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## **MEMORANDUM**

**TO:** School District Superintendents  
Charter School Leaders

**FROM:** Darren Norris

**DATE:** August 2, 2024

**SUBJECT:** **School Safety Changes: House Bills 1473 and 1509; Rule 6A-1.0018, Florida Administrative Code (F.A.C.)**

### **Contact Information:**

Julie Collins  
850-245-5173  
[SafeSchools@fldoe.org](mailto:SafeSchools@fldoe.org)  
**DPS: 2024-140**

On May 6, 2024, Governor DeSantis signed House Bill 1473 into law following its passage in the 2024 Legislative Session. Much of the bill focuses on changes to school safety compliance requirements. The purpose of this memorandum is to outline the changes that took effect on July 1, 2024. The amended rule will also take effect in July 1, 2024.

For details on the new requirements outlined below, please refer to House Bill 1473, now Chapter 2024-155, Laws of Florida, at <https://laws.flrules.org/2024/155>. As a result of this new legislation, Rule [6A-1.0018](#), F.A.C., School Safety Requirements and Monitoring, was amended by the State Board of Education on May 29, 2024, to reflect changes in Florida Statutes.

### **Changes to Safe-School Officer and the Guardian Program Requirements**

Sections 30.15 and 1006.12, Florida Statutes (F.S.), have been amended to reflect changes to general safe-school officer requirements and more specific changes to the guardian program.

Beginning July 1, 2024, a certified law enforcement officer in good standing may be certified as a school guardian without completing the required training. The 144-hour training program now includes 12 hours on responding to and de-escalating school incidents in place of the 12-hour diversity training component.

By September 1, 2024, school districts, charter schools and private schools must report to the Florida Department of Law Enforcement (FDLE) the name, date of birth and initial and end-of-appointment dates, as applicable, of each appointed school guardian. Thereafter, each February 1 and September 1, school districts, charter schools and private schools must report to FDLE the name, birth date and appointment date for every school guardian. The report to FDLE must also include information on school guardians who separate from their appointment. Failure to meet the reporting requirements could suspend participation in the guardian program for the following school year. FDLE will maintain a statewide list of school guardians. Guidance on how to complete this reporting to FDLE is forthcoming.

Section (s.) 30.15, F.S., was further amended by House Bill 1509, now Chapter 2024-156, Laws of Florida (<https://laws.flrules.org/2024/156>) to exempt from public records requirements any information

**DARREN NORRIS**  
VICE CHANCELOR, OFFICE OF SAFE SCHOOLS

held by FDLE or a law enforcement agency, school district or charter school that would identify whether an individual has been certified to serve as a school guardian.

#### **New Requirements for Safe-School Officers**

Section 1006.12, F.S., now requires that agreements between a district school board and a law enforcement agency regarding school resource officers (SROs) must identify which entity is responsible for maintaining SRO training records.

Before appointing an individual as a school guardian, the school district or charter school must contact FDLE and review information related to the individual maintained in the statewide list of school guardians.

#### **Expansion of the Unmanned Aircraft Systems Act**

Section 330.41, F.S., was amended to provide criminal penalties for the operation of a drone over a public or private school serving students in any grade from prekindergarten to grade 12, and for allowing a drone to make contact with any school, person or object on the school campus. Exceptions exist for law enforcement agencies and drone operators with prior written consent from school officials.

#### **Annual Instruction Required for Students on the use of FortifyFL**

Section 943.082, F.S., was revised to require that all students receive age and developmentally appropriate instruction on the proper use of the FortifyFL mobile suspicious activity reporting tool within the first five days of the school year. The instruction must include the consequences for making a threat or false report via FortifyFL. This requirement is also included in Rule 6A-1.0018(10)(d), F.A.C.

#### **Dual enrolled Students Taken into Custody**

Section 985.04, F.S., will now require that the district superintendent notify a college or university chief of police or public safety director whenever a dual enrolled student is taken into custody by law enforcement for certain serious offenses. More detail is included in the May 22, 2024, memo at <https://info.fldoe.org/docushare/dsweb/Get/Document-10238/dps-2024-92.pdf>.

#### **New Requirements for Office of Safe Schools (OSS) Compliance Inspections**

House Bill 1473 directs the Office of Safe Schools (OSS) to develop and adopt a Florida school safety compliance inspection report to document compliance or noncompliance with school safety requirements. The form, referred to as the 2024-25 District Compliance Inspection Report, is available to district school superintendents and charter school administrators via the Florida Safe Schools Assessment Tool (FSSAT) platform.

OSS compliance staff must conduct unannounced inspections of all public and public charter schools every three years, while school is in session. Results of these inspections will be documented using the District Compliance Inspection Report. These requirements are also included in Rule 6A-1.0018(4) and (5), F.A.C.

