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## MARJORY STONEMAN DOUGLAS HIGH SCHOOL

## PUBLIC SAFETY COMMISSION

## MSD Commission Meeting VOLUME II

DATE: Monday, September 27, 2021

TIME: 1:00 p.m. - 6:07 p.m.

LOCATION: BB&T Center, Chairman's Club

1 Panther Parkway

Sunrise, FL 33323

## REPORTED BY:

Johnny Caldera, Court Reporter
Notary Public, State of Florida
Laws Reporting, Inc.

Vo	lume II Septemb	er	27	7, 2021	Pages 109112
1	Page 1	09	1	ALSO PRESENT:	Page 110
2			2		cretary, Department of Children
3	COMMISSION MEMBERS:			and Families	
4	Sherriff Bob Gualtieri, Chair		4		as County Sheriff's Office
5	Kevin Lystad, Vice Chair		5	Annie White, FDLE	
6	Jim Martin, Esq., General Counsel		6	Heather Pence, FDL	E
7	Pat Stewart, Commissioner		7	Tom Foy, FDLE	
8	Grady Judd, Commissioner		8	Mike Phillips, FDL	E
9	Douglas Dodd, Commissioner		9	Jennifer Miller, F	
10	Ryan Petty, Commissioner		10	Devin Lovett, FDLE	
11	Marsha Powers, Commissioner		11	PRESENTING SPEAKERS:	
12	James Harpring, Commissioner		12	Tim Hay, Director,	DOE Office of Safe Schools
13	Chris Nelson, Commissioner		13		Chacellor, Florida DOE
14	Richard Swearingen, Commissioner		14	Sylvia Ifft, DOE	
15	Max Schachter, Commissioner		15	Sally Lawrence, Sa	rasota County 911 Coordinator
16	Melissa Larkin-Skinner, Commissioner		16	Jeff Kelly - Publi	c Speaker
17	Mike Carroll, Commissioner		17	Keith Touchberry,	Chief, Fellsmere Police
18	ALSO PRESENT:		18	Department and Indian R	iver State College
19	Christina Linton, FDLE		19	Chris Cicio, Major	, Director of Law Enforcement,
20	Simone Marstiller Secretary, Agency for Health Ca	re	20	St. Lucie County Sherif	f's Office Adjunct Faculty,
21	Administration		21	Indian River State Coll	ege
22	Jacob Oliva, Chancellor, Dept. of Education		22	John Teske, Direct	or of Security for SDIRC,
23	Josefina Tamayo, Acting Secretary, Department of		23	Emergency Operations Ce	enter ESF 1 LTC, USAR, MP
24	Juvenille Justice		24	Dr. Kelly Amatucci	, Ed. D., Indian River State
25			25	Colege, Dean of the Sch	ool of Education
	Page 1	11			Page 112
1	PROCEEDINGS		1	called FERTES. I'd	like to first start off with
2	(Thereupon, the following proceedings were heard	at	2	Dr. Kelly Amatucci.	Dr. Amatucci is the dean for
3	3:20 p.m.)		3	the college of educa	ation at Indian River State
4	SHERIFF GUALTIERI: All right, we're going t	o	4	College. Over here	is Major Chris Cicio. He is
5	go ahead and get started again. We'll call the		5	the Director of Law	Enforcement for the St. Lucie
6	meeting back to order.		6	County Sheriff's of:	fice, and he is adjunct faculty
7	So, we're pleased to have with us this		7	with Indian River S	tate College. And then finally,
8	afternoon Chief Keith Touchberry from the Fellsme	re	8		is the Director of Security for
9	Police Department. We learned about a program th		9	the School District	of Indian River County. He is
10	he was instrumental in implementing through India	n	10		operation center, emergency
11	River State College called Future Educators		11		any case we have to activate,
12	Response To Emergency Situations. One of the		12		ant colonel in the United States
13	things that we've all stressed for a long period		13	_	ing as a military policeman.
14	time is how important the teachers are in school		14		f us represent, or on the
15	safety. What this does is to implement school		15	-	r a collaborative effort known
16	safety and preparedness at the earliest possible		16		Response to active shooters.
17	time. These teachers are going through their		17		out where we are, if you're not
18	training at the college level.		18		n State River College, it's
19	So, this is a joint partnership with the law		19		e, which is St. Lucie County.
20	enforcement and Indian River State College. I'll		20		ite campuses in Martin St. Lucie
21	turn it over to Chief Touchberry. Appreciate you		21		ties as well. But it services
22	being here, thank you.		22	_	d its four county border.
23	CHIEF TOUCHBERRY: Well, thank you, Sheriff,		23	=	hat FERTES is, it is a law
24	and thank you for that introduction. I would lik	e	24	eniorcement driven	initiative designed to partner

to introduce our leadership team for our project

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25 with the school districts in our area, those

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Page 113 primarily serviced by Indian River State College and the Office of Safe Schools, which has been instrumental in providing some support and guidance for our efforts.

And what FERTES is, it is a program -- FERTES, it's an academic program designed to prepare our future educators for where they will work upon graduation. And this project began by asking a simple question: what are we doing to prepare our future educators? And speaking to folks in the business and law enforcement and schools, we learned that we're really not doing anything. And when we look back at the first documented shooting in American history, I believe it was in 1764, in Pennsylvania, and we've had hundreds of school shootings since.

We think it's about time that we started working on the front-end with our educators before they graduate, so that they are ready for wherever they're going to work. Be it a public school district, a private school, charter school or what have you. And so FERTES is designed to develop an emergency preparedness mindset.

Now, there is an active shooter component to this program, and it does culminate a live

exercise, which we will talk about, but it is designed to prepare this emergency preparedness mindset in our future educators.

The bottom line is this, we are trying to shift the paradigm. In the wake of the MSD shooting, all of us got back into our schools and we started working with our educators and we started implementing the laws that were put in place. And we really saw a lot of deer in headlights look. And we know that that is still happening. But if you look at how this will transpire over the years, every student now, that goes to college at Indian State River College, coming from a school system that has to perform these drills, ultimately you will have gone through 12 years of active shooter drills as a student before you show up in college to learn how to become a teacher. And we think that is significant when you look at the grand scheme of things. And we want them to be prepared.

Development has been ongoing since 2019. And the program content is based on what we consider best practices by law enforcement, subject matter experts, school safety specialists, the Office of Safe Schools, and of course our School of Education

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at Indian River State College. We also loop in the college security officers as well because they are on campus, and they are very visible.

And to date, we have had two programs, two groups of interns that have completed a basic level version of our program. And the full program is scheduled to be implemented this academic year.

We're already starting, underway, October 15th, actually, will be our next group of students that we put through an active live scenario. The last time we did a scenario was in February. It was actually the subject of some local news along the Treasure Coast, and it was a good article.

Essentially what we are doing at the college level is that we are molding and shaping. We got with our school districts and we said, "What do you want your future educators to know no day one," because they have a lot of orientation things that they have to go through, "What do you want them to know on day one, and how can we include that in this program?" And that's how we got our school districts involved. So essentially, at the college level, we are molding and shaping the product and then we ship them off to their employer and they sand and paint.

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And so to talk a little about how we do this, we're going to go through the list of speakers here. Major Cicio will come up and he will talk about the law enforcement piece to our program. Then Mr. Teske will talk about the content that they've contributed. And Dr. Amatucci will follow up with how we are rolling this out at the college level.

So, Major Cicio.

MAJOR CICIO: Good afternoon, Commission. Thank you for your time today. I'm here to present the law enforcement portion and the roll that we play in helping to develop this program and the roll that we play to actually carry out this program. I think we all understand in this room that today's threats require a deeper collaboration between law enforcement and educators. And I think that collaboration has to go deeper than the traditional relationship between school resource officers and the schools that they serve. It's a complex environment and it requires complex solutions and responses. And it takes a team of people to be able to put together these responses as you have worked on as a Commission.

This committee, or this FERTES program

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Page 11' addresses real needs and Commission findings. I 1 2 think we all understand that the Commission reports 3 that have come out from this group have identified 4 inconsistencies that exist within school campuses. 5 Inconsistencies that exist within school districts, 6 inconsistencies that exist within law enforcement 7 response and how they handle threats of active 8 shooter situations that may arise. And those 9 inconsistencies still exist today. So we endeavor 10 as a FERTES team to try to address these 11 inconsistencies at the education level, so that 12 when these student teachers arrive at their 13 campuses, they have high level of expectations for 14 the districts and the schools that they work for. 15

Commission reports also identify gaps and resources to deal with those who communicate, either verbally or otherwise, threats to commit mass targeted violence. We also address these issues at their core by giving the teacher, or the student teachers, by working foundation, so that when they show up at their schools, it does set those high level of expectations for their schools as well as the districts.

We move on in the culminating program, as Chief Touchberry talked about. This program is built around a culminating four hours, or a capstone, if you will, of scenarios and exercises designed to teach the teachers how to respond to an active shooter on their campus. And it's not just a video. We actually want to walk them through how to barricade and fortify their room. We walk them through how to run. We walk them through how to fight. We show them what that looks like and actually let them practice that in a controlled environment. We'll talk about that as we move on. But we have to begin somewhere and that somewhere is the mindset that these student teachers need.

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Unfortunately, we live in a world today where these are life skills now. And we present it in a way that not just on a school campus and confined by school walls, but one of our teachers that went through a similar program in St. Lucie County, back about two years ago, went through what we call Code Red Training, and the fortify, barricade, run, hide, fight, if you will, two weeks later he was at the Jacksonville Landing when that shooting took place. And he actually used what he was taught to save his own life and get out of danger.

And that really reinforced to us how important it is to provide this level of training at a

beginning institutional level for teachers so that they have these skills when they show up on their school campuses day one. So again, the mindset is that these are life skills now.

Situational Awareness. We move into a piece where we want to reinforce what teachers should be looking for when they show up to their school campus. I spent a large part of my career as a bomb technician. And as a bomb technician, we would respond to calls of suspicious packages and devices, and we would heavily rely on people who already worked in that environment to tell us what belonged and what did not belong. Because for me as a bomb technician, anything would be a field day for me to consider a suspicious package. We want teachers to always be on guard. To identify and report items that do not belong, statements that should not be made, what did they do with that information. And FERTES is very important in providing that information to them.

All school staff should have clearly established roles and responsibilities that are outlined in their written policies, as outlined in your Commission findings. Education, as Chief Touchberry says, many times, education must

Page 120 parallel safety and security. So we cannot just afford to put our education into teachers to prepare them how to teach, we have to prepare them how to deal with emergency situations. They need to know that before they show up on campus.

They need to be reminded to be vigilant in their observation skills while they're working. We promote concepts such as locked doors, monitored Ingress and Egress routes. Clear Code Red and Active Shooter Response Policy. Identification of safe areas and hard corners in their classrooms and actually show them what that looks like and why it's considered a safe area or a hard corner. And we also reinforce to them that these are not just words in a report, lives depend on these concepts and that is the foundation of our training.

This goes back to See Something, Say Something, but we want to spell it out deeper so they understand it. So just as important as the observation in listening skills that teachers have, staff must know how to report what they see and hear. This is where school safety specialists, that collaboration that we already have with them, this is where that relationship becomes very important.

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It's also very important that individual employers and principals have significant roles in assessing the teachers needs and being able to respond to them. Staff must be empowered, as part of our education, to report any type of suspicious behavior and must do so expeditiously, because time is of the essence here. That also includes who can call a Code Red and initiate active shooter response.

We then move on to a concept that the Commission is very familiar with and that is the pathway to violence. We spent some time talking to the student teachers on what that pathway is. We focus on the steps of that pathway with the focus on the perfect storms of behaviors that we're looking for with these students when they make a threat in a classroom that, "I'm just going to shoot up the school," which ironically enough, Mr. Teske was dealing with on the drive down here today. Spent a good part of our drive dealing with that on the phone that was taking place back in Indian River School District.

Crucial to this presentation is a segment entitled Opportunities for Identification, where not only do we want the teachers to understand the pathway to violence, we want them to understand how they may manifest themselves, these behaviors, they manifest themselves in the classroom and then what do they do about it. Who do they report that to, and what is the time sensitivity of that report that needs to take place. This is also referenced back to See Something, Say Something.

FERTES provides an overview of resources for intervention, so that these teachers know what resources they have available to be able to deal with these behaviors when they arise. At the very last Commission meeting, you all received a presentation on the Behavioral Threat Assessment Management Program and that program, as we see it, is going to surely further and enhance this cause on how to address and identify and remove individuals from their pathway to violence.

Our curriculum is in alignment with the BTAM paradigm shift, in that traditional law enforcement operations aren't necessarily focused on just arrest and conviction, but on removing that individual from that pathway to violence to get them the help that they need. The ultimate culmination of the FERTES program rests in the Run, Hide, Fight program. And one may ask, "Why Run,

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Hide, Fight? And we simply answer that because it's a starting point.

What we want it to do and what we endeavor to do is take the best of the well-known active shooter response programs that are in existence and put them together into one program to give them a foundation. Are we subscribing to the textbook Run, Hide, Fight curriculum? No. But what we are doing is taking the best of all the programs, putting together a foundation, educating the teachers with the understanding that when they go to their respective school districts, that school district may subscribe to a specific program.

Our desire is not for our curriculum to be in conflict with what their district teaches, but to come in alignment with it. So this is why we start with a hybrid version, if you will, of Run, Hide, Fight.

Our presentation provides explanations, demonstrations and practical exercise on Run and Hide, which also includes Fortify and Barricade and Fight. We want student teachers to not only see what it looks like to barricade a room, but we want them to feel what it looks like to barricade and fortify their space with all the complexities that

Page 124 entails as part of the discussion when they do that. They learn to use simple tools and techniques to quickly fortify and must do so under the stress of time. So we actually time them in the scenarios on how fast they can fortify that room. And ironically enough, they think that it's probably five minutes that they took to fortify the room, and in reality, it was four seconds. So they can accomplish a lot in a short amount of time. And that bolsters their confidence that they can

actually do something about this.

