

1 A bill to be entitled
 2 An act relating to public records; amending s. 30.15,
 3 F.S.; providing that certain information relating to
 4 school guardians which is held and reported by any
 5 school district, charter school, private school, or
 6 sheriff to the Department of Law Enforcement is exempt
 7 from public records requirements; providing an
 8 effective date.

9
 10 Be It Enacted by the Legislature of the State of Florida:

11
 12 Section 1. Paragraph (k) of subsection (1) of section
 13 30.15, Florida Statutes, as amended by HB 1473, 2024 Regular
 14 Session, is amended to read:

15 30.15 Powers, duties, and obligations; public records
 16 exemption.-

17 (1) Sheriffs, in their respective counties, in person or
 18 by deputy, shall:

19 (k) Assist district school boards and charter school
 20 governing boards in complying with, or private schools in
 21 exercising options in, s. 1006.12. A sheriff must, at a minimum,
 22 provide access to a Chris Hixon, Coach Aaron Feis, and Coach
 23 Scott Beigel Guardian Program to aid in the prevention or
 24 abatement of active assailant incidents on school premises, as
 25 required under this paragraph. Persons certified as school

26 guardians pursuant to this paragraph have no authority to act in
 27 any law enforcement capacity except to the extent necessary to
 28 prevent or abate an active assailant incident.

29 1.a. If a local school board has voted by a majority to
 30 implement a guardian program, the sheriff in that county shall
 31 establish a guardian program to provide training, pursuant to
 32 subparagraph 2., to school district, charter school, or private
 33 school employees, either directly or through a contract with
 34 another sheriff's office that has established a guardian
 35 program.

36 b. A charter school governing board in a school district
 37 that has not voted, or has declined, to implement a guardian
 38 program may request the sheriff in the county to establish a
 39 guardian program for the purpose of training the charter school
 40 employees. If the county sheriff denies the request, the charter
 41 school governing board may contract with a sheriff that has
 42 established a guardian program to provide such training. The
 43 charter school governing board must notify the superintendent
 44 and the sheriff in the charter school's county of the contract
 45 prior to its execution.

46 c. A private school in a school district that has not
 47 voted, or has declined, to implement a guardian program may
 48 request that the sheriff in the county of the private school
 49 establish a guardian program for the purpose of training private
 50 school employees. If the county sheriff denies the request, the

51 private school may contract with a sheriff from another county
52 who has established a guardian program to provide such training.
53 The private school must notify the sheriff in the private
54 school's county of the contract with a sheriff from another
55 county before its execution. The private school is responsible
56 for all training and screening-related costs for a school
57 guardian program. The sheriff providing such training must
58 ensure that any moneys paid by a private school are not
59 commingled with any funds provided by the state to the sheriff
60 as reimbursement for screening-related and training-related
61 costs of any school district or charter school employee.

62 d. The training program required in sub-subparagraph 2.b.
63 is a standardized statewide curriculum, and each sheriff
64 providing such training shall adhere to the course of
65 instruction specified in that sub-subparagraph. This
66 subparagraph does not prohibit a sheriff from providing
67 additional training. A school guardian who has completed the
68 training program required in sub-subparagraph 2.b. may not be
69 required to attend another sheriff's training program pursuant
70 to that sub-subparagraph unless there has been at least a 1-year
71 break in his or her appointment as a guardian.

72 e. The sheriff conducting the training pursuant to
73 subparagraph 2. for school district and charter school employees
74 will be reimbursed for screening-related and training-related
75 costs and for providing a one-time stipend of \$500 to each

76 | school guardian who participates in the school guardian program.

77 | f. The sheriff may waive the training and screening-
78 | related costs for a private school for a school guardian
79 | program. Funds provided pursuant to sub-subparagraph e. may not
80 | be used to subsidize any costs that have been waived by the
81 | sheriff.

