

By Senator Book

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1                                   A bill to be entitled  
2       An act relating to K-12 student safety; amending s.  
3       413.208, F.S.; exempting certain school district  
4       employees from level 2 background screenings under  
5       specified circumstances; amending s. 1006.07, F.S.;  
6       revising district school board duties to include  
7       security risk assessments; requiring certain self-  
8       assessments to be in a specified format; amending s.  
9       1011.62, F.S.; prohibiting certain teachers from  
10      receiving bonuses related to specified FTE student  
11      membership calculations; authorizing the State Board  
12      of Education to adopt rules for rescinding certain  
13      certifications or grades; amending s. 1012.315, F.S.;  
14      providing that certain persons are ineligible for  
15      employment in a school district under specified  
16      circumstances; amending s. 1012.36, F.S.; providing  
17      that certain persons are not exempt from specified  
18      certification requirements; amending s. 1012.56, F.S.;  
19      requiring certified educators to inform their  
20      employers within a specified time period after being  
21      arrested for, rather than convicted of, certain  
22      offenses; authorizing the Department of Education to  
23      deny applicants for certification if the applicant  
24      could be disciplined by the Education Practices  
25      Commission; authorizing the commission to impose  
26      specified penalties on such applicants under certain  
27      circumstances; amending s. 1012.57, F.S.; providing  
28      that an adjunct teaching certificate does not fulfill  
29      specified certification requirements; amending s.

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30 1012.795, F.S.; authorizing the commission to take  
31 certain actions against persons who meet specified  
32 criteria; amending s. 1012.796, F.S.; requiring  
33 certified educators who are placed on probation to  
34 immediately notify a specified office upon separation  
35 from, rather than termination of, employment;  
36 providing an effective date.

37  
38 Be It Enacted by the Legislature of the State of Florida:

39  
40 Section 1. Paragraph (b) of subsection (2) of section  
41 413.208, Florida Statutes, is amended to read:

42 413.208 Service providers; quality assurance; fitness for  
43 responsibilities; background screening.—

44 (2)

45 (b) Level 2 background screening pursuant to chapter 435 is  
46 not required for the following persons:

47 1. A licensed physician, nurse, or other professional who  
48 is licensed by the Department of Health and who has undergone  
49 fingerprinting and background screening as part of such  
50 licensure if providing a service that is within the scope of her  
51 or his licensed practice.

52 2. A relative of the vulnerable person receiving services.  
53 For purposes of this section, the term "relative" means an  
54 individual who is the father, mother, stepfather, stepmother,  
55 son, daughter, brother, sister, grandmother, grandfather, great-  
56 grandmother, great-grandfather, grandson, granddaughter, uncle,  
57 aunt, first cousin, nephew, niece, husband, wife, father-in-law,  
58 mother-in-law, son-in-law, daughter-in-law, brother-in-law,

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59 sister-in-law, stepson, stepdaughter, stepbrother, stepsister,  
60 half-brother, or half-sister of the vulnerable person.

61 3. An individual who provides proof of a current valid  
62 background screening conducted pursuant to chapter 1012, if the  
63 school district that required the background screening is the  
64 service provider and the individual is working for the school  
65 district in its capacity as a service provider.

66 Section 2. Subsection (6) of section 1006.07, Florida  
67 Statutes, is amended to read:

68 1006.07 District school board duties relating to student  
69 discipline and school safety.—The district school board shall  
70 provide for the proper accounting for all students, for the  
71 attendance and control of students at school, and for proper  
72 attention to health, safety, and other matters relating to the  
73 welfare of students, including:

74 (6) SAFETY AND SECURITY BEST PRACTICES.—Each school  
75 district shall Use the Safety and Security Best Practices  
76 developed by the Office of Program Policy Analysis and  
77 Government Accountability to conduct a security risk assessment  
78 at each public school and conduct a self-assessment of the  
79 school districts' current safety and security practices using a  
80 format prescribed by the department. Based on these assessment  
81 self-assessment findings, the district school superintendent  
82 shall provide recommendations to the district school board which  
83 identify strategies and activities that the district school  
84 board should implement in order to improve school safety and  
85 security. Annually, each district school board must receive such  
86 findings and the superintendent's recommendations ~~the self-~~  
87 ~~assessment results~~ at a publicly noticed district school board

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88 meeting to provide the public an opportunity to hear the  
89 district school board members discuss and take action on the  
90 ~~report~~ findings and recommendations. Each district school  
91 superintendent shall report such findings ~~the self-assessment~~  
92 ~~results~~ and school board action to the commissioner within 30  
93 days after the district school board meeting.