So, with regard to Fight, we need to understand and the student teachers must understand that this is a last resort. We not, and we stress, we do not advocate the teachers go out and hunt down the bad guy on their own. This is when you've done everything that you can do to run, escape, hide, fortify and the bad guy is still breaking into your secure location and then you have no other choice but to fight.

We believe as a FERTES curriculum committee that we cannot do that through a video. We have to practice it. We have to walk through it. We have to show the teachers how to make a stand and where to make a stand in their classroom. We have to

Page 125 show them how to secure the body and the weapon so that they don't get shot and their students don't get shot. We have to walk through these exercises and we also have to do so under a span of time. So that creates a level of stress for them.

Ultimately, they're simple techniques that they can do. And in the beginning you'll see that deer in the headlights look that they have, that, "Oh my gosh, I don't think I can do this." But at the end of the curriculum, you see that they realize how simple this can actually be, and again, only as a last resort.

We provide basic level training, which includes, as I mentioned a few of these already, where in the room to make a stand and deal with the aggressor, how and where to be positioned prior to their entry into the room, how to manipulate the body, how and where to strike the aggressor and with the ultimate goal to escape. To get away from danger. Their job is not to take somebody into custody, their job is to get away from danger and to take those that they're in custody of their children away from danger as well. So student teachers participate in a series of static and fluid scenarios that run them through how to do

this, how to fight. Currently, that portion of the training is conducted by law enforcement training

Now, because of the nature of the training we're doing, we have been very selective of the types of temperaments that we use from law enforcement in conducting this training. Because we don't want to shock and awe the teachers and the staff. That is not our goal. They don't show up to this training to see what Chris can do, they show up to this training to learn what they can do. So we want it to be simple, we want it to be relevant, we want it to be reproducible under the levels of stress that they can anticipate, should this type of situation occur before them.

We are also extremely mindful of our audience and their anticipated concerns. I am married to a schoolteacher, so I understand, firsthand, anticipated concerns that she has when she has her Code Red drills and the types of problems that they face on their campus.

So this culminating training forms a central focus of FERTES. The entire curriculum feeds and expands on these concepts that I've talked about already today. While the practical exercise may

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form the capstone of the FERTES program curriculum, the school safety specialists can carry the majority of the load when it comes to preparing our schools and our future teachers for emergency s8ituations.

To further discuss the roles and responsibilities of the school safety specialist, in their own roles and in supporting FERTES, is Mr. John Teske, Director of Security and Emergency Operations for Indian River Public Schools.

MR. TESKE: Good morning, Commission. It's an honor to be here. I'm very humbled to be here. I've been in education 27 years; teacher, assistant principal, principal. School safety is a passion of mine. It's personal. We all volunteer to be here. I just want you to know. Thank you for what you're doing. It's an honor to be here.

So, I also serve as the school safety specialist for Indian River County, as been mentioned before. Working with my peers in Okeechobee, St. Lucie, and martin County. The school safety specialist, we pulled them into our team because we wanted insight from our neighboring counties. And we serve as the liaison to the FERTES team with Office of Safe School mandates and

Page 128 directives, ensuring that the message is getting pushed down to the lowest level within the school district.

We as the school safety specialist bring that educators point of view. We always keep teachers and students at the forefront. We have to be careful, safety and security, if you push, push, push, we kind of forget what students are in school for; to learn, to build culture and climate, to be loved. As the school safety specialist, we kind of keep that refresher going with everyone that's on the committee, that they're only here for a certain number of hours per day and days per week, and we have to keep education at the forefront, yet keeping them safe the entire time.

We remind our college students, our candidates, that some of you may choose the charter school path, or maybe the private, or public, so we're serving candidates in this program that may not be in public school. We're sharing the differences and the regulations and the policies that they may encounter when they choose their workplace and where they want to teach children. Always adhering to Office of Safe School mandates, state policies, local school board policies, law

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enforcement directives.

There's a lot of things that we ask of our educators to remember and keep fresh in their minds. As a principal, trying to run a school, he or she has a lot to keep track of. We as the school safety specialist help them do that, reminding the teachers that they're going to have several groups of people, several sets of 'rules, mandates and policies that they have to follow in their classroom to keep students safe. And it's not just something that the principal made up, this is a state directive that they need to adhere to. So that's our job to serve as a resource to all the principals and teachers, as well as the college.

We have to learn to work with teachers' unions, Communication Workers of America, our support unions, health department, building departments, State Fire Marshall's Office, those are just some examples of what the school safety specialists have to work with, deal with, communicate with, push the right information down to principals. And then teachers, our role is to ensure that the FERTES team understands that one size doesn't fit all. That each district looks a little bit different and you just can't do

Page 130 something and say it's going to work in every county, in every school. And those are a few examples of who we communicate with on a daily basis to make decisions within the district that will best benefit kids.

We continue to update the team on senate bill and House bill language from our Office of Safe Schools monthly webinar meetings. We have our summer conference that we network and coordinate with each other. Our job is to push that down to the teams and kind of not overload our student candidates, our new teachers, but ensure that they have the framework of what they need to go into their new work location and work with their cooperating teacher to understand a background of what's expected with them.

We will facilitate the collaboration between the colleges, the law enforcement agencies, and eventually the classroom teacher, which effects our children, which is why we're doing this.

Here are just some types of support that we're offering our student candidates, the college level students. For now we are working St. Lucie, Martin, Indian River, Okeechobee County. Those are links there to their school safety plans. Those

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are confidential documents. You would have to use the school safety specialist to access this information. They're not employees yet, but we are working with their cooperating teacher and principal to allow them access to view these documents that they would need to build safety plans in their classrooms.

So that is very important to understand that certain documents are not accessible to college students. They're going to need participating teachers, principals and school safety specialists to help them review these plans before they start student teaching.

Drill compliance. Why do we do these drills? What is the purpose of it? What types of drills are we doing? We're giving an overview. We know they look different in every county. They look different in every school and every classroom. We have to teach them what a scenario-based drill looks like. Why do drills look different in a ESE Center or a -- do they look different in Pre-K and kindergarten? Absolutely, yes. So we're going to be compliant, we're going to follow the mandates, but we have to understand that our audience is different at every school and we are exposing that

Page 132 to them before they actually set foot in their classroom.

Guardians. We are exposing our students to the fact that your law enforcement, people who are there protecting you, may look different. Different uniforms, different agencies. You may have a guardian. Some of our students that come in don't understand what the difference in. We're giving a brief overview of the guardian program. Where's the single point of entry? Why does this school in my county look different than this school? Why is this one look hardened more than this one? Why is this one separate on a different property and this one is located in the city? We're explaining what a single point of entry looks at, letting them know that it will look different. If you have a building that's much older, it's going to look a lot different.

So we're just exposing them to the reality of what a single point of entry looks like and you amount be behind a single point of entry the entire time you're teaching. If you're on the track or the recess field, you are outside the single point of entry. So that's our job, as the safety specialist, to work with the principals to

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understand you still have to be kept safe, whether you're on a bus, on a recess field or at the track. We have an obligation and a duty to train you and keep you safe.

Cameras. Capital outlay and things that are within the school that help keep them safe. Access control. We're giving an overview of what this system looks like for them. We have the physical security, then you actually have the training and preparation for that. That goes along with it. And we want our student candidates to understand somebody may not be physically standing in your classroom or in that hall, but you are protected. You are being covered under a security camera. Access control or a security monitor. And that may look different at each school. So they have a foundation, they can understand what that's going to look like.

Local law enforcement agencies. Who is supporting you in your school? What agency is it? Who would respond if there was an emergency? How fast would they get here? It could be police and sheriff. It could be much more extensive than that. As we all know. What to do when they do show up? It's not the time to go up and shake hands and

page 134 greet people, you're going to take the direction from law enforcement. We're training them how to react in these situations with multiple and different law enforcement agencies coming on their campus.

And overall we just want to be a cooperating teacher friend. We want to work with the schools and the principals to produce a candidate that's ready and can think critically on their own when they receive a job and they start school. That's very important. We want them to be mentored and trained from the district and school. But we want them to understand there are certain tools available to them. We listed Fortify FL as one of them. You can be trained on that any time before you start. That tool is there and available for you. So as a school safety specialist, we're going to keep them updated on what products and vendors and tools are available to them within their county and their district.

And I know Major Cicio covered standard response protocols, but we understand Run, Hide, Fight is the foundation. And as they move to their individual counties, they could be trained on Alert Alice, using the crisis alert, Run, Hide, Fight.

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Different protocols of support.

During the training that Major Cicio had mentioned, where its hands on, we train, we barricade doors, we review different doctrine with them. Ultimately, there'd be breakout sessions and times where you're going to be hired in Indian River. You might be in Martin County, you might be in St. Lucie or other and you can network and practice with teacher candidates from your county where you're going, to be able to run these certain mock drills that we have at the training center at the college. So that prepares them even more for when they step into their school. They're very familiar with the specific protocol that their district is using.

The active assailant response plan, the emergency management plan, the crisis alert plan, these would not be studied in depth with the FERTES program, it would be an overview. That's reassuring them that there is a plan in place, that there is protocol in place. Who do you ask for? Who do you pick up the phone and call when you don't understand the emergency management plan when it's a tornado drill? We're talking all emergencies here, not just active assailant, active

Page 136 shooter. And that's very important to review these emergency management plans with the student candidates before they are hired in their district. So we know emergencies come unannounced and they may look a lot different. So we would give a brief overview of these plans with the students.

So we understand, those of us, I know that the Committee, the Commission, you all understand this, but the mental health aspect, the support training is so imperative, so important with our new teachers coming out. We want to make sure that their mental health is at the forefront. That we understand student staff and teachers, there are support networks in place for them at the college, on our team. They need to know where the supports our before they enter the classroom. That's not something they should be asking at Christmas time when they're hired. So we've provided some links and some overviews of the importance of mental health training and the mental health aspects for students and teachers within our team.

With that said, I appreciate your time, thank you very much. And I'll move on to Dr. Amatucci.

DOCTOR AMATUCCI: Good afternoon. Thank you for the opportunity to be here with you today.

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When Chief Touchberry and our local law enforcement partners approached IRSC, Teacher Education

Department to have a conversation about the safety and security measures that we include in our curriculum, we quickly discovered that there were definitely some pieces missing. And through those conversations, the FERTES plan started unfolding.

Our goal is to provide a foundational knowledge for our future teachers to go out into the school system. As it was mentioned earlier, we are setting the stage for them to successfully transition into the county, the districts in which they are employed. And it's our job to, role, to organize the information from our subject matter experts into a structure that can be embedded into the curriculum throughout the bachelor degree program.

It was very important to us to spread this out throughout the course of their bachelor degree. We didn't want it to be, as a friend of mine says, "A one and done type of a model." So we have embedded the curriculum and the important pieces of information that coincide with what's taught in that class and the experiences that they have when they go out into the field. We try and align

Page 138 those, so that it's practical and it makes sense.

And it's an application that they're going to walk away with and retain.

So we have the information embedded into two practicum experiences, which are 20 and 40 hours a piece. They go into the classrooms, they teach lessons, and they interview their teachers, they learned about the drills that they do on a regular basis, they learned about the safety protocols, they interview the safety and security specialist, and they get a really good picture as to what the requirements are and what they would need to know once they are a teacher themselves and responsible for the life of the little ones that they have in front of them.

The other class that we've decided to embed this information in, is our classroom management class. And that makes sense. One of the things that, the assignments that they have to complete is a classroom layout. And that's been an assignment all along. But an example of a result of this conversation, we actually have added some pieces, they have to identify where they're hard corner is. They have to actually have some furniture that they could potentially use, that they have near the

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door, that they can use for barricades.

So we're starting to include this in our general conversation, that this is something that they need to be aware of. They're responsible for the safety of our children, so what do we need to do to make sure that they're prepared to do that.

One of the important pieces of what we do is the live simulation. This is the culminating activity. So they've had two practicum experiences with content that have to do with the safety and security of their students and it's also embedded in the classroom modeling and classroom management. So now they get into internship, which is a 60-day full term all day in a classroom for 12 weeks. And during that time, we pull all this information together and we to these live simulations. You've heard about -- we want to give them the opportunity to actually experience it. Because again, when they're in a situation, when they have experienced it and its in their memory banks and it's a reflex, they know exactly what to do without having to think about it. And this is just one aspect of what we do, but the application part it is incredibly important.

I wanted to end my thoughts with some thoughts

Page 140 from our students. With the live simulation part,

one of the words that we hear over and over again is empowerment. And we want our future teachers to

realize that they have choice. They need to make an informed decision based on what they see

6 unfolding in front of them. It's not a one-size-

fits-all plan for everyone. And we want to empower them to have the knowledge that they need to think

9 critically, make those important decisions that 10 will potentially save lives. And so, the last

piece that I wanted to mention down here, is at the bottom, it says, "It helped me understand the

process of escalation of a person who may be at risk."

So along with teaching them what to do if the unthinkable happens, we are also teaching them to recognize these behaviors, the things that -- teachers, they're with their students every day. They get gut feelings. They know how to recognize when someone is in distress and needs help and how we connect them with the folks that will most benefit the student and help them to move forward and potentially make some better choices.

And so with that, I'm going to transfer it back to Chief Touchberry for some conclusions and

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some possible recommendations.

CHIEF TOUCHBERRY: Thank you, Dr. Amatucci.

And thank you, team. Thank you again, Commission, for giving us your time. We know it is valuable.

So what I want to talk about is some conclusions that we have come to as a result of developing this project here at Indian River State College. First is that we know what we're doing is like something any other college university is doing in Florida. And as a result of our methodology and the teamwork that has been involved to develop the curriculum, we see no reason why this project, this program cannot be replicated in every college, university in the state of Florida that has an education degree program where it cranks out future educators to teach our children in Florida.