#### **Changes to Compliance Inspections with a Focus on Access Control**

Section 1006.07(4)(a), F.S., has been revised and now requires public and public charter schools to maintain records of all current and prior school year emergency drills conducted as required by statute and rule. These records must include the names of law enforcement personnel present on campus for each active assailant emergency drill. See also Rule 6A-1.0018(16), F.A.C.

In addition to the OSS on-site monitoring requirement, the School Safety Specialist (SSS) or their designee must conduct annual, unannounced inspections of all district public and charter schools while school is in session using the new District Compliance Inspection Report form, as outlined in Rule 6A-1.0018(4)(c), F.A.C.

Section 1006.07(6), F.S., was expanded to require that every district SSS or their designee report at least quarterly to the district superintendent and school board on any noncompliance with school safety laws or rules. This requirement is included in Rule 6A-1.0018(4)(f), F.A.C.

There are new school safety requirements specified in s. 1006.07(6)(f), F.S., that go into effect on August 1, 2024. Now the SSS or their designee is required to report violations of specific school safety requirements by administrative and instructional personnel to the district school superintendent or charter school administrator, as applicable.

Section 1006.07(6)(f), F.S., also includes more stringent access control requirements and the clear designation of classroom safe areas:

- All gates or other campus access points that restrict ingress to or egress from a school campus must be closed and locked when students are on campus. Exceptions include:
  - Gates or access points that are actively staffed by a person when students are on campus;
  - When access falls under a shared use agreement pursuant to s. 1013.101, F.S.; or
  - Gates or access points that have been documented in FSSAT as exempt based upon other safety measures in effect at the school. Rule 6A-1.0018(8)(a)3., F.A.C., extends this exception to instances where a locked gate or other access point would violate the Fire Code.
- All school classrooms and other instructional spaces must be locked when occupied by students, except between class periods when students are moving between classrooms or other instructional spaces. Doors unlocked or open for any other reason must be actively staffed by a person standing or seated at the door.
- All access doors, gates and other access points that allow ingress to or egress from a school building must be closed and locked at all times, unless:
  - A person is actively entering or exiting the door, gate or other access point; or
  - The door, gate and other access point documented in FSSAT as exempt based upon other safety measures in effect at the school.
- All school classrooms and other instructional spaces must clearly and conspicuously mark the safest areas where students must shelter in an emergency. Students must be notified of these safe areas within the first 10 days of the school year. Where it is not possible to mark the safest areas for a particular classroom, the designated location for sheltering in that classroom must be documented in FSSAT.
- Anyone who is aware of a violation of s. 1006.07(6)(f), F.S., must report the violation to the school principal, who must report the violation to the SSS no later than the next business day. Reports of violations by the school principal or charter school administrator must be made directly to the district school superintendent or charter school governing board, as applicable.

These requirements are also included in Rule 6A-1.0018(4)(e) and (8), F.A.C.

Each district school board and charter school governing board must adopt a progressive discipline policy for addressing any instructional and administrative personnel who knowingly violate school safety requirements.

Additional changes to Rule 6A-1.0018, F.A.C., include the following:

- A new definition of “school;”
- A revised definition of “school district;”
- Time to respond and opportunity to cure for issues related to safe-school officer coverage;
- A reduction from five to three days in the time a school safety specialist must respond after receiving written notice of a suspected deficiency;
- A requirement for the SSS to notify the superintendent, the mobile panic alert system vendor and OSS within 24 hours any time the mobile panic alert system fails to connect to the county’s public safety answering point;
- Each school safety specialist is required to contact OSS to obtain access to FSSAT within three school days of appointment;
- Any actual emergency or other event, such as a false alarm, that elicits a schoolwide response including participant movement and appropriate protective actions, may substitute for one of the six required emergency drills;
- Each school must keep a record of the names of the law enforcement officers who were present for each active assailant drill and must provide those records to OSS upon request;
- Charter schools sponsored by a university or Florida College System institution must annually report to OSS by August 1 the name, title and contact information for the person responsible for the duties imposed upon district school superintendents; and
- Florida Virtual School, Developmental Research (Laboratory) Schools and the Florida School for the Deaf and the Blind must annually report to OSS by August 1 the name, title and contact information for the person responsible for the duties imposed upon district school superintendents.

House Bill 1473 continues the commitment to prioritize school safety in Florida. Rule 6A-1.0018, F.A.C., incorporates those priorities and outlines the specific requirements and monitoring protocols to elevate the safety of our schools.

DN/jc

cc: Florida Sheriffs  
School District School Safety Specialists