

By the Committee on Education; and Senator Farmer

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1 A bill to be entitled
2 An act relating to charter schools; creating s.
3 1001.241, F.S.; requiring the Department of Education
4 to approve credentialing entities for a specified
5 purpose; requiring credentialing entities to
6 establish, develop, and administer specified
7 requirements and processes; requiring credentialing
8 entities to establish a certification program;
9 providing requirements for the certification program;
10 requiring credentialing entities to establish certain
11 fees; providing requirements for such fees; providing
12 that applicants who submit applications to a
13 credentialing entity are subject to a certain
14 background screening; providing for the ineligibility
15 of certain applicants; requiring the Department of Law
16 Enforcement to notify the credentialing entity of an
17 applicant's background screening results; requiring
18 credentialing entities to issue certificates of
19 compliance upon approval of a person's application;
20 providing for termination of the certification after a
21 specified time period if the certification is not
22 renewed; authorizing credentialing entities to suspend
23 or revoke a certificate of compliance under specified
24 conditions; requiring charter schools to remove a
25 charter school principal, charter school governing
26 board member, or charter school chief financial
27 officer from his or her position, as applicable, under
28 specified conditions; requiring charter schools to
29 notify the credentialing entity of such removal;

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30 providing that certain decisions by a department-
31 recognized credentialing program are reviewable by the
32 Department of Education; providing that an aggrieved
33 person may request an administrative hearing within a
34 specified timeframe after receiving an adverse
35 determination after completion of an appeals process
36 offered by the credentialing program; amending s.
37 1002.33, F.S.; deleting obsolete language; revising
38 charter school application deadline requirements;
39 authorizing certain charter school applicants to open
40 charter schools before a specified timeframe and after
41 approval; prohibiting specified individuals and
42 entities from submitting an application to open a
43 charter school for specified periods of time; defining
44 the term "relative" for the purpose of applying the
45 prohibition; requiring each charter school principal,
46 governing board member, chief financial officer, or
47 their equivalent, to meet certain certification
48 requirements; amending s. 1002.45, F.S.; authorizing
49 virtual charter schools to provide part-time virtual
50 instruction for certain students; providing that a
51 charter school may be an approved provider; amending
52 s. 1012.32, F.S.; conforming a cross-reference;
53 revising fingerprint filing requirements for charter
54 school instructional and noninstructional personnel;
55 providing that fingerprints and background checks of
56 such personnel who meet certain requirements are valid
57 for a specified period of time in all school
58 districts; providing an effective date.

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

Section 1. Section 1001.241, Florida Statutes, is created to read:

1001.241 Third-party credentialing entities.—

(1) The department shall approve one or more third-party credentialing entities for the purposes of developing and administering a credentialing program for charter school principals, charter school governing board members, and charter school chief financial officers. The approved credentialing entity shall:

(a) Establish position core competencies, certification requirements, testing instruments, and recertification requirements for charter school principals, charter school governing board members, and charter school chief financial officers.

(b) Establish a process to administer the certification application, award, and maintenance processes.

(c) Develop and administer:

1. A code of ethics and disciplinary process.

2. Biennial continuing education requirements and annual certification renewal requirements.

3. An education provider program to approve training entities that are qualified to provide precertification training to applicants and continuing education opportunities to certified persons.

(2) A credentialing entity shall establish a certification program that:

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88 (a) Is directly related to the core competencies.

89 (b) Establishes minimum requirements in each of the
90 following categories:

91 1. Training.

92 2. On-the-job work experience.

93 3. Supervision.

94 4. Testing.

95 5. Biennial continuing education.

96 (c) Requires adherence to a code of ethics and provides for
97 a disciplinary process that applies to certified persons.

98 (d) Approves qualified training entities that provide
99 precertification training to applicants and continuing education
100 to charter school principals, charter school governing board
101 members, and charter school chief financial officers. To avoid a
102 conflict of interest, a credentialing entity or its affiliate
103 may not deliver training to an applicant or continuing education
104 to a certificateholder.

105 (3) A credentialing entity shall establish application,
106 examination, and certification fees and an annual certification
107 renewal fee. The application, examination, and certification fee
108 may not exceed \$225. The annual certification renewal fee may
109 not exceed \$100.

110 (4) All applicants are subject to level 2 background
111 screening as provided under chapter 435. An applicant is
112 ineligible, and a credentialing entity shall deny the
113 application, if the applicant has been found guilty of, or has
114 entered a plea of guilty or nolo contendere to, regardless of
115 adjudication, any offense listed in s. 435.04(2) unless the
116 department has issued an exemption under s. 397.4872. In

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117 accordance with s. 435.04, the Department of Law Enforcement
118 shall notify the credentialing entity of the applicant's
119 eligibility based on the results of his or her background
120 screening.

121 (5) The credentialing entity shall issue a certificate of
122 compliance upon approval of a person's application. The
123 certification shall automatically terminate 1 year after
124 issuance if not renewed.