We think it is a viable thing that can -- once we're finished with our Beta Site testing and we have all the information complete, we feel this is something that can be replicated.

Secondly, and probably more importantly, is that we have realized as a result of getting all of the stakeholders involved, whose help we've enlisted, is that there's just so much information you're going to sustain change and institutionalize behaviors that look at safety and security being synonymous with education. In other words, as equal as, and just as important.

that you want your educators to know, whether they

are a future educator or they've been in the

business for many years. And we know that if

If we're to instill those thought processes in our future educators, we feel that it's important that their recertification as educators be looked at as a means to help institutionalize those changes.

And I'll give you an example. In law enforcement, we are a basic recruited academy. And as the law enforcement officers in the room know, we resist attempts to modify the curriculum of that basic academy techniques, thinking it might be exposing our future law enforcement officer to information that they're really better suited learning once they've been out there working for a few years and they have some maturity, professional maturity, personal maturity, and experience under their belt. We believe teachers are no different.

So we look at what we're doing in Indian River State College as basic level education. Again,

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we're molding and shaping. And then we get them out there to their employer and it's up to them to sand and paint that product. And we look at that as being maybe the intermediate level on this previous slide. What is taught in college is reinforce once employed during their initial certification period, all the way up until when they get recertified after year five.

And then we realize that those advance level courses that help institutionalize the behavior and looking at what teachers are required to learn, there's a shopping list, a very important subjects that they're required to draw from. But we see no subjects that are dedicated to safety and security, that are dedicated to looking at your peers and knowing how to recognize signs and symptoms of a child predator maybe working in the district with you, or even those signs and symptoms among other students. Or to solidify those important aspects of mental health, or the recognizing the pathways to violence in students.

These are things that we believe can be learned over time. And so if this body would look at this in being in conjunction with the reason why you were formed to begin with, these are the Page 144

recommendations that we're making, that you take a look at what we've done and what can be accomplished and consider the future applications for educators in the state of Florida.

We've had some good conversations with the Department of Education, not just the Office of Safe Schools, but other folks in the DOE, and they understand how we feel, they understand that we're making this recommendation to you today. And so they're prepared, at some point, I'm sure, to have some conversations with you, should you feel we need to take things in that direction.

So at this point, I'd like to open it up to questions. Any one of our team can take your questions. Again, we have law enforcement, school districts, and college here represented.

Yes, ma'am?

SECRETARY HARRIS: I've heard the recommendation in terms of this potentially being a model for all state universities and colleges. Have you had any discussion, or is there any buzz among any state universities or colleges that are aware of what you're doing, and is there an interest?

CHIEF TOUCHBERRY: Yes, there is interest.

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Volume II Page Thank you, that's a great question. We have 1 1 2 briefed the training center directors at their last 2 3 conference in North Florida and we netted two 3 4 possible colleges of interest. One does not have a 4 5 full-blown education degree program, but it does 5 6 have the hybrid version, I forget the name, 6 7 7 alternative certification, where you can come in 8 from another field and get certified as an 8 9 educator. And we are looking forward to having 9 10 some conversations with a major university after 10 11 this presentation. But we think others will be 11 12 interested once they hear about it. 12 SECRETARY HARRIS: Let me just say thank you 13 13 14 for all that you all are doing. It is amazing and 14 15 it will make a difference. 15 CHIEF TOUCHBERRY: Thank you. 16 16 17 SECRETARY HARRIS: Thank you. 17 18 CHIEF TOUCHBERRY: Thank you for that. 18 19 19 SHERIFF GUALTIERI: Commissioner Harpring, go 20 ahead. 20 21 COMMISSIONER HARPRING: Thank you, sir. Thank 21 22 you all for being here. I greatly appreciate it. 22 23 I've had the privilege of working with almost 23 24 everyone up there in my previous capacity as 24 25 25 undersheriff, so I appreciate it. The first 1 -- having knowledge, being informed, being able to 1 2 make an informed decision. 2 3 So, it's not a focus on just that last piece, 3 4 it -- because we have embedded throughout the 4 5 program, it focuses on all of the aspects of making 5 6 sure that you have all the information that you 6 7 7 need to keep your folks safe. So I think it's 8 based on what we focus on and how we choose to 8 9 direct this. But we do stand behind the live 9 10 simulation piece, because again, there might be a 10 11 time when I have to protect themselves and their 11 12 children, so that practice is the thing that helped 12

> them feel as though they could do it. As I think the chief said, initially our students, many of them stand back and they're uncomfortable with attacking -- I think we have a photo in here of this one, this situation. so we have students that would stand back in the beginning, but as they see the others take part in it and it isn't as scary and it's not about taking somebody out, it's about what do we need to do to get our students out and be safe. So we're directing it toward them and toward their knowledge about how to keep themselves safe. This is just one aspect of it.

Page 146 question is probably most appropriately directed to Dr. Amatucci. So, I know that you've had some very preliminary rollout, it appeared from your presentation, and some intern classes.

Historically, I got a sense that there was some hesitance in certain areas, and don't want to just pick on the teacher unions, but through the unions it was communicated that teachers had a fair amount of resistance to certain things, we've mentioned some of those, such as adding the apps onto the phones and things like that. At least from a preliminary standpoint, in terms of the future educators, do you have any sense at all about the receptiveness to this type of training, given that basically situational awareness and public safety is something that we are all thinking about a lot more than we did previously?

DOCTOR AMATUCCI: I agree with you. And our students, up to this point, we've had, as they've said, a couple of our internship simulations. Our students have all been very positive because our focus isn't necessarily on the simulation, our focus is on all of the other concepts. The being aware of the situations, being able to think critically. We're looking at it from a perspective

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MR. HARPRING: And one more follow up. And maybe this is more appropriately answered by Mr. Teske, but I'll defer to whoever thinks appropriate. What about receptiveness relative to rolling this back in the schools, to the teachers that are already in there? I know that during active shooter training there are certain things that occur relative to education, improvement, enhancement, things like that, but those tend to be more school-wide, has there been any thought or have you considered the idea of rolling it back to teachers through ongoing education, similar system for teachers that are already in the system?

MR. TESKE: Thank you. All great questions that we've discussed. The sky is the limit with this. Right now the foundation, the grass root level is beginning teachers, new teachers, but we understand existing teachers also have to be recertified. They have to be retrained and mentored. So, for example, in Indian River County we do the vector safe schools online training. So required to do online training each year for different modules. One of them that we added two years ago was the Active Shooter, Active Assailant 45-minute training course. That's required for all

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Page 149 employees in the district, not just teachers. So we're already moving with ongoing trainings.

FERTES brings hands on, brings law enforcement, brings the college, it brings more into it. I think that's something that we'd all love to see down the road, that all teachers can benefit from this, but for now we're taking the crawl, walk, run method. Where we're crawling, we're starting with new teachers, but we know in the back of our minds this is for all educators. Its everybody that works in a school. Everybody needs refresher training. But that's where Chief Touchberry mentioned being in touch with the DOE, recertification, building this program, maybe to separate modules. But yeah, the sky is the limit to this. It could move that way, it could not, but we have addressed that and we're aware of new teachers as well as existing teachers.

MR. HARPRING: And real quickly, are there any hard costs associated with inclusion of this in the teacher curriculum at the state level or is it just rolled into what you're already offering as parts of those different curriculum?

DOCTOR AMATUCCI: Correct. Its embedded in the current curriculum. So what we've created,

since everything is so virtually driven, we've created modules that we embed in each one of these courses and that's specific to that course. The teachers are part of the training, part of the conversations. So the only additional cost would be the cost of the law enforcement, folks to come in and conduct a training and et cetera.

MR. HARPRING: That's all I have. We really appreciate the presentation and I would be remised if I didn't note the great support that I think you'll have from the Commission. And I also want to personally note what a great bomb technician Major Cicio is. He's got all ten fingers, you can prove that to everyone. Thank you.

SHERIFF GUALTIERI: I think maybe Chief
Touchberry mentioned this to me, is that this is
part of the classroom management, part of the
curriculum? Is this where this is, where its
housed, it's a course within the classroom
management; is that right?

CHIEF TOUCHBERRY: Yes. It's kind of centered around that. The two practicums and internships on the ground with the school district that they think they want to work with. And the practical exercises.

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SHERIFF GUALTIERI: Are most of the students, from the photos it's hard to tell, are most of them younger, where in the last couple of years, they're new, they're first or second college students?

DOCTOR AMATUCCI: They're juniors and seniors.

SHERIFF GUALTIERI: Yeah.

CHIEF TOUCHBERRY: Generally in their early

SHERIFF GUALTIERI: Right. So, I think we're reaching the stage here, and it's hard to believe we've been here this long, but we're probably in the -- probably the fourth generation now of students post-MSD that are coming out. So I say that to say this, is that they experience drills in schools. I mean, the teachers and the students you were getting a few years ago, is that they didn't experience any of this. So they already have this indoctrinated into them when you're getting them at the college level, which is probably helpful with this. Is there resistance to -- and I give you all tremendous amount of credit, hats off to you, I think this is phenomenal, its much needed. I can't say enough positive things about it and the

direction its going and I hope it takes off. I

mentioned to you, I know the president of the

Page 152 college couldn't be here. We invited him to come as well. Really a lot of credit to his acceptance and vision. I think that -- some of the questions that you've heard so far is that be concerned about this would be accepted, especially with the simulation training and the hands-on training, to put something like this in a college environment as part of an education program is very insightful. So is there -- did it take a lot of push with the college to do this?

CHIEF TOUCHBERRY: None at all.

DOCTOR AMATUCCI: Dr. Moore is our new president of Indian State River College and he's a visionary. He's phenomenal. We're very fortunate to have him. He was on board right from the start.

SHERIFF GUALTIERI: Yeah, well -- tremendous amount of -- hats off to you. I can't speak highly enough. That's why I thought it was important, when I heard about this, to have you all come in because one of the reasons is that we can spread the word and hopefully get others to embrace it and consider it in the variety of educational settings around the state.

Anybody else, any other Commissioners have any other questions or comments?

Mr. Schachter, go ahead.

MR. SCHACHTER: Thank you all for -- the

FERTES team, you guys are doing a great job. I've
noticed that you got stakeholders from all the

different disciplines and that's really important.

So thank you for everything you've done and our teachers are our first responders. They can have the largest impact on our children and they're going to be there even before law enforcement gets

there in the case of an emergency. So what you're doing now is going to go a long way towards making our schools safer. And I think that Florida could

really be a model for the rest of the nation to implement your program statewide and I hope it's done. And I look forward to working with you to make that happen. Thank you very much.

17 CHIEF TOUCHBERRY: Thank you.

SHERIFF GUALTIERI: All right, no other questions or comments, we thank you all for being here. Thanks very much.

CHIEF TOUCHBERRY: Thank you, sir. Thank you all.

SHERIFF GUALTIERI: So, Harold, the first presentation that we're going to do is the one that's entitled status of MSD PSC Statutory

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Responsibilities. That's the first one, if you can
put that PowerPoint up. If somebody can bring me
that clicker, I'd appreciate it.

So for the rest of the afternoon, we have several presentations I'm going to go through. We've got a lot of questions about where we've been, where we are, we do we go, which all this will help to inform the discussion that we're going to have tomorrow afternoon. And to look at the various laws, to look at the act that created this Commission, the governor issued an executive order in 2019, the governor sent a letter to FDLE requiring certain things in 2019. And just to look at the bills that have passed, what hasn't passed, kind of where we are, what is complete, what is in progress. To look at our recommendations from both reports. What has been adopted, what has not been adopted. And to try and kind of set a roadmap of where do we go and what is left to be done with some of these specific things.

So the first thing I want to do is to take a look at this Commission itself. We know that it in Senate Bill 726 this Commission was created when Governor Scott signed it into law on March 9. The Commission sunsets, as it stands now, on July 1,

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2023, so we've got roughly a year and a half to go.

We know that we've used that broad investigatory power quite a bit. We've met in person to recap 13 times. Our first meeting, which was not here, was April 24, 2018, it was kind of an organizational meeting. Since then, except for one time, where we've met in Orlando, we've been meeting here. We met virtually a couple of times in 2020 and 2021. So a total of 15 meetings. We've heard testimony on 35 different topics and literally reviewed tens and thousands of pages of documents that we've had about 60 witnesses that have appeared before this Commission.

So, we filed our first report, that was that big 500-page report. In December we really completed it. It was filed on January 2, 2019, and then we submitted a second report to the governor and the legislature in November 2019.

So we know that the first report resulted in legislation and that was Senate Bill 7033. So there's been two acts, one which was the original act. It was 7026. And again, it created this Commission. We'll run through that with everything else that was in there. And then after our first report, 7033 was passed by the legislature. And

also during 2020, there were, sorry, in 2019, there were several standalone safety bills related to school safety that passed.

So fast-forward to November 2019, is that we issued a second report. That resulted in a Senate bill, Senate Bill 7040, in the house, Senate Bill 7065. Those are ultimately combined into a committee substitute for House Bill 7065. But literally in the waning moments, literally, the clock ticked and that bill died on the floor, for a whole bunch reasons. So there was no school safety bill in 2020. It's unfortunate, but that's just how the process works.

So when we got into 2021, we know that the legislature was challenged because of COVID. The House Bill 7035, which, you got to follow this because it does get confusing with all these numbers. The House passed 7035 because we asked them to pick up what didn't pass in 2020. So they took components of 7040, components of 7065 and put them into 7035. So we had -- our report in November of '19, two big bills in the House and the Senate, they failed in 2020. We took some stuff out of that and tried to get a 2021 bill.

The Senate didn't have the bandwidth. The

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- Senate was, because of COVID, the Senate was not
  - able to hear a school safety specific bill in 2021.
- 3 So we didn't have any school safety specific bills
  - in 2020 or the 2021 legislative session.
- 5 Nonetheless, is you've heard it referenced to
- 6 earlier, and that is Senate Bill 590. Senate Bill
- 7 590, which was originally a bill to deal with just
- 8 mental health, specifically the schools. At the
- 9 last moment, the House took some of the components 10 of their 2021 bill out of 735 and put them into
- of their 2021 bill out of 735 and put them into 11 590. That did pass.