94 Section 3. Paragraphs (o) and (t) of subsection (1) of  
95 section 1011.62, Florida Statutes, are amended to read:

96 1011.62 Funds for operation of schools.—If the annual  
97 allocation from the Florida Education Finance Program to each  
98 district for operation of schools is not determined in the  
99 annual appropriations act or the substantive bill implementing  
100 the annual appropriations act, it shall be determined as  
101 follows:

102 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR  
103 OPERATION.—The following procedure shall be followed in  
104 determining the annual allocation to each district for  
105 operation:

106 (o) *Calculation of additional full-time equivalent*  
107 *membership based on successful completion of a career-themed*  
108 *course pursuant to ss. 1003.491, 1003.492, and 1003.493, or*  
109 *courses with embedded CAPE industry certifications or CAPE*  
110 *Digital Tool certificates, and issuance of industry*  
111 *certification identified on the CAPE Industry Certification*  
112 *Funding List pursuant to rules adopted by the State Board of*  
113 *Education or CAPE Digital Tool certificates pursuant to s.*  
114 *1003.4203.—*

115 1.a. A value of 0.025 full-time equivalent student  
116 membership shall be calculated for CAPE Digital Tool

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117 certificates earned by students in elementary and middle school  
118 grades.

119       b. A value of 0.1 or 0.2 full-time equivalent student  
120 membership shall be calculated for each student who completes a  
121 course as defined in s. 1003.493(1)(b) or courses with embedded  
122 CAPE industry certifications and who is issued an industry  
123 certification identified annually on the CAPE Industry  
124 Certification Funding List approved under rules adopted by the  
125 State Board of Education. A value of 0.2 full-time equivalent  
126 membership shall be calculated for each student who is issued a  
127 CAPE industry certification that has a statewide articulation  
128 agreement for college credit approved by the State Board of  
129 Education. For CAPE industry certifications that do not  
130 articulate for college credit, the Department of Education shall  
131 assign a full-time equivalent value of 0.1 for each  
132 certification. Middle grades students who earn additional FTE  
133 membership for a CAPE Digital Tool certificate pursuant to sub-  
134 subparagraph a. may not use the previously funded examination to  
135 satisfy the requirements for earning an industry certification  
136 under this sub-subparagraph. Additional FTE membership for an  
137 elementary or middle grades student may not exceed 0.1 for  
138 certificates or certifications earned within the same fiscal  
139 year. The State Board of Education shall include the assigned  
140 values on the CAPE Industry Certification Funding List under  
141 rules adopted by the state board. Such value shall be added to  
142 the total full-time equivalent student membership for grades 6  
143 through 12 in the subsequent year. CAPE industry certifications  
144 earned through dual enrollment must be reported and funded  
145 pursuant to s. 1011.80. However, if a student earns a

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146 certification through a dual enrollment course and the  
147 certification is not a fundable certification on the  
148 postsecondary certification funding list, or the dual enrollment  
149 certification is earned as a result of an agreement between a  
150 school district and a nonpublic postsecondary institution, the  
151 bonus value shall be funded in the same manner as other nondual  
152 enrollment course industry certifications. In such cases, the  
153 school district may provide for an agreement between the high  
154 school and the technical center, or the school district and the  
155 postsecondary institution may enter into an agreement for  
156 equitable distribution of the bonus funds.

157 c. A value of 0.3 full-time equivalent student membership  
158 shall be calculated for student completion of the courses and  
159 the embedded certifications identified on the CAPE Industry  
160 Certification Funding List and approved by the commissioner  
161 pursuant to ss. 1003.4203(5) (a) and 1008.44.

