131 Section 5. Paragraph (q) of subsection (9) of section
132 1002.33, Florida Statutes, is amended, and paragraph (r) is
133 added to that subsection, to read:

134 1002.33 Charter schools.—

135 (9) CHARTER SCHOOL REQUIREMENTS.—

136 (q)1. The charter school principal or the principal's
137 designee shall make a reasonable attempt to immediately notify
138 the parent of a student before the student ~~who~~ is removed from
139 school, school transportation, or a school-sponsored activity to
140 be and taken to a receiving facility for an involuntary
141 examination pursuant to s. 394.463. For purposes of this
142 subparagraph, "a reasonable attempt to notify" means the
143 exercise of reasonable diligence and care by the principal or
144 the principal's designee to make contact with the student's
145 parent, guardian, or other known emergency contact whom the
146 student's parent or guardian has authorized to receive
147 notification of an involuntary examination. At a minimum, the
148 principal or the principal's designee must take the following
149 actions:

150 a. Use available methods of communication to contact the
151 student's parent, guardian, or other known emergency contact,
152 including but not limited to, telephone calls, text messages, e-
153 mails, and voice mail messages following the decision to
154 initiate an involuntary examination of the student.

155 b. Document the method and number of attempts made to
156 contact the student's parent, guardian, or other known emergency



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157 contact, and the outcome of each attempt.
158
159 A principal or his or her designee who successfully notifies any
160 other known emergency contact may share only the information
161 necessary to alert such contact that the parent or caregiver
162 must be contacted. All such information must be in compliance
163 with federal and state law.
164

165 ===== T I T L E A M E N D M E N T =====

166 And the title is amended as follows:

167 Delete lines 5 - 15

168 and insert:

169 before an involuntary examination of a minor; defining
170 the term "a reasonable attempt to notify"; requiring a
171 principal or his or her designee who successfully
172 notifies any known emergency contact to share only the
173 information necessary to alert such contact that the
174 parent or caregiver must be contacted; requiring all
175 such information to be in compliance with federal and
176 state law; amending s. 394.463, F.S.; revising data
177 reporting requirements for the Department of Children
178 and Families; amending s. 1001.212, F.S.; revising
179 data reporting requirements for the Office of Safe
180 Schools; amending s. 1002.20, F.S.; revising parent
181 notification requirements; providing an exception;
182 defining the term "a reasonable attempt to notify";
183 requiring a principal or his or her designee who
184 successfully notifies any known emergency contact to
185 share only the information necessary to alert such



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186 contact that the parent or caregiver must be
187 contacted; requiring all such information to be in
188 compliance with federal and state law; providing that
189 parents of public school students have a right to
190 access school safety and discipline incidents as
191 reported; amending s. 1002.33, F.S.; revising parent
192 notification requirements; defining the term "a
193 reasonable attempt to notify"; requiring a principal
194 or his or her designee who successfully notifies any
195 known emergency contact to share only the information
196 necessary to alert such contact that the parent or
197 caregiver must be contacted; requiring all such
198 information to be in compliance with federal and state
199 law; providing an exception;