So we were able to get some of the things that we had started in 2020 into 590 and that bill took effect on July 1 of this year. And you've heard some of those things. We'll talk a little bit more about that here in a second. Just giving you the landscape and how things have occurred to get us to this point.

So when we look at -- so that's kind of a legislative history of what's happened and where we are. There were a number of things in Senate Bill 726, the original bill, which formed 943.687, which is the Commissions mandate. So what I did going through this was to take the statute and what the statute told us we had to do, so we can get a

feeling as to what's done and what's left and what's ongoing. So investigate the system failures, add MSD, and prior mass incidents. We did that, it's done. Analyze information and evidence, its done. Develop recommendations for system improvements, that's ongoing and something we continue to do.

So the second thing, timelines, all of these are complete, all the prior events, and we spent a lot of time talking about Cruz's contact with agencies. So you can see as we go through this, a lot of the stuff that has been required by the Commission is already complete. So next one, law enforcement response failures. The law enforcement response, that's in the statute, that's complete.

Review active assailant instances on school premises. Evaluate compliance with policies, all of that is been done. The fifth thing that was in the statute, the only thing that's ongoing is, again, make specific recommendations for improving future responses by law enforcement, that's an ongoing responsibility. Something we continue to do and part of what we're doing here.

School resource officers. We struggled with that, but it was in our first report, to determine

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the appropriate ratio. I don't think there's any science to that and it's very fluid, but nonetheless, we accomplished what we were supposed to and we came up with a recommendation on that.

All of this is done. Failure and interactions prior to the incident, failure to accurately communicate regarding the agencies, risk indicators, possible threats, et cetera. All of that's done.

Ongoing specific recommendations, again, regarding sharing knowledge of risk indicators and possible threats of mass violence in the future. Communication and coordination, these are ongoing things. Again, making recommendations about how to do it better. So the law said that we had to submit an initial report, we did that, and that we could submit reports thereafter. Again, we submitted a second report in November 2019. We haven't issued a report since then. Something we can have a discussion about and whether we should submit a report this year, formal report, or wait until next year.

So, you can see by this that the majority, I say all the statutory requirements have been addressed. Everything that was required to be

Page 160 completed is complete. Some of its ongoing and the things that we continue to make recommendations about. But there isn't anything that isn't unaddressed that the statute said that we were required to look at.

So, in addition to -- anybody have any questions on that?

So, in addition to the laws that passed in 7026 and what we were required to do, February 13, 2019, Governor DeSantis issued an executive order. He also sent a letter directed to FDLE. And the third thing that was done and is still outstanding is the Supreme Court's Order impaneling a statewide grand jury. So let's just look at that and see where the things are that are contained in each of those and what the status is.

The first thing that the governor had was for the Department of Juvenile Justice, the Department of Education to look at school diversion programs. That was completed. The department -- and when Secretary Marstiller was over at DJJ, if you remember, she reported on it, and they met that July 1, 2019 time table and they published that report. So that's done.

It required to reopen for guardian funding,

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Page 161 | 1 that's completed or its ongoing.

all complete. The physical site hardening recommendations, complete. And information about the integrated data repository, we had a lot of discussion on that. I think the integrated data repository was that thing that tried to bring together the various databases. It's probably as best as it's going to get. I don't think there's anything else anybody could do. FDLE OR DOE or anybody else. It was really, and is, kind of an insurmountable task given the diversity of information across the state.

Remember all the different record management systems and everything that's out there and you got all the different laws and all the different policy laws that come into play. So, everything that they were required to do is done, it's been addressed. And it's in the best possible place that it can be. I can't see anything else that needs to be done with any of this or should have been done with any of it. So it's all complete.

The governor sent a letter to FDLE requiring certain things. All of it is complete. It's been done or its ongoing. Again, regarding the repository, a statewide strategy for managing threats and training in that regard. So either

And Commissioner Swearingen, certainly pipe in if you see anything on here that I don't have correct, but I think everything that is -- it's either ongoing or done.

MR. SWEARINGEN: You're correct.

SHERIFF GUALTIERI: Yeah. The last thing I want to talk about is the grand jury investigation. The grand jury concluded its work and issued a report. That report is not public and can't be made public until the litigation concludes. So the process was the grand jury returned the report, it named specific people. They have a right to contest that and went before Judge Tuter down here, who is the chief judge who is overseeing the grand jury. And his decision has now been appealed to the Fourth District Court of Appeal and that's where it sits.

So once the Fourth DCA rules on that, then -- and the people are contesting it, then that report will eventually be released. But right now that report has not been made public. So that's the status of the grand jury investigation.

MR. SCHACHTER: Can you just expand, what is Judge Tuter, what does he have to decide?

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SHERIFF GUALTIERI: So, the grand jury returns a report. When it names people, they have a right — in the report they have a right to contest that, in essence. And so he held a hearing on that. He ruled on that. And his decision has been appealed up to the Fourth District Court of Appeal. So that's where it sits. So nothing can be made public until the Fourth District Court of Appeal rules on what's before the court.

MR. SCHACHTER: Do we have a date on that?

SHERIFF GUALTIERI: No. Again, these are all the things that the grand jury was mandated in the Supreme Court's order, impaneling the grandy jury, to look at and investigate, which is basically the entire incident. It also had to deal with some bond funding here in Broward County. As we know, the grand jury did return indictments and some people were criminally charged as a result of that investigation.

All right, so Harold, the next one is 7026, an impact on schools.

So I'm going to run through this one kind of quickly. You've seen this before, but what it does is that, again, it identifies what is complete, what is ongoing, and anything that needs to be

Page 164 done. When we were doing this, FDLE had received some feedback from some of the Commission members. It would be helpful to lay this out so you can see what all the requirements were, the various laws, and the various bills, and where it all stands today.

So we know about the creation of the Commission. The Office of Safe Schools was required to be created and that's done. One of the things that 7026 did, is that it required that there be a risk assessment tool completed. And this is what we call today the FSSAT, the Florida Safe School Assessment Tool. We've heard about it, you'll hear a little bit more about it tomorrow and how it continues to be the tool that's used by the districts to assess each campus in each district. So that has been completed. Remember, this is different than a behavioral threat assessment. This is the physical site security on each campus and within each district. So we'll talk more about this tomorrow and about the requirements and the reporting under the FSSAT. But again, everything that was required to be done is complete.

Everything here speaks for itself. I'm going to go over to the next one here, on slide eight.

2021.

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Here's one that, not sure exactly where it is,
The school safety specialist. So we know that each
district is required, as a result of this law, to
identify a school safety specialist. There is one
for each district, that is the person the
coordinates everything to do with school safety.
And what the law required in 7026 is the specialist
coordinate, so that once every three years, first
responders tour every campus and provide
recommendations. Remember, this took effect March
9 of 2018. We're now September, almost October of

So that means three years have passed. So the question is: is this being complied with? In the three years it would have needed in March, has there been coordination where first responders, including law enforcement, had been to every single one of the, just south of 4,000 school campuses in the state of Florida, and toured those and provided recommendations and that those recommendations have been provided to the schools and to the school boards, et cetera.

Well, I can tell you that in one of the most recent reports in the FSSAT, and the new ones coming up, is that in question 5.121.4, about Page 166 almost 400 hundred answered no to that. And about 3,300 plus answered yes. but I think that's something that needs to get flushed out. It needs follow up. And we need to make sure that is being complied with. But there's a whole bunch that answered no.

The new ones, we'll talk about tomorrow, the new FSSAT is required to be submitted by the end of October. And that's a question that's in there. I've just got questions about whether that's been done to the extent that it is supposed to be when you're talking about almost 4,000 schools and the first responders and law enforcement coming in and touring everyone in the last three years. So that's something I'm going to definitely follow up with

Same thing with the social media monitoring tool. Again, they did what they could with it. The mobile suspicious activity app, which is Fortify Florida, you're going to hear a presentation about that tomorrow, more in depth as to where that is, but its complete and its up and

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running. We'll get an update tomorrow on the data and how it's functioning. Access to mental health services, again, up and running. So that's complete.

Same thing with mental health. Mental health first-aid for students is -- it's been implemented. So this is something, I don't know, and I don't know how we measure this, if anybody's got any ideas. It says that registration, and this is in Senate Bill 726, registration, every student was required to disclose any prior mental health referrals. I haven't really looked into this that much and we haven't really done anything and probed in the districts about this, to see is this some type of a question, part of a questionnaire registration, is this being done. I don't know.

I don't know, Mr. Oliva, if you have any thing you can weigh in on this about? I just don't know the answer to it.

MR. OLIVA: Sure. So we've provided technical assistance as well as issued memos that part of the registration packet would include this opportunity for parents to disclose. Often times the information received is contingent on the parent being willing to share it, but most importantly we

Page 168 try to identify the mental health services that a student may have received from a school district. That seems to be of the comfort level that most parents seem to disclose. If parents are seeing a private provider outside of the previous school district, we may or may not get that information, but other than that, we follow up with districts to include.

MR. OLIVA: Yes, sir.

SHERIFF GUALTIERI: And that's across the board, okay.

Marsha, is that the case? Yeah?

MS. POWERS: Yes. It's part of the registration process, so it's, again, like

Commissioner Olive said, it's really depending on the parent sharing because we can't really delve into the information. And so it's kind of voluntary.

SHERIFF GUALTIERI: Yeah, I don't know how we do much more with that, it's just there. That's why I added it as a status unknown, but those of you in the position to best know, maybe there's nothing more we can do about it, other than the

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districts are asking and it's one of those things you don't know what you don't know and you can't get what people don't tell you, so -- it's on there.

As far as the Student Crime Watch Program is concerned, that is a question in the FSSAT. So I think we wait for this most recent one to see whether there is a Student Crime Watch Program on each campus. I haven't heard much about them. So I don't know. I just don't have a feeling about it

Does anybody else have any idea about whether each district has implemented -- its required by the law, so. Whether they've done it or not, I just don't know. So I think we wait for the FSSAT this year and we see if that's been done.

Here's one, this is one that -- so we know that drills have to be done. And this is one that has evolved, but the drills have to be, and I have it bolded here, it's at line 1881, had to be conducted by the law enforcement agency or agencies that are designated as the first responders to the school campus. So what that means is we have just south of 4,000 schools in the state of Florida. We know that there has to be an active assailant drill

conducted every month at every school. And what the law says is that the drill has to be conducted. Think about that. Conducted by law enforcement. And conducted by the law enforcement agency that is the responder to that school, if there's an act of assailant incident on that school. And that was a recommendation of this Commission. And that's why it changed to require it be conducted by the agency that's responsible to respond. So is that being done in every district across the state?

So if you take X city and you have X school in that city, now let's say it's an elementary school, and the idea was that if its own officers or deputies that working that area, go and they're present when that drill is happening, when the real deal occurs, when the incident happens, they cops who are going to respond, who actually have half a clue as to what the students are going to do, and that participation in the drills on a monthly basis by the responding law enforcement agency is important.

I don't know whether that's happening or not. And we got a question that is in the FSSAT now on that, we'll see what the response is as it comes back in this year. But I really question whether

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that's happening.

In fact, I know it's not happening in every place. I know it's not. And it is something that's important because if the drills are being conducted, and let's say, especially in the elementary schools where you usually don't have an SRO, because that good person with a gun in the elementary schools is usually a guardian, not a cop, and they fill that vital role. And if you have law enforcement that has absolutely no participation in the drills that are occurring, some of these campuses, the cops are responding, they don't know what's going to occur, where the kids are going to go, how they're going to act, how they're going to react.

So again, it was something that came out of this Commission, but it -- that is something I think that has to be looked at more closely because I don't think it's being done.

Anybody have any different view on that or any thoughts on that?

I don't want to put you guys on the spot at all, but, Commissioner Dodd, you just came in, and Commissioner Power, you're here and your district. Do you have any sense, is that something that's Page 172 kind of falling through the cracks, or do you think that its occurring or just don't know?

COMMISSIONER DODD: In our district we have school resource officers in all of our schools as well and they are --

SHERIFF GUALTIERI: But that's different.

COMMISSIONER DODD: Yeah, that's different.

But I do agree. I think the issue is going to be
-- I guess my question is, are they actually the
one conducting -- I mean, it's a team effort, so we
have a safe school specialist, so can I say that's
the case? I don't know if I can. I mean they're
working together to plan by the school district and
the sheriff's office.

SHERIFF GUALTIERI: I don't think that's the problem. I think where the problem comes in if it's a drill when its being done solely by a school administrator or school staff and law enforcement has no involvement in it. I think that's where the problem is.

MS. POWERS: In Martin County, we're kind of in the same situation. We have a school resource officer, at least one, at every one of our schools, including elementary. And I know annually they do drills at every high school, specifically with all

Page 173 of our fire rescue, all of the new deputies that respond are trained on that specific school because they have a lockbox with keys to the school. They're locked out because they're still locked down during the day. So they go through that training as you onboard new deputies.

SHERIFF GUALTIERI: So you guys, both of your districts are different because you have a cop at every school and not every school -- not every district is that way, so. That's something we've got to follow up on and see where that is.

Again, talking about the threat assessment teams at each school. There are several other requirements regarding the threat assessment teams. And I would say that the establishment of threat assessment teams has occurred, whether they are as robust as they need to be, I don't think so, but we'll talk more about that. And I think you'll see some indications of that when we talk about the most recent audit, the threat assessment process here in Broward County.

Zero Tolerance policies. There's supposed to be implementation about this regarding the application of zero tolerance policies to the Threat Assessment Team. This is one that I don't know, anybody is free to weigh in, I'd say it's ongoing, but I don't know. It says, "Each court must notify the school superintendent of any student that the court referred to mental health services." So, the courts are broad. You got delinquency, you got dependency, you got a lot going on within the judicial system and the courts refer kids to mental health services all the time.