82 | g. A person who is certified under the Florida Criminal
83 | Justice Standards and Training Commission, who meets the
84 | qualifications established in s. 943.13, and who is otherwise
85 | qualified for the position of a school guardian may be certified
86 | as a school guardian by the sheriff without completing the
87 | training requirements of sub-subparagraph 2.b. However, a person
88 | certified as a school guardian under this sub-subparagraph must
89 | meet the requirements of sub-subparagraphs 2.c.-e.

90 | 2. A sheriff who establishes a program shall consult with
91 | the Department of Law Enforcement on programmatic guiding
92 | principles, practices, and resources, and shall certify as
93 | school guardians, without the power of arrest, school employees,
94 | as specified in s. 1006.12(3), who:

95 | a. Hold a valid license issued under s. 790.06.

96 | b. Complete a 144-hour training program, consisting of 12
97 | hours of certified nationally recognized diversity training and
98 | 132 total hours of comprehensive firearm safety and proficiency
99 | training conducted by Criminal Justice Standards and Training
100 | Commission-certified instructors, which must include:

101 (I) Eighty hours of firearms instruction based on the
 102 Criminal Justice Standards and Training Commission's Law
 103 Enforcement Academy training model, which must include at least
 104 10 percent but no more than 20 percent more rounds fired than
 105 associated with academy training. Program participants must
 106 achieve an 85 percent pass rate on the firearms training.

107 (II) Sixteen hours of instruction in precision pistol.

108 (III) Eight hours of discretionary shooting instruction
 109 using state-of-the-art simulator exercises.

110 (IV) Sixteen hours of instruction in active shooter or
 111 assailant scenarios.

112 (V) Eight hours of instruction in defensive tactics.

113 (VI) Four hours of instruction in legal issues.

114 c. Pass a psychological evaluation administered by a
 115 psychologist licensed under chapter 490 and designated by the
 116 Department of Law Enforcement and submit the results of the
 117 evaluation to the sheriff's office. The Department of Law
 118 Enforcement is authorized to provide the sheriff's office with
 119 mental health and substance abuse data for compliance with this
 120 paragraph.

121 d. Submit to and pass an initial drug test and subsequent
 122 random drug tests in accordance with the requirements of s.
 123 112.0455 and the sheriff's office.

124 e. Successfully complete ongoing training, weapon
 125 inspection, and firearm qualification on at least an annual

126 basis.

127

128 The sheriff who conducts the guardian training or waives the
 129 training requirements for a person under sub-subparagraph 1.g.
 130 shall issue a school guardian certificate to persons who meet
 131 the requirements of this section to the satisfaction of the
 132 sheriff, and shall maintain documentation of weapon and
 133 equipment inspections, as well as the training, certification,
 134 inspection, and qualification records of each school guardian
 135 certified by the sheriff. A person who is certified under this
 136 paragraph may serve as a school guardian under s. 1006.12(3)
 137 only if he or she is appointed by the applicable school district
 138 superintendent, charter school principal, or private school head
 139 of school.

140 3.a.(I) Within 30 days after issuing a school guardian
 141 certificate, the sheriff who issued the certificate must report
 142 to the Department of Law Enforcement the name, date of birth,
 143 and certification date of the school guardian.

144 (II) By September 1, 2024, each sheriff who issued a
 145 school guardian certificate must report to the Department of Law
 146 Enforcement the name, date of birth, and certification date of
 147 each school guardian who received a certificate from the
 148 sheriff.

149 b.(I) By February 1 and September 1 of each school year,
 150 each school district, charter school, and private school must

151 report to the Department of Law Enforcement the name, date of
 152 birth, and appointment date of each person appointed as a school
 153 guardian. The school district, charter school, and private
 154 school must also report to the Department of Law Enforcement the
 155 date such person separates from his or her appointment as a
 156 school guardian.

