



Marva Johnson, *Chair*  
Andy Tuck, *Vice Chair*  
*Members*  
Ben Gibson  
Tom Grady  
Michael Olenick  
Joe York

June 28, 2019

Dear Charter School Representatives:

February 14, 2019, marked the one-year anniversary of the tragedy at Marjory Stoneman Douglas High School in Parkland, Florida, that took the lives of 17 Florida students and educators. Over the last year, there have been extensive investigations into the series of events that allowed the shooter to access the campus and carry out this heinous act.

As Speaker of the Florida House at the time of the tragedy, I was proud to play a role in the Marjory Stoneman Douglas High School Public Safety Act (Chapter 2018-3, Laws of Florida), which outlines critical evidence-based policies and procedures schools and districts should adhere to in order to keep our students safe. Now, as Florida's Education Commissioner, I am committed to helping you carry out this law with fidelity.

Senate Bill 7030 includes language to specifically identify charter school responsibilities for ensuring compliance in matters of safety and security. In particular, section (s.) 1002.33(8)-(14), Florida Statutes (F.S.) provides language identifying new areas for charter school compliance to include safe-school officers, threat assessment teams, School Environmental Safety Incident Reporting, Florida Safe Schools Assessment Tool, adopting an active assailant response plan, mobile suspicious activity reporting tool, and youth mental health awareness and assistance training. This memo is designed to address the most frequently asked questions and reinforce the Legislature's intent for charter schools regarding these provisions.

Based on the Department's review of the law and considering the intent of the Legislature to ensure effective school safety, the following guidance is issued to ensure consistent application on Florida school campuses and is reiterative of guidance issued on May 31, 2019, in a letter to all school district superintendents.

### **Safe-School Officers (s. 1006.12, F.S.)**

In order to implement the law and greatly enhance the safety of every school so that all students are protected, every public elementary, middle and high school in Florida, including all Florida charter schools, must have a Safe-School Officer (SSO) physically present on each campus while school is in session. An SSO is a police officer, deputy sheriff, Guardian, or school security guard. I strongly recommend you view one SSO as the floor, the minimum, for keeping our students safe, as the law reads "one or more."

There is no debate that Florida's laws for public school safety include charter schools. To not make every effort to protect all children at every public school constitutes blatant disregard for the law.

As publicly shared at the Marjory Stoneman Douglas High School Public Safety Commission's June meeting, it is imperative for all charter schools to ensure full compliance with this law requiring at least one SSO be present at their school while it is in session. **All charter schools without current coverage have until August 1 to come into compliance for the 2019-20 school year.**

If finances are preventing your charter school from achieving these goals, I implore you to work with your local sheriff to leverage the expedient and affordable authority given to establish a Guardian Program.

The Marjory Stoneman Douglas High School Public Safety Commission's initial report found that having Guardians in schools is the best way to ensure highly trained personnel are in place to respond immediately in the event of a school shooting. The fact that the Commission encouraged the Legislature to expand the Guardian program speaks volumes, and I hope you will keep that in mind when considering this opportunity. You still have every ability to act on this authority.

If your charter school is located in a school district that has not voted on, or has declined to implement the Guardian program, Senate Bill 7030 affords the charter school governing board the authority to implement the program on its own. In such cases, the charter school governing board can request the sheriff to establish the program to train their charter employees. (s. 30.15(1)(k)1.b., F.S.) If the sheriff denies this request, the charter school governing board may contract with another sheriff for the training. (s. 30.15(1)(k)1.b., F.S.)

Additionally, the 2019 Legislature's Senate Bill 7030 includes a provision for school districts or charter school governing boards to contract with a security agency to employ school security guards, provided they are licensed under Florida law and meet the Guardian training requirements. The Guardian must be certified by the training sheriff and issued a "school guardian certificate." The Guardian may only serve in a school if appointed by the school district superintendent or charter school principal.

If a district school board, through its policies, procedures or actions, denies a charter school access to any SSO options, the district is required to assign a school resource officer or SSO to the charter school. Under such circumstances, the charter school's share of costs for such officer may not exceed the amount of funds allocated to the charter school within their safe schools allocation.



**Threat Assessment Teams (s. 1006.07(7), F.S.)**

Each school, including charter schools, is required to have a behavioral threat assessment team, and the members of the team are specified in the law: a threat assessment team shall include persons with expertise in counseling, instruction, school administration and law enforcement. The threat assessment team should meet regularly and be proactive, not merely reactive, and it should consider behavioral indicators.