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I don't have a sense about whether in each district, whether there's a relationship or liaison between the courts and the school district and whether the courts have some mechanism in place every time the court, whether it's a dependency court or a delinquency court, is referring kids to mental health services, so. So, I just don't know. I have it on there is ongoing and just going to assume it's happening, but we haven't measured this, haven't looked at it.

Does anybody have any insight on that? No, okay. I just don't know.

Safe school officers, obviously complete. We're well aware of the requirement that there be a safe school officer on every campus. Mental health, I'd say the majority of things are either ongoing or complete. The additional CAT teams and

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additional funding for the CAT teams, that's ongoing.

Secretary Harris, is there anything to add as far as the CAT teams are concerned, anything that we should know about? The Community Action Teams.

MR. HARRIS: Mr. Chair, no, we continue to operate those and look for opportunities to expand upon it and secure additional funding.

SHERIFF GUALTIERI: Funding, that's the key to everything, so. Okay.

Dealing with people with firearms, that was part of this bill. And the risk protection orders, or red flag walls, as they're called, that was implemented across the state and been very effective. That's done. It's done, but it's ongoing. Same thing here.

Here's one that criminalized in 7026, was made a felony to put in writing the threat to kill without the transmission requirement. So what was the problem, if somebody went into the restroom in Stoneman Douglas High School and wrote on the wall, "I'm going to shoot up the school," that wasn't a crime prior to this. Because it required a transmission. So if somebody posted on social media or sent an email that said, "I'm going to

shoot up the school," then it wouldn't have been a crime because it had to be transmitted to somebody. So this eliminated the transmission requirement. So today in Florida, if somebody writes anywhere that they're going to kill or conduct a mass shooting, it's a felony.

One of the things, and it's -- I think when we get to it in the recommendation section, I'll just talk about it here, is that we had recommended they expand this further and they also make it a crime if somebody verbalizes, makes a verbal threat to kill or do serious bodily injury or conduct a mass shooting. The legislature does not embrace that and does not support that legislation. We tried to get that included in bills the last couple of years and there's concern on the part of the members of legislature that it is, and this is my characterization, not theirs. I'm going to characterize it my way. That its criminalizing trash talk. They're concerned that if somebody is just talking smack and you're going to create a crime and a felony by somebody who is just saying some stupid things that they shouldn't say, that it's just going too far.

So today, if you call a 911 center and say

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Page 177 you're going to shoot up the school, that's a crime 1 2 because it would be calling the 911 center, a 3 specific statute. If you go into the restroom at 4 Stoneman Douglas High School and you write on the 5 wall, "I'm going to shoot up the school," that's a 6 crime, that's covered by that. But if you call the 7 front office at Stoneman Douglas High School and 8 you say, "I'm going to shoot up the school," that's 9 not a crime. Because that verbal threat is not a 10 crime. And I don't think it's going to be a crime 11 because the legislature is just not supportive of 12 passing that. So at least the written threats in 13 there and that got changed in 7026. So that's 14 where all that is. 15

All this has to do with money, the fiscal components of it. Really not much to talk about there. All that is in place and --

Next one, Harold, is 7030. Can you put that one up?

So 7030 is in direct response to our first report. 7030 is the bill that passed in the 2019 session and it was a direct result of our first report that we submitted in January of 2019.

The sheriff has to, at a minimum, provide access to a guardian program. That's done. You

see the stats that Director Hay put out earlier. It doesn't seem to be any issues that we've heard with any district that wants to get guardians and guardian trained, they're not getting that done. The sheriffs are providing access. Same thing with -- that's what this addresses in the training.

Sheriffs are certifying the guardians. So there's no issue with the guardian program. All this is being complied with. This just lays out some changes that occurred to the training.

One of the things that this bill did, line 604, the Office of Safe Schools is required to publish an annual report regarding how many Safe School Officers, so that means SRO's cops and guardians, and data regarding discipline rendered against them and weapons discharged. I can tell you that it's nominal. There's been no significant incidents as for as the guardians are concerned. You're going to have a few things that happen here or there, but with the number of guardians and the number of schools, I think the data shows that it's a very, very successful initiative and a very successful requirement. Of course it was resisted at first, but now that it's been ongoing for a few

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years, I think it's pretty much embedded and people see that it's working and was a significant contributor to school safety in Florida.

Commissioner Dodd?

COMMISSIONER DODD: Yes, sir. I just wanted to say, in our district, that the guardian program has been very well received as a secondary person on campus who is armed and ready to engage an active assailant. So we have -- our larger schools have an SRO and a guardian. I'm sure other districts are in the same position. But I did have a question on page 5, line 290, which is the page before this, dealing with the guardian training itself on the certificate. Because as I understand it, it's still required that the guardian be trained in that district by that sheriff. That certificate -- I know there was an opportunity if at one time the sheriffs weren't doing it, that other school districts could take training from another sheriff's office.

Is that pretty much statewide now? If I have a guardian that comes, that moves up to Citrus County from, say, Palm Beach County and has been trained as a guardian, when they come to Citrus, we can, as a school district, recognize that training

Page 180 or are they going to be required to go through our sheriffs training?

SHERIFF GUALTIERI: No, they can. So you can have, as an example, if Citrus County, if the sheriff there was not doing guardian training, you can have those guardians trained in Pinellas County or Pasco county or another county. They can go back. So that's allowed. One of the things, though, that didn't pass, and you'll see when we get to it tomorrow, about what we have in there now, we want your recommendations on anything additional, but what we're proposing now for the 22 legislative session was that it was in those bills that didn't pass, it was that the training had to be done by a sheriff though. And we had recommended that as a Commission, largely to deal with that mess that occurred up in Palm Beach County, when they had that private contractor doing the training, remember all that?

COMMISSIONER DODD: Yes.

SHERIFF GUALTIERI: So, to avoid that, our recommendation was, and it was in those bills that didn't pass in 2020 and 2021, hopefully it'll pass in 2022 to clarify that, but it has to be done by a sheriff. As long as it's done by a sheriff, it

Page 181 doesn't matter where in the state. That's ongoing today, is that you do have people who are guardians in one county, that are being trained by sheriffs in another. Because it does require, not that the sheriff do it in his or her county, but the sheriff has to facilitate it. And I just maybe crossed over a little too fast. That was in here. So the sheriff has to facilitate the training.

COMMISSIONER DODD: Right. And our sheriff does facilitate the training, but again, my question is, if a trained guardian from of another county comes to our county, are they going to be required take the 144 hours --

SHERIFF GUALTIERI: I see your question. Is that -- there's nothing in the law that addresses that today. The training itself is mandated by the core amount. And it was in here -- it is the 144 hours is laid out in here. Here it is. All that's consistent. So your question is, let's say you had somebody that worked in Leon County as a guardian and they went to the academy there and they did this 144, but they then came to Citrus County where they have to do it over again. And that's not addressed. So whether Citrus could honor that or not, it's not addressed in the law.

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trained in one county, let's say work in that county and they go to another county, and it could be recognized, they could provide additional training, not go through the whole thing, but additional training and any nuances in the new county. And so, we'll see.

Maybe we can get that through in the legislation for 2022. I don't think -- if anybody else wants to weigh in, I don't think that there's any appetite for this being done by the law enforcement training centers or this becoming a part of the CJSTC. There was a whole lot of reasons, we had that discussion, I think, in length. We had addressed it previously and it just wasn't going to go anywhere.

Sheriff Judd, go ahead. :

SHERIFF JUDD: And we really, if you remember the time, we really wanted to have a limited number of people to ensure the quality of the program and of the people. And if you open it up, even if CJSTC wanted it, then you are then at the backend call of an agency that's got three people and whatever their standards may be. It can be diluted really quick if you -- so I think it's best to hold the elected sheriff accountable. And that was

COMMISSIONER DODD: Well, I do appreciate the push of the sheriffs to do the guardian training. I think that's very important, but we had talked about it early on, about having it as a statewide training course, just like a law enforcement officer, corrections officer through the criminal justice standards and training, and I still think there could be some benefit to that. I don't know if the attitudes have changed on behalf of sheriffs, but if we could have a guardian training that's offered through a law enforcement academy that could be honored anywhere in the state of Florida.

SHERIFF GUALTIERI: And we looked at that and CJSTC said they couldn't do it because they weren't raining law enforcement officers and there really wasn't an interest. If you remember that?

COMMISSIONER DODD: Yes, I do.

SHERIFF GUALTIERI: We had that discussion about it and that they really weren't suited for that. So I don't -- I haven't heard anything change on it. One of the things, though, to your point, specifically, or your question is, that was something that we had tried to put into those bills that didn't pass, that would allow someone to be

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really the reason we put it there.

SHERIFF GUALTIERI: Commissioner Petty?

COMMISSIONER PETTY: So, I'm not a lawyer, but it does say to the satisfaction of the sheriff. So is a possible answer to the Citrus County question, if your sheriff looked at the training that the guardian brought from another county and said, "I'm satisfied with the training here," that would seem to satisfy the law.

SHERIFF GUALTIERI: It's not addressed. All it says is you have to attend the training and you have to graduate from the training. It doesn't say that it has to be in the county in which you're working. So it's just silent on that. so I think it's a fair reading that you could accept it. It's also fair that you could say you're not going to. It's just not addressed. But I wouldn't see a problem with it. I don't see a problem with it.

SHERIFF JUDD: I would accept it if they completed the curriculum as it was designated.

SHERIFF GUALTIERI: Unless you had a situation where, and I don't know, I think that was a one-time situation, probably is, if you had someone that was trained in a particular place but there's a question about the quality of the training, et

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Page 185 cetera, then that might be an issue. But as long as you went through the 144 hours and it was done properly by the right instructors, then they've already got the training, so why are you making them go through it again.

COMMISSIONER PETTY: And again, it says to the satisfaction of the sheriff.

SHERIFF GUALTIERI: Correct.

COMMISSIONER PETTY: If the sheriff says that was satisfactory.

SHERIFF GUALTIERI: Right. I think it works. But it'd be nice to get that into law to remove any question or any arguable ambiguity.

The consulting with FDLE about the guardian program, we've covered all this. Annual report. School hardening, you'll hear about this tomorrow. The Office of Safe Schools was required to convene a school hardening and harm mitigation workgroup. That was done and they issued a report. You were given a copy of that report in your read ahead material.

So this is what was in 7030 about the Office of Safe Schools and the Commissioners oversight responsibility. The law was amended to provide that the Commissioners shall, quote, "Oversee

Page 186 compliance with the Marjory Stoneman Douglas High School Public Safety Act and must facilitate compliance to the maximums extent provided under the law, et cetera. We'll talk a little bit more about that tomorrow.

FSSAT is done. Everything that needed to be done with that is in place. And its ongoing. This is an annual requirement for submission of the FSSAT.

Mental health. I'm not sure what this means. I've talked to the director about it. I think they're striving to do the best they can. The Office of Safe Schools was required to provide data, support the evaluation of mental health services. I'm not even sure what that means.

Here's one that, again, I don't know what you need to wait and get some reports on this and see, this came as a direct recommendation of this Commission, that student records be transferred timely. There was a delay in when a kid transfers from one school to another, especially from one district to another, in getting the records. Especially psychological reports and behavioral incident reports is that they have to be transferred now within three days. So this is

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something we need to look at. Whether that's being done, whether its timely, I don't have a sense of this at all. I don't know if anybody else does.

Do you have any idea, Mr. Oliva? I don't know.

MR. OLIVA: So this is another one of those topics where we've given guidance on technical assistance. Sometimes the challenge is, the best case scenario is when the parent comes in and withdrawals from the school in person and takes the records with them, but often times, families may move over the summer, the school doesn't even know the family left. Then you get a request for records from a receiving school, it could be a week later until that comes in. So I think there's opportunities, especially for student management systems to interface probably a little bit better to make the transfer more seamless, but I know schools are doing the best they can when they actually get the request and turn around that information to meet that three days. But there may be an opportunity to receive those requests in a more timely manner.

SHERIFF GUALTIERI: And look at this and see if there's a way to monitor. The whole goal is

Page 188 1 that it be done because its important the receiving 2 school gets that information, so something doesn't 3 fall through the cracks. That's the whole point here, is that there's not a ton of information 4 5 about a kid that the receiving school gets the kid, 6 the kid has a tremendous amount of mental health 7 issues and behavioral issues, et cetera, and they 8 don't know about it and something happens in that 9 period.

MR. CARROLL: I just want to comment on the mental health issue. On mental health, we did make some specific recommendations and I think you have some of those listed up there. But in large part, I think we kind of punted because we thought that this wasn't the community to deal with them and I think that was the right thing to do. But there are a couple of things that I think are still outstanding that this new commission that's looking at mental health really needs to look at that's pertinent to this topic. And we talked some of it this morning, touched on, when you were talking about Baker Acts, there was a correlation, at least anecdotally. We don't have all the information because Baker Act is a tough thing to get complete data on. But in some school systems where you saw

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arrest rates go down, you saw Baker Acts go up.

And so Baker Acts replaced the rest as a way to
manage behavior in schools. And I thought that
both approaches were equally inappropriate.

We talked a lot on this committee about some of the big picture things we needed and you talked a little bit about the CAT teams and the mobile response teams, which are both funded increase, which I think were important. But also there was a significant increase in funding to the schools to beef up their behavioral health interventions in the school systems. My concern with all that was those are response mechanisms.

So, the CAT teams prevent, in nature, getting out there and working intensively with families and homes. The mobile response team was to go out there and diffuse that situation that day, not necessarily ongoing treatment to a kid. And then the funding's to the schools, because its school based, I don't know that it improved the coordination or care to these kids because in the case that we looked at, it was secular. When school was out, mom thought it was appropriate to back off and stuff. And so where I'm really concerned, from a mental health standpoint, is we

Page 190 have to begin to look at data more closely in terms of -- Baker Acting kids is not an answer because it's not a treatment model and most of the time you Baker Act a kid, they're out in the street within 24 hours anyway. The key is which recommendations come out of that and is the family going to engage in services afterwards.