157 (II) By September 1, 2024, each school district, charter
 158 school, and private school must report to the Department of Law
 159 Enforcement the name, date of birth, and appointment date of
 160 each person appointed as a school guardian. Within 30 days after
 161 a school guardian separates from his or her appointment, the
 162 school district, charter school, and private school must report
 163 to the Department of Law Enforcement the date such person
 164 separated from his or her appointment as a school guardian.

165 c. The Department of Law Enforcement shall maintain a list
 166 of each person appointed as a school guardian in the state. The
 167 list must include the name and certification date of each school
 168 guardian and the date the person was appointed as a school
 169 guardian, including the name of the school district, charter
 170 school, or private school in which the school guardian is
 171 appointed, any information provided pursuant to s. 1006.12(5),
 172 and, if applicable, the date such person separated from his or
 173 her appointment as a school guardian. The Department of Law
 174 Enforcement shall remove from the list any person whose training
 175 has expired pursuant to sub-subparagraph 1.d.

176 d.(I) Any information held by the department or a law
 177 enforcement agency, school district, or charter school pursuant
 178 to sub-subparagraphs a.-c. that would identify a person who has
 179 been certified to serve as a school guardian is exempt from s.
 180 119.07(1) and s. 24(a), Art. I of the State Constitution.

181 (II) This sub-subparagraph is subject to the Open
 182 Government Sunset Review Act in accordance with s. 119.15 and
 183 shall stand repealed on October 2, 2029, unless reviewed and
 184 saved from repeal through reenactment by the Legislature.

185 ~~e.d.~~ Each sheriff must report on a quarterly basis to the
 186 Department of Law Enforcement the schedule for upcoming school
 187 guardian trainings, including the dates of the training, the
 188 training locations, a contact person to register for the
 189 training, and the class capacity. The Department of Law
 190 Enforcement shall publish on its website a list of the upcoming
 191 school guardian trainings. The Department of Law Enforcement
 192 must update such list quarterly.

193 ~~f.e.~~ A sheriff who fails to report the information
 194 required by this subparagraph may not receive reimbursement from
 195 the Department of Education for school guardian trainings. Upon
 196 the submission of the required information, a sheriff is deemed
 197 eligible for such funding and is authorized to continue to
 198 receive reimbursement for school guardian training.

199 ~~g.f.~~ A school district, charter school, or private school
 200 that fails to report the information required by this

201 subparagraph may not operate a school guardian program for the
 202 following school year. Upon the submission of the required
 203 information, the school district, charter school, or private
 204 school is authorized to resume operation of the school guardian
 205 program.

206 ~~h.g.~~ By March 1 and October 1 of each school year, the
 207 Department of Law Enforcement shall notify the Department of
 208 Education of any sheriff, school district, charter school, or
 209 private school that has not complied with the reporting
 210 requirements of this subparagraph.

211 Section 2. The Legislature finds that it is a public
 212 necessity that any information held and reported by any school
 213 district, charter school, private school, or sheriff to the
 214 Department of Law Enforcement that may identify whether a
 215 particular person is or has been certified or appointed as a
 216 school guardian be made exempt from s. 119.07(1), Florida
 217 Statutes, and s. 24(a), Article I of the State Constitution.
 218 School security and student safety are fundamental priorities in
 219 the state. The safety of people serving or who have served as
 220 school guardians is also an important priority in the state.
 221 School guardians serve a critical role as safe-school officers
 222 and first responders, and their presence on school grounds
 223 serves as a deterrent against incidents threatening the lives of
 224 students and school personnel. Disclosure of the identity of
 225 school guardians, whether there is a school guardian on a school

226 campus, and the number of school guardians on any school campus
227 may compromise their safety and adversely affect their ability
228 to adequately respond to an active assailant incident.

229 Accordingly, it is necessary to protect the identity of school
230 guardians from public records requirements in order to
231 effectively and efficiently implement the purpose and intent of
232 a school guardian program.

233 Section 3. This act shall take effect on the same date
234 that HB 1473 or similar legislation takes effect, if such
235 legislation is adopted in the same legislative session or an
236 extension thereof and becomes a law.