MEMORANDUM

TO: School District Superintendents
Charter School Leaders

FROM: Tim Hay, Executive Director
Office of Safe Schools

DATE: June 9, 2023

SUBJECT: House Bill 543 – Public Safety

The 2023 Legislature passed House Bill 543 relating to public safety and Governor DeSantis signed the bill into law on April 3, 2023. Although some of the bill addresses changes to firearm laws in Florida, there are several sections of the bill that focus on improvements to school safety. The purpose of this memorandum is to outline these changes.

For details on the changes outlined below, please refer to House Bill 543, now Chapter 2023-18, Laws of Florida at: https://laws.flrules.org/2023/18.

Changes to the Guardian Program

Sections 30.15, 943.03, 1002.42 and 1006.12, Florida Statutes (F.S.), have been amended to reflect changes to the guardian program.

Effective July 1, 2023, sheriffs must assist private schools in exercising their options under the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program. Private schools can request that their county sheriff establish a guardian program, or if the sheriff declines to do so, the private school can contract with a sheriff from another county for training. Private schools must pay for all aspects of guardian training and employment. Additionally, these amendments clarified that the guardian training program is considered a standardized statewide curriculum. Successful completion of the training should be accepted in any Florida county unless there has been at least a 1-year break in guardian employment.

Changes to Penalties for Bringing a Firearm or Weapon on Campus

Section (s.) 790.115, F.S., was amended to change the penalty for bringing a firearm or weapon on campus. This change goes into effect on July 1, 2023.
Active Assailant Response Policy Required for Law Enforcement Agencies
Section 943.6873, F.S., was created to require law enforcement agencies to develop and maintain an active assailant response policy. These policies must be in place by October 1, 2023; and by that date, each law enforcement agency is also required to provide certification to the Florida Department of Law Enforcement (FDLE) that they have an active assailant response policy in place. This section of the bill went into effect on April 3, 2023. Further details and the active assailant model policy can be found on the FDLE website: https://www.fdle.state.fl.us/CJSTC/Active-Assailant-Response-Policy.aspx.

Changes to Threat Management
Sections 1001.212 and 1006.07, F.S., have been revised and require school districts and charter schools to transition to a new threat management system that will replace the current Comprehensive School Threat Assessment Guidelines or CSTAG model. The Office of Safe Schools (OSS) is required to develop a Florida-specific threat assessment instrument by August 1, 2023, and to develop a statewide behavioral threat management operational process by December 1, 2023. Development of these materials and accompanying administrative rules is ongoing and further information will be provided as it is available. The transition to the new threat management system will include training of district- and school-level threat management team members.

Part of the new threat management process will require all districts to designate a District Threat Management Coordinator (DTMC). Effective May 24, 2023, Emergency Rule 6AER23-02 requires each district to report the name and contact information for the DTMC to OSS by July 1, 2023. This is a necessary step in the transition to the new threat management model and will allow OSS to begin to coordinate training activities.

Finally, by August 1, 2025, OSS is required to develop, host, maintain, and administer a threat management portal, and provide role-based portal training to all authorized users. Further information will be provided on the portal at a later date.

Changes to School Environmental Safety Incident Reporting (SESIR) Reporting
Sections 1006.07 and 1006.13, F.S., have been revised, effective April 3, 2023, to require the Florida Department of Education to standardize the list of SESIR incidents that are required to be reported to law enforcement. Emergency Rule 6AER23-01, effective April 19, 2023, states that all SESIR incidents must be reported to law enforcement except: Bullying, Harassment, Sexual
Harassment and Tobacco. Also, any SESIR incidents that are Alcohol-related, Drug-related, Gang-related, Hate crime-related, Hazing-related, Injury-related (more serious) or Weapon-related must be reported to law enforcement. These requirements will be considered by the State Board of Education at the July 2023 meeting, and if approved will be included in Rule 6A-1.0017, Florida Administrative Code.

**Procedures for Maintenance and Transfer of Student Records**

Effective April 3, 2023, s. 1003.25, F.S., expands the list of education records to be transferred from school to school to include any threat assessment report, all corresponding documentation, and any other information required by the Florida-specific behavioral threat assessment instrument. Additionally, House Bill 1, now Chapter 2023-16, Laws of Florida, changed records transfer period from within three days to within five days of receipt of the request for records, effective July 1, 2023.

**Florida Safe Schools Canine Program**

Section 1006.121, F.S., is a new statute that becomes effective on July 1, 2023. It requires the establishment of the Florida Safe Schools Canine Program so that an individual, school, or business entity can be nominated or apply to be designated as a Florida Safe Schools Canine Partner if they provide a monetary or in-kind donation to a law enforcement agency to offset the costs of a firearm detection canine. This new statute section outlines requirements for firearm detection canines as well as eligibility criteria for Florida Safe Schools Canine Partners. OSS is tasked with awarding the Partner designation to eligible nominees and applicants, developing a program logo and establishing a program website. Program details will be included in a State Board of Education rule, as required in the new law.

House Bill 543 provides significant enhancements to the safety of Florida’s schools. Further guidance on this legislation will include a memorandum on the specific changes to the Chris Hixon, Coach Aaron Feis, and Coach Scott Beigel Guardian Program, as well as new and updated State Board of Education rules that will describe the procedure and practice requirements resulting from this bill.

cc: School District School Safety Specialists