And so, to me, that whole issue that we talked about when we were reviewing this case about the coordination between providers, because you have multiple folks in the school system, the private sector, the community based, and they only knew what they knew and not all the information was shared. And when you don't have an apparent that doesn't understand the triggers, doesn't understand how to manage the behavior of the children, doesn't understand the escalation that they see in that behavior, it is unable to articulate that to the folks who are working with the kids, we end up in trouble.

And I don't know if any of that has been addressed. As a committee, I think that as this Mental Health Commission takes the baton on this, that one thing I'd like to make sure we get across to them is -- well, we were very appreciative of

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the additional funding, I think it was much needed.

We still haven't solved the coordination piece and the information sharing piece between these bodies. We still haven't solved the holistic approach to treating families because treating the parents of these kids and helping them to understand how to deal with these kids more appropriately is as important as the treatment we get to the kids. And there has to be some accountability at parental level to engage in that type of treatment.

And then the continuity of services. This just can't be that these kids receive services while they're in school because they spend just as much time out of school. And if there's not that continuity service, we see what we saw in this particular case. And I don't think that we -- we kind of touched on it, but we deferred down the road to that, which is fine.

And that's why we see these really specific recommendations up here. But I don't want anybody to confuse these recommendations with that we found when we were looking at this case more holistically.

SHERIFF GUALTIERI: I agree. Silos and

Page 192 continuity. Breaking down silos, continuity care

and case management. And I had that discussion
with Sheriff Romell. We'll continue to beat that
drone as loud, as hard as I can. I know you will

and I know others will. And for Secretary Harris, as far as the new Mental Health Commission is

concerned, I hope you all look at that very closely.

Go ahead.

SECRETARY HARRIS: Thank you, Chair. And to Commissioner Carroll's points, I think there's a lot of opportunity in the new commission that has been formed. It's going to focus exclusively on mental health and substance abuse services and how we can work better as a -- within our system of care. But just beyond that, I wanted to share, regarding children who are repeatedly being Baker Acted. The legislature has directed the department to work alongside AHCA to really look at that phenomenon and really identify strategies for making that better. The focus has been on high utilizers, but I think the things that we're uncovering are going to benefit all families and children who need these services and who are ending up in the deeper end of our system of care. So

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really excited about that. And we are bringing as many stakeholders to the table, including DOE, to talk about this and what we need to do to address that particular issue. So I just wanted to bring that forward, that we are looking at the Baker Act issue through separate legislation outside of the commission and are making some headway in those efforts.

SHERIFF GUALTIERI: Sheriff Judd?

SHERIFF JUDD: And I think it's important that we put on the record that there's some people that are trying to make Baker Act a bad thing, like it's, like, an -- to an arrest. That's not the issue. The Baker Act is simply a tool that when, and I'll use law enforcement for example, when we get there and we're at the end of the line and there's nothing else to do with anybody, it's the opportunity for us to put this person into the mental health system whether they want to go there or not. The weakness of this system is there's never been any wraparound. So it turns out the Baker Act is not an inappropriate tool, but it's been the only tool. And that's where the problem is. We don't need to water down the ability when all else is failed. The issue is once they're

Page 194 Baker Acted, that should be opening the golden gates to services and that's when mental health needs to be piling in.

We don't see, I would suggest the overwhelming majority of people who need mental health help because they don't get into immediate crisis, we don't get called, the family deals with it. But there has been an effort, and I'm not saying universally, but I've got to put it on the record, to attack the Baker Act is just totally inappropriate. To attack the wraparound services or lack of services is more than appropriate. But even if we had mental health facilities throughout the community, the county, the state, the nation, if we get to a person in crisis and we're called and the person goes, "I'm not going," we have to have some authority to get them to the golden gate.

So I just want to make sure that we don't end up creating an environment where the Baker Act is a bad thing. Because the Baker Act is not a bad thing. The weakness is. There has not been anything behind the Baker Act and it's been the only tool. And we all, that have ever used it, or managed an organization or dealt with it, understand that it's -- the intent of it is not for

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it to get used every week, or every month, or every time this person is in crisis, but it should be only the red flag that this person needs help and then we have to provide them help.

SHERIFF GUALTIERI: Go ahead.

COMMISSIONER LARKIN-SKINNER: To Commissioner Carroll's point about the coordination piece, because obviously we found that was the big problem. I do believe some districts across the state, just in my travels, that has probably improved. I don't know that we can measure it. Because some districts actually contracted use the dollars they got from the act, contract with providers in the community so that the providers are on campus all the time. so that when the kids hit the provider system, the providers are already there, and they coordinate the services in that system.

However, there are districts that did not do that. They elected to hire and create their own sort of parallel mental health system within the district. And I would submit that that did not improve coordination. That that just made another group of people who know stuff that other people won't know. So, I think that -- saying that,

Page 196 there's work to be done. I think everybody had good intentions, but there's a lot of work to be done and certainly the new commission is looking and will be looking at this closely.

SHERIFF GUALTIERI: Good. Needs to be. Thanks. Go ahead.

MR. SCHACHTER: We haven't really addressed this because this hasn't been in our scope, but I hope that this new commission will also look at transferring this information from K through 12 to higher ed. I think that's a major gap in these colleges and universities, I think should know what's happening so they can also help these individuals in their time of need.

SHERIFF GUALTIERI: Commissioner Dodd, go ahead.

COMMISSIONER DODD: And to Sheriff Judd's comment about Baker Act not being a bad thing, I agree with that. I do have a concern, though, when I see the Baker Act of younger students, third, fourth, fifth graders that we're dealing with. In relation to Commissioner Carroll's comments about the wraparound services, the parents, I wish there was a way that we can have legislation or if the school district identifies a child and there are

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Page 195 more than I'd like to know about in my own district, where they are being -- they meet the requirement for Baker Act, third, fourth, fifth graders, how can we get the parents some requirements placed on the parents, what can we do for the wraparound services for these younger students, younger children.

SHERIFF JUDD: I think that's where Commissioner Carroll said, it's not just the person that has the issue, it's the parents. And that's the frustration. And when you find us Baker Acting a third or fourth grader, it's because the parents aren't responsible. Certainly we would like to tell the parent, hey, here's the child, here's the services. Sometimes the parents throw their hands up and says, "There are no services." And sometimes they'll throw their hand up and go, "You deal with them." But you're exactly right, it's -it's usually a forced situation because, you know, you can always show an outlier, but we try to funnel, especially the little children, where there's supposed to be a responsible parent, we try to deal with that without a Baker Act. And once again, if we do institute a Baker Act, its only to try to open those golden gate services because the

Page 198 parent can't or won't or hasn't. Or has no infrastructure to do that.

SHERIFF GUALTIERI: Secretary Harris, go ahead.

SECRETARY HARRIS: I was just going to say, to respond to the comment you made earlier, Sheriff, the goal is not to vilify the Baker Act process, right, the work that we're engaged in, it's to do exactly what you're talking about in terms of engaging parents and engaging that child in services earlier, so that we don't see those repeated Baker Acts happening. So it is to get those wraparound services in place. So what we're looking at is what are the gaps and what are the challenges. And I think for parents, we have a very complicated system of parents, sometimes they just don't know where to turn. And so we are working with our managing entities and with the Medicaid health plans to really look at our care coordination models that really engage the family and making sure that that child is followed up for care. And helping equip that parent with the skills needed to meet that child's needs. So that's exactly where the focus is at because the work is on an outpatient basis, not an in-patient

Page 199

basis.

And just one other comment on the coordination of care, we are by no means where we need to be, but I will say to Commissioner Larkin-Skinner's point, we are seeing more work being done with the school district's and our managing entities forming those partnerships and relationships so that services are available afterhours on the weekends and we are leveraging and maximizing our funding. Because a lot of money did go to the Department of Education rightfully so, but we want to make sure that we're blending and braiding all those strategies. And DOE has been a great partner in trying to spread the word around the system of care that the department has and how we can work together to make sure that those kids are covered 24/7.

SHERIFF GUALITIERI: So one of the things, I'll just add to it and we'll hopefully move on from this mental health discussion, but it is an important discussion. And Commissioner Larkin-Skinner, you brought this up and it was in the report in our recommendations and it was adopted, was timeliness. And it appears on this slide, is that they'll always change in 7030 to require that

the screening occur within 15 days or referral and that the school based services had to commence within 15 days and community services within 30 days.

So, is that being done? I don't know. And I don't know how we measure that. But do you remember that was a specific recommendation, you saw, and I think maybe Commissioner Carroll saw it, and others, and we included it, but I got to figure out a way, maybe as we move forward, to figure out how do we measure that and -- I don't know. Is it better, has it included -- or maybe it's something we should kick over to the Mental Health Commission and let them pick it up. Services are important, but they have to be timely. That's why we included it as a recommendation and the legislature adopted it.

Annual mental health reports. I know they're being filed and the annual mental health reports are posted online. SESIR, we're going to talk a lot about that tomorrow with SESIR. I'm going to breeze over this because we're going to talk more about it tomorrow. Threat assessments. Most of this is all complete. The one I want to talk about here is on slide 34, if I can get it to stop on 34.

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Page 201
             This is another one, tough to measure. And we
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        included it as a recommendation and legislature
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        adopted it, is who is responsible when a kid is the
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        subject of a threat assessment in one school, and
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        then gets services as a result of the threat
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        assessment teams evaluation and recommendation, and
        then transfers to another school. And the
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        transferring school is responsible for verifying
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        that there's continuity of services until the child
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        is at the new school and the new school threat
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        assessment team can do an evaluation. So again, I
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        just don't have any way of measuring that. It's
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        something we'll look at. I hope it's being done.
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        If we had a statewide database, it'd probably be
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        easier to tell. You would know what was going on.
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        But I think that's an important provision. I just
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        wanted to point it out. And we'll keep an eye on
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 $\label{eq:Active assailant drills, you know about those.} Once a month.$ 

MR. SCHACHTER: Chairman?
SHERIFF GUALTIERI: Yes?

remember we had that --

MR. SCHACHTER: Was there a recommendation to reduce the number of active assailant drills,

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Education had to look at our report and our recommendation and all that work that was done. And the reason that they thought, I think it sounded logic, is that if they put all that specificity in state statute, changing it is a big deal, changing it is a problem. And the State Board was in a better position to change it by rule more nimbly than can be changed in the statute.

So I support that. We got it in the proposed legislation for 2022, that if it passes, let's say the drill schedule can be modified by the state board. The state board looks at all the work that we did, which was very substantial. In making its determination, I hope that they will look at that and consider it because all the stakeholders were heard in that, as you know. So I think that it's on the pathway, hopefully to changing. Because some of these, especially with the elementary schools, the drills now are probably too many, and we all know that. So it didn't change, but I think that's the direction that it looks like it's going to head in.

MR. SCHACHTER: And I really hope that that happens because as we heard from all the school safety specialists and all the stakeholders,

SHERIFF GUALTIERI: We're going to get to that, but I'll just cover it here. Let me just cover it here.

MR. SCHACHTER: Okay.

SHERIFF GUALTIERI: So what happened is that we spent a lot of time, a lot of time, and received feedback from the school safety specialist, remember, from the State Fire Marshall's Office, from a number of stakeholders. And the consensus was drill schedule needed to change. The drill schedule needed to be reduced and fire drills need to change, they didn't need to be as often as they are now. And we went through some very specific recommendations. Those recommendations were in the bills that were proposed in 2020 and didn't pass.

In 2021, it actually came out of the House, and I do think that this is insightful, the House was willing to consider, remember the Senate didn't consider a bill this year. But the House bill, and in talking to staff in the House, they're receptive to it and decided that there was probably a better path. And the better path was to kick it to the State Board of Education and to put in law that the drills had to be at the intervals set by the State Board of Education. And the State Board of

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they're doing too many drills and there's a lot of drill fatigue. And we want them to take it seriously and my fear is that if you're doing these many drills, it's really not as effective as we need it to be. So I hope it happens.

MR. SCHACHTER: So this on drills here, it says each district and charter had to annually certify that school personnel received annual training on the procedures in the act of assailant response plan. I can tell you in the most recent FSSAT, under question 5.9.1 and 5.10.7, shows there was not 100 percent compliance, but I think that some of that may be nuances and how the question was answered. We really need to wait for the 2021 FSSAT response and flush that out more.

So that's where that is. And the question is there about annual training for everybody on the plan. Remember they had to meet -- each district had to submit its active assailant response plan and that was required also by this law in 2019. Because why? Because we're a year passed, well over a year passed the Stoneman Douglas incident and some districts still didn't have that active assailant response plans.

So, we asked the legislature put it in law,

Page 205 tell them they got to have an active assailant response plan, and you had to file it with DOE. And they did. But now it requires in here that they have this annual training on that plan. So is that a one and done, or is it fluid, is it ongoing, is it being trained on a regular basis? Again, we need to keep an eye on that. I'm not sure.

Let's look at slide 42. Here's another one that we included because of what we saw here with the Stoneman Douglas incident and feedback that we're getting about what was going on in the schools is that people were aware of situations and they weren't being reported, staff members. And so the law now requires that the principals notify all school personnel of their responsibilities regarding incident reporting. Something bad is happening. You're obligated to report it. And the schools are obligated to document it. And specifically, and importantly, to document, that last sentence, the disposition of the incident. So I don't know if that's happening. It is a question that'll be in the 2021 FSSAT, its question 4.1.51. And I'm really anxious to see the results of that and see what the districts are reporting. Because are they keeping track of everything that's

Page 206 reported and what they do with it, how they dispose of it

This is different than SESIR. Because, remember, you only have 26 different incidents that are required to be reported under SESIR. So this isn't SESIR stuff, this is where a teacher, a plan operator, a coach, somebody becomes aware of something, they got to notify somebody about it. And it was inconsistent because some of it was just being verbally dealt with, some of it wasn't being reported, it was being dismissed.

