

1 A bill to be entitled
 2 An act relating to teacher protection; providing a
 3 short title; creating s. 16.0152, F.S.; authorizing
 4 certain teachers who are made a party to a civil suit
 5 to request representation by the Attorney General;
 6 requiring the Attorney General to defend the teacher
 7 if the teacher has not been subjected to disciplinary
 8 proceedings for the same act by the employing school
 9 district or the Education Practices Commission;
 10 requiring annual notice to teachers of their options
 11 under this provision; providing that certain
 12 determinations by the Attorney General are not
 13 admissible in evidence; providing construction;
 14 amending s. 447.203, F.S.; excluding certain
 15 professional teacher associations from the definition
 16 of "employee organization" for purposes of provisions
 17 relating to public employee organizations unless such
 18 associations apply for registration under specified
 19 provisions; providing an effective date.

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 21 Be It Enacted by the Legislature of the State of Florida:

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 23 Section 1. This act may be cited as the "Teacher
 24 Protection Act."

25 Section 2. Section 16.0152, Florida Statutes, is created
 26 to read:

27 16.0152 Suits against K-12 classroom teachers; defense by
 28 Attorney General.-

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29 (1) A K-12 classroom teacher as defined in s.
30 1012.01(2)(a), other than a substitute teacher, who is made a
31 party to a civil suit for enforcing discipline policies
32 developed under s. 1003.32 may request legal representation by
33 the Attorney General. Such request must be in writing and
34 submitted to the Attorney General as soon as possible, but no
35 later than 14 days after the teacher receives the complaint.

36 (2) The Attorney General shall defend the teacher
37 throughout the civil action if the teacher has not been
38 subjected to disciplinary proceedings for the same act by the
39 employing school district or the Education Practices Commission.

40 (3) No later than August 15 of each year, the Attorney
41 General shall draft and the Commissioner of Education shall
42 disseminate a notice to each K-12 classroom teacher concerning
43 the teacher's options under this section.

44 (4) A determination made by the Attorney General not to
45 represent a teacher under this section is not admissible as
46 evidence in the trial of any such civil action.

47 (5) This section does not deprive any person of the
48 person's right to select counsel of the person's own choice at
49 the person's own expense.

50 Section 3. Subsection (11) of section 447.203, Florida
51 Statutes, is amended to read:

52 447.203 Definitions.—As used in this part:

53 (11) "Employee organization" or "organization" means any
54 labor organization, union, association, fraternal order,
55 occupational or professional society, or group, however
56 organized or constituted, that ~~which~~ represents, or seeks to

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57 | represent, any public employee or group of public employees
58 | concerning any matters relating to their employment relationship
59 | with a public employer, except that a "professional teacher
60 | association" as defined in s. 1001.03(4) shall not be included
61 | in this definition until it applies for registration pursuant to
62 | s. 447.305.

63 | Section 4. This act shall take effect July 1, 2012.