162 d. A value of 0.5 full-time equivalent student membership  
163 shall be calculated for CAPE Acceleration Industry  
164 Certifications that articulate for 15 to 29 college credit  
165 hours, and 1.0 full-time equivalent student membership shall be  
166 calculated for CAPE Acceleration Industry Certifications that  
167 articulate for 30 or more college credit hours pursuant to CAPE  
168 Acceleration Industry Certifications approved by the  
169 commissioner pursuant to ss. 1003.4203(5) (b) and 1008.44.

170 2. Each district must allocate at least 80 percent of the  
171 funds provided for CAPE industry certification, in accordance  
172 with this paragraph, to the program that generated the funds.  
173 This allocation may not be used to supplant funds provided for  
174 basic operation of the program.

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175           3. For CAPE industry certifications earned in the 2013-2014  
176 school year and in subsequent years, the school district shall  
177 distribute to each classroom teacher who provided direct  
178 instruction toward the attainment of a CAPE industry  
179 certification that qualified for additional full-time equivalent  
180 membership under subparagraph 1.:

181           a. A bonus of \$25 for each student taught by a teacher who  
182 provided instruction in a course that led to the attainment of a  
183 CAPE industry certification on the CAPE Industry Certification  
184 Funding List with a weight of 0.1.

185           b. A bonus of \$50 for each student taught by a teacher who  
186 provided instruction in a course that led to the attainment of a  
187 CAPE industry certification on the CAPE Industry Certification  
188 Funding List with a weight of 0.2.

189           c. A bonus of \$75 for each student taught by a teacher who  
190 provided instruction in a course that led to the attainment of a  
191 CAPE industry certification on the CAPE Industry Certification  
192 Funding List with a weight of 0.3.

193           d. A bonus of \$100 for each student taught by a teacher who  
194 provided instruction in a course that led to the attainment of a  
195 CAPE industry certification on the CAPE Industry Certification  
196 Funding List with a weight of 0.5 or 1.0.

197  
198 Bonuses awarded pursuant to this paragraph shall be provided to  
199 teachers who are employed by the district in the year in which  
200 the additional FTE membership calculation is included in the  
201 calculation. Bonuses shall be calculated based upon the  
202 associated weight of a CAPE industry certification on the CAPE  
203 Industry Certification Funding List for the year in which the

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204 certification is earned by the student. Any bonus awarded to a  
205 teacher pursuant to ~~under~~ this paragraph is in addition to any  
206 regular wage or other bonus the teacher received or is scheduled  
207 to receive. A bonus may not be awarded to a teacher who fails to  
208 maintain the security of any CAPE industry certification  
209 examination or who otherwise violates the security or  
210 administration protocol of any assessment instrument that may  
211 result in a bonus being awarded to the teacher under this  
212 paragraph.

213 (t) *Computation for funding through the Florida Education*  
214 *Finance Program.*—The State Board of Education may adopt rules  
215 establishing programs, industry certifications, and courses for  
216 which the student may earn credit toward high school graduation  
217 and the criteria under which a student's industry certification  
218 or grade may be rescinded.

219 Section 4. Section 1012.315, Florida Statutes, is amended  
220 to read:

221 1012.315 Disqualification from employment.—A person is  
222 ineligible for educator certification or, ~~and instructional~~  
223 ~~personnel and school administrators, as defined in s. 1012.01,~~  
224 ~~are ineligible for~~ employment in any position that requires  
225 direct contact with students in a district school system,  
226 charter school, or private school that accepts scholarship  
227 students under s. 1002.39 or s. 1002.395~~7~~ if the person~~7~~  
228 ~~instructional personnel, or school administrator~~ has been  
229 convicted of:

230 (1) Any felony offense prohibited under any of the  
231 following statutes:

232 (a) Section 393.135, relating to sexual misconduct with



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233 certain developmentally disabled clients and reporting of such  
234 sexual misconduct.

235 (b) Section 394.4593, relating to sexual misconduct with  
236 certain mental health patients and reporting of such sexual  
237 misconduct.

238 (c) Section 415.111, relating to adult abuse, neglect, or  
239 exploitation of aged persons or disabled adults.

240 (d) Section 782.04, relating to murder.