So to deal with that, you got to report it, you got to document it, and they have to keep a record of the disposition of the incidents that are reported. I don't know whether this is being done. So this is definitely a follow up item and it is a question in the FSSAT. I think we wait, we see the results of that, and see where it is, and see what the responses are, and see if it's being complied with. I have some concerns about whether it's being complied with, but I don't know.

Does anybody have any thoughts or comments on that that they want to bring up?

Harold, let's go over to the next presentation, which is Senate Bill 590 in the

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School Safety Provisions. This one is pretty quick.

One of the things that I do want to point out, while Harold is bringing this up, is that in -Director Hudd had it in his presentation and had to do with the Baker Acts, and one of the things that he mentioned is that the parents are required to be notified before a child is Baker Acted. It was kind of shorthanded in his presentation. What the law actually says is that a parent or guardian or caregiver for the child, there has to be a reasonable effort, a reasonable attempt to notify that person before the kid is transported, not before the kid is Baker Acted. And this is an important distinction.

I try and clarify that every chance that we can, so that people don't have a misunderstanding and manage expectations. The cop, whoever it is, the school personnel that are authorized to Baker Act, they can Baker Act, but you have to make a reasonable effort to notify the parent before the kid is transported. There's a big difference where you have to notify the parent before you can Baker Act and that's not the case. A lot of people are under that impression wrongly, it's a requirement

Page 208 they be notified before the kid be transported. So just so that we're clear with that.

A lot of this in 590, remember, again, what I said before is 590, which was primarily a mental health bill this year in 2021. The House, at the last minute, took some of those provisions out of their bill that were school safety related, put them into this bill so that we got some of those things that had been left over from 2020 as well and incorporated. But a lot of this has to do with mental health.

That section four line, 186, is what I was just talking about, where it amended Florida Statute 1002.20, and requires a reasonable effort to notify the parents before the kid is transported. Another important provision that was included is, that I know is very important to the parents, was the notification of very serious incidents that happen on campus. So section four, line 238, and it ties to section six below, we'll get to that here in a second.

So we're going to talk more about this tomorrow, but we as a Commission made this recommendation. We talked a lot about diversion. We talked a lot about the promise program, we

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Page 209 talked a lot about what happened here in Broward 1 2 County. And just to refresh for you, the Promise 3 Program is a diversion program that is also called 4 an Alternative to External Suspension Program. And 5 remember, at Cross Creek, here in Broward County, 6 is the Promise Program Center, where kids to commit 7 these violations, they go, and some of these kids 8 are referred to Cross Creek for and the Promise 9 Program, some are criminal, some are not criminal. 10 And the district was not operating this as a 11 diversion program.

> So under section 985.12, Florida Statute, about three years ago, every single circuit in the state of Florida, every judicial circuit, all judicial circuits were required to establish adult, and in this case, juvenile prearrest diversion program. Some people call them simple citation programs. Whatever you want to call it, it's a prearrest diversion program. And state attorney led, required to establish criteria and that circuit as to how that program would be run. Hopefully this brings back and refreshes for you all a little bit about what was required to be done. so what does that mean? That means what crimes can kids be diverted for. Is it any

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at the kid for stealing something, they didn't look at it, they didn't know the kid had already been diverted three times in the last month. And vice versa, and importantly, that if a kid committed a battery, the kid committed a theft, the kid committed a vandalism, and now the cop on the street encounters the same kid on a Sunday afternoon and the kid committed another vandalism, the cop on the street doesn't have anything to check in JJIS to know that kid has been diverted because of what that kid did in the school.

So, our position was that the school based programs needed to be consistent with the community based programs under 985.12. The school-based programs needed to follow that criteria. And importantly, the schools needed to enter all of their diversions into JJIS, into prevention webs, so that you go that sharing of information so that what, so that good decisions can be made. So informed decisions could be made, and you don't get kids that are getting multiple bites at the apple because it goes back to silos and the lack of information sharing.

So, in Senate Bill 590, which took effect on July 1, it required that all of the school-based

Page 210 misdemeanor? Is it only a specific set of misdemeanors? How many times can a kid be diverted? And there has to be a program with framework, criteria established by the public defender, the state attorney, law enforcement, all the stakeholders within that circuit and that's the way it operates.

The schools took the position, and a lot of schools took the position they weren't bound by that. They could do whatever they wanted. Broward could have its Promise Program and if a kid committed a battery, committed vandalism, committed a theft, they could do whatever they want. They didn't have to abide by that community-based program. They also took the position that if they diverted a kid, because the kid committed a theft, committed a battery, had drugs, whatever it was, that they didn't have to enter that kid's diversion into the juvenile justice information system into JJIS, into the prevention website, which tracks diversion.

Which meant that if you had a kid who was at the mall the last three weekends in a row and stole something and the kid was diverted three times by the cops on the street, when the school is looking

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1 programs and amended Florida Statute 1007.07, that 2 the criteria for prearrest diversion programs be 3 consistent with 985.12 and that all of the prearrest diversions be entered into JJIS within 4 5 seven days. Well, guess what? And the 6 superintendent will be here tomorrow and I'm sure 7 we'll ask her about it. And remember, she's moved, 8 she's an interim superintendent that just started, 9 but Broward ain't doing it. And they're still 10 taking the position that the Promise Program doesn't fall within this. That it is an 11 12 alternative to external suspension program and that 13 they don't have to do this.

> If a kid commits a battery, if a kid steals something, if a kid commits a vandalism, that's a crime. If the kid is having sanctions applied other than criminal sanctions, in lieu of criminal sanctions, in lieu of arrests, in lieu of a police report, in lieu of anything to do with the juvenile justice system, I don't care how you slice it, dice it, talk about it, twist it, turn it, it's diversion. It is prearrest diversion. It is in lieu of arrest. And the fact that they still take this position, and I can tell you from talking to Secretary Mile, is that Broward has not entered

I'm tired of it.

anything into JJIS, in prevention web since 2019. Now, prior to July 1 of this year, they weren't required to. But since July 1, they're required to operate under this and they're still not operating under it. And I venture to say that there's probably more districts around that are still not complying with this law that took effect on July 1. But probably our most concern to us and certainly first and foremost is what's going on here in Broward and the fact that they are still taking the position that they don't have to comply with this. So we'll talk more about it tomorrow with the superintendent. I hope their position changes. I hope the school board position changes, because doing all these gyrations, and that's really what they are, doing all these gyrations, trying to figure out a way around all this stuff,

MR. SCHACHTER: So you're saying that nothing has changed basically and that you can still have these kids have multiple bites of the apple and these silos of information --

they're spending more time trying to figure out how

not to do it than just comply with the law and do

the right thing. And it's getting old. Frankly,

criteria is here in Broward and really don't care, but it is whatever criteria they've established for prearrest diversion programs here in Broward County. Broward is a little bit unique in that it is its own judicial circuits. You don't have multiple counties. So, it's real easy. You got one county, you got a group of stakeholders, they came together, they formed a prearrest diversion program. That's what the school district -- and I'm talking about crimes. So I'm not talking about classroom disruption, I'm not talking about tardiness, I'm not talking about bullying, I'm not talking about all that stuff. And when you look at the statute, it does prohibit and it should prohibit it entering noncriminal misconduct. And that's one of the things when the former general counsel was at the school board, they got all mixed

SHERIFF GUALTIERI: Whatever the Promise

Program criteria is, they're opine. They're not

entered it into prevention web. And they're not

I don't know what the State Attorney run program

coordinating with the State Attorney's run program.

If you remember, they were entering for a while and then they stopped. Because they were

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up on.

actually entering into JJIS. They were entering noncriminal stuff. How they did that and how they got there on that, I have no idea, but the whole thing got all mixed up, so then they just stopped everything. And now with hits law passing, they were supposed to do, what they should be doing, what every district should do, is get with the stakeholder led criteria, get with the State Attorney, find out what that criteria is in that circuit, implement it in the school and if it says that you can only divert for these crimes, then those are the crimes you divert for. If it says that it's any misdemeanor, then it's any misdemeanor.

Whatever it is, so you have consistency — because consistency — to be consistent, to be fair is to be consistent. You shouldn't have certain criteria on the street in a different criteria in the school. And whatever it is, it all should be entered into one system, which therein exists with JJIS, so that everybody has access to it, so you don't get kids that are on the street, by cops being diverted and they already got four diversions in the school that nobody knows about. Because obviously there should be consequences that are

Page 216 different than diversion if they haven't got the message after three of four times. And vice versa.

And the schools, if the kid has a bunch of diversions in the community-based program, they shouldn't be diverted in the school because the kid isn't getting the message. Diversion is about giving people who makes mistakes opportunities. It's not about allowing people to escape with multiple violations. So this is, again, it's frustrating, so. Anyway.

Yeah, go ahead, Commissioner Dodd?

COMMISSIONER DODD: This is for the school based diversion programs. I mean these community based programs like Teen Core and all these other programs that are already established, I mean it would make sense that why have a school based program if that community based diversion program is already there.

SHERIFF GUALTIERI: Exactly. That's my point.

COMMISSIONER DODD: Yeah, right. And now the
law says it has to be consistent. It has to be run
under the criteria of 985.12. And I wonder how
many of the 67 districts have their own schoolbased --

SHERIFF GUALTIERI: Well, when DJJ, when

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on it.

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Secretary Marstiller was on the other side of the 2 House, over at DJJ, and they did that report, they 3 did a very good job, very thorough, also had to 4 rely on what the districts called their programs.

5 So when you look at that report, some of them, oh, 6 we don't have a diversion program. So they don't

7 label it as a diversion program. I think if you 8 peel back, you're going to find that there's a lot

9 more that are actually prearrest diversion 10 programs, and what they're calling prearrest 11 diversion program.

> So, all that probably needs to get revisited in light of this law passing. And to sum it up, I don't care what label you put on it, it doesn't matter. What it is, did the kid commit a crime? And are you doing something with that kid other than arresting them? If you are, that's diversion. Forget the labels. The labels cause the durations. The labels cause this twisting and turning to see if I can figure out a way not to do -- and with the spirit and intent. There's good reason with this, there's good logic with this. It's the right thing to do. But they don't like it, so they're trying to twist their way out of it and put these labels

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there's a weapons possession whether there's intended harm toward another person, active assailant situations, murders or sex offenses. So that's going to require a mass notification.

So, let's say at X school some kid brings a weapon to the campus and he's intending to harm someone else, what's required by law now is that mass notifications go out to the parents of the kids at that school so they're aware that that happened. So that's what that requires. Is it being done? I don't know. Do they have the process and the infrastructure employees to do it? I don't know.

Again, data on Baker Acts. This one was just a cover, just an oversight. The short version is that if you take a cop, who is an SRO, who works for a sheriff's office or a police department, if they're an SRO and they work for a sheriff's office or a police department, they're required to have CIT Training, Crisis Intervention Team Training. But what was not in law until July 1, if you're a cop who worked for a school board police department, you weren't required to have CIT Training. So we fixed that. That's all that is. Last thing, Harold, is going to be the

Page 218 So, I don't think it matters. What matters is, did the kid commit a crime? And are you giving the kid some break and some alternative, other than a police report, other than a referral to DJJ and some involvement in the juvenile justice system? If you are, great, but document it so that everybody has access to the information and the best decisions could be made moving forward. That's really what it comes down to.

We talked about, Mr. Schachter, your question, about drills, and one of the things that did get modified in 590, though, was allowing the ESE centers, for Exceptional Student Education Centers for modification of drills. That wasn't there before. That was a bid deal because especially the ESE Centers couldn't comply with it once a month. So they did provide some relief for that.

So, notification. The school board, I think somebody asked about this previously, the school board is required now, and how that's going to be done, I think Director Hay talked about some rules to implement 590, and I'm sure this will be part of the FSSAT going forward and some monitoring, but the districts now are required to notify parents when certain things happen on campus, whether

Page 220 1

analysis of our recommendations in the MSD reports. We got a lot, a lot of recommendations. I'm not going to run through these, I'll let you all take a look at this, but I do want to highlight some of them.

So what I did was take both of our reports by the chapters and each report in those individual chapters had recommendations. This isn't the right one. See analysis or recommendations in the MSD/PSC report.

COMMISSIONER PETTY: While they're trying to find that, can I ask a question?

SHERIFF GUALTIERI: Sure. Yeah, go ahead. COMMISSIONER PETTY: It was concerning to me that in the report that we -- presentation we heard earlier, we had a lot of -- seven school districts that were conducting active shooter drills where the kids were not moving. And best practices are to be giving kids option based training. Did we make any recommendations -- I thought that we did make recommendations in the report, in one of these recommendations as far as active shooter drills?

SHERIFF GUALTIERI: Yes. Yeah, we did. So here's the format of this. So it took each chapter -- what you have in your binder is a Word document

Page 222

pending.

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that lays out every recommendation from every chapter. If you look at the Word document, there's a number next to each recommendation. The number in the Word document corresponds to the number that you see here in the left on the PowerPoint. By looking at the PowerPoint, so as an example, I'm just going to use this as an example, is that you want to know what happened to each one of our recommendations. Is it pending, is it complete, is it ongoing, was it not adopted? And so, you can just go one by one. So, as an example, districts implement a tiered approach to campus hardening. So that's the physical sight security, that's

Office of Safe Schools should engage school hardening experts. They did that. And that is the task force and the report, and you got a copy of that. The Office of Safe Schools should provide the districts with a tiered list of best practices with annual review and revisions. That's ongoing. One of the things we made a recommendation on and the legislature did not adopt it, it was just a recommendation and therefore free not to adopt that. The legislature should create a permanent body to oversee physical sight security in schools.

So I use this slide just to give you an idea of how all this is set up. And you can go through each one of our recommendations and see what happened. And you can see the majority of these, the absolute majority are either complete or they're ongoing. And some are pending, majority of

them are ongoing or complete.