**School Environmental Safety Incident Reporting (SESIR) (s. 1006.07(9), F.S.)**

Certain school incidents must be reported to the Department through the School Environmental Safety Incident Reporting (SESIR) System. The quality of SESIR data has been the subject of some recent concern; underreporting of criminal activity at schools is cited in the February 25, 2019, Supreme Court of Florida order impaneling a statewide grand jury. The reliability of school safety data has also been questioned at a recent meeting of the Marjory Stoneman Douglas High School Public Safety Commission, as well as in the media. Additionally, the Office for Civil Rights of the U.S. Department of Education (USED) and the American Civil Liberties Union have contacted my office with specific concerns about the accuracy of school safety and discipline data collected and reported to USED.

The 2018-19 school safety and student discipline data, collected through Survey 5, is due July 26, 2019, and the final update/amendment date is October 31, 2019. Superintendents are expected to review and certify their district's data, to include charter schools, since it is used for various federal and state-level reports.

School districts that receive funds from the USED are obligated to submit reports and information pertaining to civil rights compliance requested by the USED in a timely and accurate manner (refer to 34 C.F.R. §§ 75.700 and 76.770). Also, ss. 1001.54(3) and 1006.09(6), F.S., require that principals provide accurate and timely reports on school safety and discipline. It is imperative that all charter school principals understand the importance of this data. Without quality data, schools will be unable to justify needed safety resources or demonstrate the impact of interventions. Inaccurate or incomplete safety and discipline data may also put some state and federal funds at risk – let alone our school children.

For additional information on SESIR data and reporting, you can visit <http://www.fldoe.org/safe-schools/sesir-discipline-data/>. Also, school and district-level personnel charged with reporting SESIR and discipline data should complete the on-line training at [www.SESIR.org](http://www.SESIR.org).

**Florida Safe Schools Assessment Tool (FSSAT) (s. 1006.1493, F.S.)**

The FSSAT must be used by school officials at each public school site, including all charter schools, to identify threats, vulnerabilities and appropriate safety controls. In collaboration with the appropriate public safety agencies, each public school, including charter schools, must conduct this school security risk assessment by October 1 of each year.

**Active Assailant Response Plan (s. 1006.07(6), F.S.)**

Each district school board and charter school governing board must adopt an active assailant response plan. By October 1, 2019, and annually thereafter, each school district superintendent and charter school principal must certify that all school personnel have received annual training on the procedures contained in the active assailant response plan.

**FortifyFL (s. 943.082(4)(b), F.S.)**

A mobile suspicious activity reporting tool, otherwise known as FortifyFL was developed for the purpose of allowing anyone to instantly relay information of concern to appropriate law enforcement agencies and school officials. Section 943.082, F.S. requires district school boards and charter school governing boards to promote the use of the tool by advertising it on websites, in newsletters, on school campuses, in school publications, by installing it on all mobile devices issued to students, and by bookmarking the website on all computer devices issued to students.

**Mental Health Assistance Allocation (s. 1011.62(16), F.S.)**

The mental health assistance allocation is created to provide funding to assist in establishing or expanding school-based mental health care; train educators and other school staff in detecting and responding to mental health issues; and connect children, youth and families who may experience behavioral health issues with appropriate services. Charter schools may choose to participate in a district plan or submit a plan separate from a school district. Charter schools that submit a plan separate from the school district are entitled to a proportionate share of district funding. A charter school may develop and submit a detailed plan outlining the local program and planned expenditures to its governing board for approval. After the plan is approved by the governing board, it must be provided to the charter school's sponsor and then sent to the Department.

Charter School Representatives  
June 28, 2019  
Page Five

**Overall Reporting and Compliance (s. 1001.212, F.S.)**

The Department's Office of Safe Schools needs the full cooperation of every charter school for data on compliance with the law. The Office is charged with "compliance oversight in all matters regarding school safety and security" and is regularly asked to report on the steps taken to ensure the safety of Florida's nearly 2.9 million public school students.

For those charter schools that choose to treat our requests for information as optional, our only option going forward will be to use the full extent of the law to ensure compliance. We all share in the responsibility to do everything we can to ensure the safety of our children. We cannot choose to be vague or nonresponsive when we do not like the question that is being asked.

If you have additional questions regarding the requirements outlined in this letter, please contact the Office of Safe Schools at [SafeSchools@fldoe.org](mailto:SafeSchools@fldoe.org) and staff can work with you on your individual needs.

I am grateful for the leadership that many of you have shown, and I look forward to supporting everyone's ongoing efforts to improve the safety and security of all of Florida's students and educators.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Corcoran", with a long horizontal flourish extending to the right.

Richard Corcoran  
Commissioner