241 (e) Section 782.07, relating to manslaughter, aggravated  
242 manslaughter of an elderly person or disabled adult, aggravated  
243 manslaughter of a child, or aggravated manslaughter of an  
244 officer, a firefighter, an emergency medical technician, or a  
245 paramedic.

246 (f) Section 784.021, relating to aggravated assault.

247 (g) Section 784.045, relating to aggravated battery.

248 (h) Section 784.075, relating to battery on a detention or  
249 commitment facility staff member or a juvenile probation  
250 officer.

251 (i) Section 787.01, relating to kidnapping.

252 (j) Section 787.02, relating to false imprisonment.

253 (k) Section 787.025, relating to luring or enticing a  
254 child.

255 (l) Section 787.04(2), relating to leading, taking,  
256 enticing, or removing a minor beyond the state limits, or  
257 concealing the location of a minor, with criminal intent pending  
258 custody proceedings.

259 (m) Section 787.04(3), relating to leading, taking,  
260 enticing, or removing a minor beyond the state limits, or  
261 concealing the location of a minor, with criminal intent pending

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262 dependency proceedings or proceedings concerning alleged abuse  
263 or neglect of a minor.

264 (n) Section 790.115(1), relating to exhibiting firearms or  
265 weapons at a school-sponsored event, on school property, or  
266 within 1,000 feet of a school.

267 (o) Section 790.115(2)(b), relating to possessing an  
268 electric weapon or device, destructive device, or other weapon  
269 at a school-sponsored event or on school property.

270 (p) Section 794.011, relating to sexual battery.

271 (q) Former s. 794.041, relating to sexual activity with or  
272 solicitation of a child by a person in familial or custodial  
273 authority.

274 (r) Section 794.05, relating to unlawful sexual activity  
275 with certain minors.

276 (s) Section 794.08, relating to female genital mutilation.

277 (t) Chapter 796, relating to prostitution.

278 (u) Chapter 800, relating to lewdness and indecent  
279 exposure.

280 (v) Section 806.01, relating to arson.

281 (w) Section 810.14, relating to voyeurism.

282 (x) Section 810.145, relating to video voyeurism.

283 (y) Section 812.014(6), relating to coordinating the  
284 commission of theft in excess of \$3,000.

285 (z) Section 812.0145, relating to theft from persons 65  
286 years of age or older.

287 (aa) Section 812.019, relating to dealing in stolen  
288 property.

289 (bb) Section 812.13, relating to robbery.

290 (cc) Section 812.131, relating to robbery by sudden

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291 snatching.

292 (dd) Section 812.133, relating to carjacking.

293 (ee) Section 812.135, relating to home-invasion robbery.

294 (ff) Section 817.563, relating to fraudulent sale of  
295 controlled substances.

296 (gg) Section 825.102, relating to abuse, aggravated abuse,  
297 or neglect of an elderly person or disabled adult.

298 (hh) Section 825.103, relating to exploitation of an  
299 elderly person or disabled adult.

300 (ii) Section 825.1025, relating to lewd or lascivious  
301 offenses committed upon or in the presence of an elderly person  
302 or disabled person.

303 (jj) Section 826.04, relating to incest.

304 (kk) Section 827.03, relating to child abuse, aggravated  
305 child abuse, or neglect of a child.

306 (ll) Section 827.04, relating to contributing to the  
307 delinquency or dependency of a child.

308 (mm) Section 827.071, relating to sexual performance by a  
309 child.

310 (nn) Section 843.01, relating to resisting arrest with  
311 violence.

312 (oo) Chapter 847, relating to obscenity.

313 (pp) Section 874.05, relating to causing, encouraging,  
314 soliciting, or recruiting another to join a criminal street  
315 gang.

316 (qq) Chapter 893, relating to drug abuse prevention and  
317 control, if the offense was a felony of the second degree or  
318 greater severity.

319 (rr) Section 916.1075, relating to sexual misconduct with

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320 certain forensic clients and reporting of such sexual  
321 misconduct.

322 (ss) Section 944.47, relating to introduction, removal, or  
323 possession of contraband at a correctional facility.