I'm going to jump ahead here to slide seven. Let me back up here a second. In number seven, this is one I just wanted to mention to you. It says in here, we made this recommendation, "The legislature should mandate compliance and establish consequences for noncompliance. The only thing so far that is specific in statute, where there is a consequence for noncompliance is SESIR. And what was included in the law was is that it puts the responsibility on the school principle to make sure that there is, I'm sorry, the school superintendent, to make sure that there is proper SESIR reporting. And it provided the Commissioner of Education with authority to direct the school board to withhold the superintendent's salary for improper SESIR reporting.

The rest of it, for consequences, gets very complicated. Some of it can go to the state board,

age 2

some the Commissioner can do. But it really comes down to a very complicated process that has to do with withholding grant funding, withholding funding to the district and there's really not much else that can be done. So as far as consequences are concerned, the only one that is specific is SESIR.

Here's another one in number nine. Some of this -- all law enforcement agencies should bring all SROs under a single closely supervised command. Some agencies just aren't structured that way. But remember, that was an issue here in Broward. Sheriff Tony will be here tomorrow. You can ask him about it. I've talked to him about this and he has restructured, within the Broward Sheriff's Office, and now all the SROs are under a single command. So they did adopt that here in Broward County.

Number 12. All SROs should be issued rifles and ballistic vests. That's not been adopted by all agencies. Some of it is a philosophical difference and some of it is a funding issue. So we made that recommendation, but not all agencies are going to do that.

Number 17. I just want to briefly talk about. So allocation of SRO guardians must provide for

immediate backup. Some campuses have one good person with a gun, some have multiple ones. Again, that's going to vary from district to district as to the resources that they have. You can see that consistent with Director Hay's presentation earlier where some campuses have only guardians, some have guardians and SROs. And those campuses where there's guardians and SROs, they may be school staff, they may be teachers, they might be administrators, they might be coaches, or they might be uniformed dedicated guardians. You're going to see a real variation of it around Florida schools.

I'm going to jump ahead here to number 35.

Law enforcement should be required to have communications inoperability with all law enforcement agencies in their county. In 2019, in addition to 7030, there was some standalone bills. And one of the standalone bills was house bill 441 that required this. So that's been completed. So that recommendation was adopted. There was a specific law that passed and so that's complete.

MR. SCHACHTER: Sheriff, that's nothing to do with the CAD, even though the CADs can't communicate, that's still sufficient --

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Page 225 SHERIFF GUALTIERI: It has to do with actual radio communications and their operability so everybody can talk. It has to do with the radio communications. House Bill 441 addresses everything that is numbers 35 to 38. Go up to 56 and 57. MR. SCHACHTER: Sheriff, number 37, were sure

that that's not being done? I mean, I would think that that's being done.

SHERIFF GUALTIERI: Let me go back. Its pending. Probably someone done it. It's not been done by all of them. Its pending.

MR. SCHACHTER: There's no way for you to know?

SHERIFF GUALTIERI: No. And again, you get a variety of agencies and different sizes, different counties. I'd say that's pending and not complete.

Let's go up to 56. So this is complete. I just went through this. This is complete by statute. So that was completed in 590. So again, from our recommendation, its complete. 57 and up to 57E is the same thing. So all that's complete because the law passed. Now, if it's being followed, that's a different question. As far as our recommendation for the legislature, it was

Page 226 adopted. So I'm saying its complete because

there's a law on it, not because its being done. 59, so Broward County Public Schools should immediately evaluate its threat assessment process to determine if there's a district wide problem. Well they did. And they determined there was a district wide problem and they made changes to the process. Spent a lot of money on a system. But you have a copy of the audit report. We'll talk more about it tomorrow. The superintendent will be here tomorrow, and it shows that during that audit period, that during the period of time with the audit period, it ended last year, but that report was just released in August of this year. It shows that in the 8 threat assessments were done, in the high risk and medium risk category, there were exceptions in 100 percent of them.

So that means 100 percent of high risk and medium risk threat assessments, there problems and things weren't done right. Sixty percent of them didn't have a student monitoring plan. Forty percent of them didn't have signatures of all the required threat assessment team members in those threat assessments. So we can go on and on. I hope you had a chance to read that report. Page 30

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of the report is a real summary. If you didn't have a chance to read it, hopefully you can glance at it tonight. But superintendent will be here tomorrow.

So, they did evaluate it and they did make changes. But the audit report shows that probably not much better than where they were. Number 60, the guiding principal for threat assessment process should be behavior, not a threat. And the most successful process assesses aggregated information. Threat assessments are just an ongoing work across the state.

Number 81. Again, this has to do with the FSSAT. We'll talk more about that. Its ongoing. Now we're going to move into the second report. And in the second report -- so this is -- I don't even know what to say about this. So every district should have a plan set forth in policy that addresses reunifying students and staff with their families in their emergency situation. Each school district should have a plan consistent with the district policy.

We know that the reunification of students with their families on February 14, 2018 was a mess. It was a disaster. We know that. And we

Page 228 had a panel in here with the parents. We had discussion with the district. We had discussion 3 with BSO. And we know that they had no policy. They had no plan. There was nothing that was addressed about reunification at the time of the MSD shooting. We had lengthy presentations, 7 lengthy discussion on it. We made this recommendation. We put into the proposed 9 legislation for 2020 that would require that every single school district in the state of Florida have a reunification policy. Remember, the 2020 bill died on the floor at the weening moments of the

> So, from what I understand, again, this is under the prior superintendent, not under the current superintendent, that the district began working on this reunification policy because it was proposed in the legislation, it was on the floor, it looked like it was moving forward, it looked like the bill was going to pass and that they had been working on a reunification policy. So this would have been in early 2020.

So, in preparation for this meeting, in August, I called the Broward County Public Schools and I asked for a copy of their reunification

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policy. And guess what? They don't have one. And so, when the law didn't pass, they just simply stopped working on it and never put together a reunification policy. And about two weeks ago, a reunification policy was presented to the Broward County School Board, and they passed a reunification policy about two weeks ago.

This is three and a half years after the Stoneman Douglas incident. Its two years after the Commission meeting with all of this flushed out and the recommendation. So again, frustrating. How this district, three and a half years after the shooting, and the botched reunification, and all the discussions we had here. And the only reason they have a reunification policy today is because this Commission was going to meet and I called down and asked for it and they then scrambled to put it together. Saying its unacceptable is an understatement. Its mind boggling.

This is again one of the things I'm going to talk to you about tomorrow is where do we go with all of this and what all of this tells me is there has to be, there has to be ongoing oversight to provide the right amount of accountability. If this Commission didn't exist, if I didn't make this

Page 230 call in August, would they have a reunification policy today? No. It'd be sitting in a drawer some place. And doing business this way is just -- what message does that send to the parents and the kids in the Broward County Schools. Three and a half years later, they still don't have a reunification policy?

Number, let's see, here's another one for you. Number three. I know this is going to shock you all. With the Hollywood tower, it still doesn't exist. They do have a new radio system. So the county administrator will be here tomorrow. Chief Rosa will be here on behalf of the law enforcement component of ORCAT. But there's still no tower in Hollywood.

MR. SCHACHTER: Why?

SHERIFF GUALTIERI: You can ask all them that tomorrow. There's still no tower. So Sheriff Tony will raise this tomorrow, he'll address this. We said in our recommendation BSO and the county should address concerns raised by the employees. Remember in 2016 they brought in Fitch to do a survey. And in that survey -- and the survey we did in 2019, there was a majority of the regional communication employees that believe the 911 center

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was not equipped to handle a mass casualty event. Sheriff Tony is going to address that tomorrow, talk about the improvements in how the 911 center here in Broward is equipped to address and handle mass casualty events. So he's aware of both of those prior surveys and he's going to address that with you tomorrow.

I already talked about this in number eight and nine. It has to do with the drills. I just talked about that in response to Mr. Schachter. Remember we made recommendations about changes. This is where it is. It's in chapter 5, page 83, and that's what I think the legislature will probably kick over to the state board to make those specific recommendations. Number 12, specific recommendations for ESE students for drills. That was adopted in Senate Bill 590. Same thing here with number 18. We say its partially complete. The legislature should mandate that only Florida sheriff's conduct the guardian training. The training may be conducted by the sheriff of the county where the school is located or another Florida sheriff.

Commissioner Dodd, this goes to what you were talking about before. So, something still needs to

Page 232 get worked out. It's partially complete.

Number 27, I talked about this already. It should be our priority for the legislature to criminalize making a threat, verbal threat to commit a mass shooting. And it was proposed in House Bill 311, but again, the legislature is not supportive of this. I don't see that bill passing. It was last year in 311. And again, they're not supportive of it.

So, you can take a look at all this on your own. I'm not going to through anymore, but in every single recommendation, every single chapter is laid out here. It tells you what the status is. If anybody has any thoughts or comments before we adjourn tomorrow or at any time going through it, if you see that something is other than the way that I have it identified, please let me know. But we can use this as a fluid, kind of an ongoing document to assess the recommendations and as things we'll update it.

The last thing that I have for you, Harold, would you put up the last one which is the National Police Foundation PowerPoint.

And I'm not going to go through this. This is just here for you. Back in March of 2018, I put

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Page 233
                                                                                                               Page 234
        this together at the request of some of you, you
                                                                      County League facilities and relevant stakeholders
 2
        wanted to know what the recommendations were in
                                                               2
                                                                      to develop an all hazards emergency response plan
                                                                      that includes NIMS, which is the National Incident
        this National Police Foundation report. So back in
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        2018 in March, Broward County Government retained
                                                                      Management System, et cetera, principles. Has that
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        the National Police Foundation, which is a think-
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                                                                      been done? I have no idea. And you can go on with
        tank, out of Washington D.C. to conduct an
                                                                      all of these recommendations that are in here.
                                                               6
        investigation into the Stoneman Douglas incident.
                                                                      2.2.1 Broward County, the City of Parkland and all
        And they did their investigation, and they issued a
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                                                                      municipalities should regularly review their CEMPs
        report. All the background, their methodology,
                                                                      to expand beyond national disasters, to include
                                                               9
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        everything is laid out here. I'm not going to go
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                                                                      current and emerging threats.
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        through it. You can read it on your own.
                                                              11
                                                                           So again, all of this lays it out. I provided
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             I'm just going to give you one example of it.
                                                                      a copy of this to County Administrator Bertha
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        They came up with recommendations. And the
                                                              13
                                                                      Henry. A copy of it to the interim superintendent.
                                                                      And a copy of this to Sheriff Tony. And I'm just
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        questions that I was getting was what happened to
                                                              14
        the National Police Foundation investigation, what
                                                                      going to tell you, that if you have questions about
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                                                              15
        happened to the National Police Foundation report,
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                                                              16
                                                                      it, those are the people you need to direct your
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        and what happened to their recommendations and were
                                                              17
                                                                      questions to. I don't know. This isn't in our
        their recommendations acted on. The answer is, I
                                                              18
                                                                      report. We didn't have anything to do with it. I
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        don't know. It wasn't ours. It was convened by
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                                                                      had questions from you all about it, so I've
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        Broward County. And so an example of that would be
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                                                                      included it in here with recommendations. I'm just
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       here on slide 10. So I took all the
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                                                                      going to leave it at that. If you want to ask
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        recommendations that are in the National Police
                                                                      about it, they have copies of it. I told them that
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        Foundation report, put it into this PowerPoint that
                                                              23
                                                                      they may get questions about it, so they're aware
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                                                              2.4
                                                                      of it.
        you have.
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             So, Broward County, should work with Broward
                                                              25
                                                                           All right, so that's a lot. I don't have
                                                                                                               Page 236
                                                 Page 235
                                                                                  CERTIFICATE OF REPORTER
 1
        anything else for today. Does anybody have
                                                               1
        anything you want to bring up, any comments,
        thoughts or questions?
                                                               3 THE STATE OF FLORIDA:
                                                               4 COUNTY OF BROWARD:
             Commissioner Petty?
             COMMISSIONER PETTY: I know, Mr. Chair, I was
        the one asking about sort of the lay of the lands,
                                                                          I, JOHNNY CALDERA, a Court Reporter
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 7
        so the recommendations we made, where we were at.
                                                               7 in and for the State of Florida at Large, do hereby
        So, I just wanted to thank you for walking us
                                                               8 certify that I was authorized to and did report the
 9
        through that, for the staff for putting this
                                                               9 proceedings in the above-styled cause, at the time and
        together. I'm assuming --
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                                                              10 place set forth; that the foregoing pages, numbered from
11
             SHERIFF GUALTIERI: Well, I did. They didn't.
                                                              11 1 through 220, inclusive, constitute a true and complete
12
             COMMISSIONER PETTY: Thank you for doing that.
                                                              12 record of my notes.
13
             SHERIFF GUALTIERI: No problem. It needed to
                                                                          I further certify that I am not an attorney or
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        be done. Hopefully it helps. Hopefully it's what
                                                              14 counsel of any of the parties, nor related to any of the
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        you're looking for. And hopefully it gives a
                                                              15 parties, nor financially interested in the action.
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        picture of where we've been and where we are.
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             COMMISSIONER PETTY: This Commission has done
                                                                            Dated this 16th day of October 2019.
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        a lot of work, and I think sometimes it's helpful
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                                                                                     Johnny Caldera
        just to step back and look through what we've
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        accomplished.
                                                              20
                                                                                     Johnny Caldera, Court Reporter
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             SHERIFF GUALTIERI: Yup.
                                                              21
                                                                                     Notary Public, State of Florida
                                                                                     Commission No.: GG 148028
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                                                              2.2
             Anybody have anything else?
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             So, we'll see you at 8:30 tomorrow morning.
                                                              23
                                                                                     Commission Expiration: October 3, 2021
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      (Thereupon, the meeting was adjourned at 6:07 p.m.)
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