324 (tt) Section 985.701, relating to sexual misconduct in  
325 juvenile justice programs.

326 (uu) Section 985.711, relating to introduction, removal, or  
327 possession of contraband at a juvenile detention facility or  
328 commitment program.

329 (2) Any misdemeanor offense prohibited under any of the  
330 following statutes:

331 (a) Section 784.03, relating to battery, if the victim of  
332 the offense was a minor.

333 (b) Section 787.025, relating to luring or enticing a  
334 child.

335 (3) Any criminal act committed in another state or under  
336 federal law which, if committed in this state, constitutes an  
337 offense prohibited under any statute listed in subsection (1) or  
338 subsection (2).

339 (4) Any delinquent act committed in this state or any  
340 delinquent or criminal act committed in another state or under  
341 federal law which, if committed in this state, qualifies an  
342 individual for inclusion on the Registered Juvenile Sex Offender  
343 List under s. 943.0435(1)(h)1.d.

344 Section 5. Subsection (3) is added to section 1012.36,  
345 Florida Statutes, to read:

346 1012.36 Part-time teachers.—

347 (3) Persons employed under the provisions of this section  
348 are not exempt from the requirements of s. 1012.55(2)(a).

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349 Section 6. Paragraph (b) of subsection (10) and subsection  
350 (12) of section 1012.56, Florida Statutes, are amended to read:  
351 1012.56 Educator certification requirements.—

352 (10) BACKGROUND SCREENING REQUIRED, INITIALLY AND  
353 PERIODICALLY.—

354 (b) A person may not receive a certificate under this  
355 chapter until the person's screening under s. 1012.32 is  
356 completed and the results have been submitted to the Department  
357 of Education or to the district school superintendent of the  
358 school district that employs the person. Every 5 years after  
359 obtaining initial certification, each person who is required to  
360 be certified under this chapter must be rescreened in accordance  
361 with s. 1012.32, at which time the school district shall request  
362 the Department of Law Enforcement to forward the fingerprints to  
363 the Federal Bureau of Investigation for federal criminal records  
364 checks. If, for any reason after obtaining initial  
365 certification, the fingerprints of a person who is required to  
366 be certified under this chapter are not retained by the  
367 Department of Law Enforcement under s. 1012.32(3)(a) and (b),  
368 the person must file a complete set of fingerprints with the  
369 district school superintendent of the employing school district.  
370 Upon submission of fingerprints for this purpose, the school  
371 district shall request the Department of Law Enforcement to  
372 forward the fingerprints to the Federal Bureau of Investigation  
373 for federal criminal records checks, and the fingerprints shall  
374 be retained by the Department of Law Enforcement under s.  
375 1012.32(3)(a) and (b). The cost of the state and federal  
376 criminal history checks required by paragraph (a) and this  
377 paragraph may be borne by the district school board or the

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378 employee. Under penalty of perjury, each person who is certified  
379 under this chapter must agree to inform his or her employer  
380 within 48 hours if arrested for ~~convicted of~~ any disqualifying  
381 offense while he or she is employed in a position for which such  
382 certification is required.

383 (12) DENIAL OF CERTIFICATE.—

384 (a) The Department of Education may deny an applicant a  
385 certificate if the department possesses evidence satisfactory to  
386 it that the applicant has committed an act or acts, or that a  
387 situation exists, for which the Education Practices Commission  
388 would be authorized to discipline a certified educator ~~revoke a~~  
389 ~~teaching certificate.~~

390 (b) The decision of the department is subject to review by  
391 the Education Practices Commission upon the filing of a written  
392 request from the applicant within 20 days after receipt of the  
393 notice of denial. Upon review, the commission may impose one or  
394 more of the following penalties pursuant to s. 1012.796(7):

395 1. Denial of an application.

396 2. Bar from reapplication.

397 3. Probation for a period of time.

398 4. Restriction of the scope of practice.

399 5. Issuance of a letter of reprimand.

400 6. Referral of the teacher, administrator, or supervisor to  
401 the recovery network program provided in s. 1012.798 under such  
402 terms and conditions as the commission may specify.

403 7. An administrative fine not to exceed \$2,000 for each  
404 count or separate offense.

405 Section 7. Subsection (1) of section 1012.57, Florida  
406 Statutes, is amended to read:

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407 1012.57 Certification of adjunct educators.—

408 (1) Notwithstanding ~~the provisions of~~ ss. 1012.32, 1012.55,  
409 and 1012.56~~7~~, or any other provision of law or rule to the  
410 contrary, district school boards shall adopt rules to allow for  
411 the issuance of an adjunct teaching certificate to any applicant  
412 who fulfills the requirements of s. 1012.56(2)(a)-(f) and (10)  
413 and who has expertise in the subject area to be taught. An  
414 applicant shall be considered to have expertise in the subject  
415 area to be taught if the applicant demonstrates sufficient  
416 subject area mastery through passage of a subject area test. The  
417 adjunct teaching certificate shall be used for part-time  
418 teaching positions. The adjunct teaching certificate may not be  
419 used to fulfill the requirements of s. 1012.55(2)(a).

420 Section 8. Subsections (1) and (5) of section 1012.795,  
421 Florida Statutes, are amended to read:

422 1012.795 Education Practices Commission; authority to  
423 discipline.—

424 (1) The Education Practices Commission may deny an  
425 application for certification; may suspend the educator  
426 certificates certificate of any instructional personnel or  
427 school administrators, person as defined in s. 1012.01(2) or  
428 (3), for up to 5 years, thereby denying that person the right to  
429 teach or otherwise be employed by a district school board or  
430 public school in any capacity requiring direct contact with  
431 students for that period of time, after which the person holder  
432 may return to teaching as provided in subsection (4); may revoke  
433 the educator certificate of any person, thereby denying that  
434 person the right to teach or otherwise be employed by a district  
435 school board or public school in any capacity requiring direct

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436 contact with students for up to 10 years, with reinstatement  
437 subject to ~~the provisions of~~ subsection (4); may permanently  
438 revoke ~~permanently~~ the educator certificate of any person,  
439 thereby denying that person the right to teach or otherwise be  
440 employed by a district school board or public school in any  
441 capacity requiring direct contact with students; may suspend a  
442 person's ~~the~~ educator certificate, upon an order of the court or  
443 notice by the Department of Revenue relating to the payment of  
444 child support; or may impose any other penalty provided by law,  
445 if the person:

446 (a) Obtained or attempted to obtain an educator certificate  
447 by fraudulent means.

448 (b) Knowingly failed to report actual or suspected child  
449 abuse as required in s. 1006.061 or report alleged misconduct by  
450 instructional personnel or school administrators which affects  
451 the health, safety, or welfare of a student as required in s.  
452 1012.796.

453 (c) Has proved to be incompetent to teach or to perform  
454 duties as an employee of the public school system or to teach in  
455 or to operate a private school.

456 (d) Has been guilty of gross immorality or an act involving  
457 moral turpitude as defined by rule of the State Board of  
458 Education.

459 (e) Has had an educator certificate or other professional  
460 license sanctioned by this or any other ~~revocation, suspension,~~  
461 ~~or surrender in another state~~ or has had the authority to  
462 practice the regulated profession revoked, suspended, or  
463 otherwise acted against, including a denial of certification or  
464 licensure, by the licensing or certifying authority of any



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465 jurisdiction, including its agencies and subdivisions. The  
466 licensing or certifying authority's acceptance of a  
467 relinquishment, stipulation, consent order, or other settlement  
468 offered in response to or in anticipation of the filing of  
469 charges against the licensee or certificateholder shall be  
470 construed as action against the license or certificate.

471 (f) Regardless of adjudication, has been convicted or found  
472 guilty of, or entered a plea of guilty or nolo contendere to,  
473 ~~regardless of adjudication of guilt,~~ a misdemeanor, a felony, or  
474 any other criminal charge, other than a minor traffic violation.

475 (g) Upon investigation, has been found guilty of personal  
476 conduct that seriously reduces that person's effectiveness as an  
477 employee of the district school board.

478 (h) Has breached a contract, as provided in s. 1012.33(2)  
479 or s. 1012.335.

480 (i) Has been the subject of a court order or notice by the  
481 Department of Revenue pursuant to s. 409.2598 directing the  
482 Education Practices Commission to suspend the certificate as a  
483 result of noncompliance with a child support order, a subpoena,  
484 an order to show cause, or a written agreement with the  
485 Department of Revenue.

486 (j) Has violated the Principles of Professional Conduct for  
487 the Education Profession prescribed by State Board of Education  
488 rules.

489 (k) Has otherwise violated the provisions of law, the  
490 penalty for which is the revocation of the educator certificate.

491 (l) Has violated any order of the Education Practices  
492 Commission.

493 (m) Has been the subject of a court order or plea agreement

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494 in any jurisdiction which requires the certificateholder to  
495 surrender or otherwise relinquish his or her educator's  
496 certificate. A surrender or relinquishment shall be for  
497 permanent revocation of the certificate. A person may not  
498 surrender or otherwise relinquish his or her certificate prior  
499 to a finding of probable cause by the commissioner as provided  
500 in s. 1012.796.

501 (n) Has been disqualified from educator certification under  
502 s. 1012.315.

503 (o) Has committed a third recruiting offense as determined  
504 by the Florida High School Athletic Association (FHSAA) pursuant  
505 to s. 1006.20(2)(b).

506 (p) Has violated test security rules as provided in s.  
507 1008.24.

508 (5) Each district school superintendent and the governing  
509 authority of each university lab school, state-supported school,  
510 private school, and the FHSAA shall report to the department the  
511 name of any person certified pursuant to this chapter ~~or~~  
512 ~~employed and qualified pursuant to s. 1012.39:~~

513 (a) Who has been convicted or found guilty of, who has had  
514 adjudication withheld, or who has pled guilty or nolo contendere  
515 to, a misdemeanor, a felony, or any other criminal charge, other  
516 than a minor traffic infraction;

517 (b) Who that official has reason to believe has committed  
518 or is found to have committed any act which would be a ground  
519 for revocation or suspension under subsection (1); or

520 (c) Who has been dismissed or severed from employment  
521 because of conduct involving any immoral, unnatural, or  
522 lascivious act.

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523 Section 9. Paragraphs (a) and (d) of subsection (7) of  
524 section 1012.796, Florida Statutes, are amended to read:

525 1012.796 Complaints against teachers and administrators;  
526 procedure; penalties.—

527 (7) A panel of the commission shall enter a final order  
528 either dismissing the complaint or imposing one or more of the  
529 following penalties:

530 (a) Denial of an application for a ~~teaching~~ certificate or  
531 for an administrative or supervisory endorsement on a teaching  
532 certificate. The denial may provide that the applicant may not  
533 reapply for certification, and that the department may refuse to  
534 consider that applicant's application, for a specified period of  
535 time or permanently.

536 (d) Placement of the teacher, administrator, or supervisor  
537 on probation for a period of time and subject to such conditions  
538 as the commission may specify, including requiring the certified  
539 teacher, administrator, or supervisor to complete additional  
540 appropriate college courses or work with another certified  
541 educator, with the administrative costs of monitoring the  
542 probation assessed to the educator placed on probation. An  
543 educator who has been placed on probation shall, at a minimum:

544 1. Immediately notify the investigative office in the  
545 Department of Education upon employment or separation from  
546 ~~termination of employment in the state~~ in any public or private  
547 position requiring a Florida educator's certificate.

548 2. Have his or her immediate supervisor submit annual  
549 performance reports to the investigative office in the  
550 Department of Education.

551 3. Pay to the commission within the first 6 months of each

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552 probation year the administrative costs of monitoring probation  
553 assessed to the educator.

554 4. Violate no law and fully comply with all district school  
555 board policies, school rules, and State Board of Education  
556 rules.

557 5. Satisfactorily perform his or her assigned duties in a  
558 competent, professional manner.

559 6. Bear all costs of complying with the terms of a final  
560 order entered by the commission.

561

562 The penalties imposed under this subsection are in addition to,  
563 and not in lieu of, the penalties required for a third  
564 recruiting offense pursuant to s. 1006.20(2)(b).

565 Section 10. This act shall take effect July 1, 2018.