125 (a) A credentialing entity may suspend or revoke the
126 certificate of compliance of a charter school principal, a
127 charter school governing board member, or a charter school chief
128 financial officer if the charter school principal, the charter
129 school governing board member, or the charter school chief
130 financial officer fails to adhere to the continuing education
131 requirements.

132 (b) A credentialing entity shall revoke a certificate of
133 compliance of a charter school principal, charter school
134 governing board member, or charter school chief financial
135 officer if the charter school principal, charter school
136 governing board member, or charter school chief financial
137 officer provides false or misleading information to the
138 credentialing entity at any time.

139 (c) If a charter school principal, charter school governing
140 board member, or charter school chief financial officer is
141 arrested for or found guilty of, or enters a plea of guilty or
142 nolo contendere to, regardless of adjudication, any offense
143 listed in s. 435.04(2) while acting in that capacity, the
144 charter school shall immediately remove the person from that
145 position and shall notify the credentialing entity within 3

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146 business days after such removal.

147 (6) Any decision by a department-recognized credentialing
148 program to deny certification or otherwise impose sanctions on
149 an individual who is certified is reviewable by the department.
150 The individual aggrieved may request an administrative hearing
151 conducted pursuant to ss. 120.569 and 120.57(1) within 30 days
152 after receiving an adverse determination after completing any
153 appeals process offered by the credentialing program.

154 Section 2. Present paragraphs (g), (h), and (i) of
155 subsection (12) of section 1002.33, Florida Statutes, are
156 redesignated as paragraphs (h), (i), and (j), respectively, and
157 a new paragraph (g) is added to that subsection, paragraph (g)
158 is added to subsection (8), and paragraph (b) of subsection (6)
159 and paragraph (a) of subsection (7) of that section are amended,
160 to read:

161 1002.33 Charter schools.—

162 (6) APPLICATION PROCESS AND REVIEW.—Charter school
163 applications are subject to the following requirements:

164 (b) A sponsor shall receive and review all applications for
165 a charter school using the evaluation instrument developed by
166 the Department of Education. A sponsor shall receive and
167 consider charter school applications received on or before
168 August 1 of each calendar year for charter schools to be opened
169 at the beginning of the school district's next school year, or
170 to be opened at a time determined ~~agreed to~~ by the applicant and
171 the sponsor. A sponsor may not refuse to receive a charter
172 school application submitted before August 1 and may receive an
173 application submitted later than August 1 if it chooses.

174 ~~Beginning in 2018 and thereafter,~~ A sponsor shall also receive

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175 and consider charter school applications received on or before
176 February 1 of each calendar year for charter schools to be
177 opened ~~18 months later~~ at the beginning of the school district's
178 school year, or to be opened at a time determined by the
179 applicant. A sponsor may not refuse to receive a charter school
180 application submitted before February 1 and may receive an
181 application submitted later than February 1 if it chooses. A
182 sponsor may not charge an applicant for a charter any fee for
183 the processing or consideration of an application, and a sponsor
184 may not base its consideration or approval of a final
185 application upon the promise of future payment of any kind. If
186 an applicant is ready to do so, it may open a charter school
187 before the school district's next school year after approval of
188 the charter school application submitted by either application
189 deadline. Before approving or denying any application, the
190 sponsor shall allow the applicant, upon receipt of written
191 notification, at least 7 calendar days to make technical or
192 nonsubstantive corrections and clarifications, including, but
193 not limited to, corrections of grammatical, typographical, and
194 like errors or missing signatures, if such errors are identified
195 by the sponsor as cause to deny the final application.

196 1. In order to facilitate an accurate budget projection
197 process, a sponsor shall be held harmless for FTE students who
198 are not included in the FTE projection due to approval of
199 charter school applications after the FTE projection deadline.
200 In a further effort to facilitate an accurate budget projection,
201 within 15 calendar days after receipt of a charter school
202 application, a sponsor shall report to the Department of
203 Education the name of the applicant entity, the proposed charter

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204 school location, and its projected FTE.

205 2. In order to ensure fiscal responsibility, an application
206 for a charter school shall include a full accounting of expected
207 assets, a projection of expected sources and amounts of income,
208 including income derived from projected student enrollments and
209 from community support, and an expense projection that includes
210 full accounting of the costs of operation, including start-up
211 costs.

212 3.a. A sponsor shall by a majority vote approve or deny an
213 application no later than 90 calendar days after the application
214 is received, unless the sponsor and the applicant mutually agree
215 in writing to temporarily postpone the vote to a specific date,
216 at which time the sponsor shall by a majority vote approve or
217 deny the application. If the sponsor fails to act on the
218 application, an applicant may appeal to the State Board of
219 Education as provided in paragraph (c). If an application is
220 denied, the sponsor shall, within 10 calendar days after such
221 denial, articulate in writing the specific reasons, based upon
222 good cause, supporting its denial of the application and shall
223 provide the letter of denial and supporting documentation to the
224 applicant and to the Department of Education.

225 b. An application submitted by a high-performing charter
226 school identified pursuant to s. 1002.331 or a high-performing
227 charter school system identified pursuant to s. 1002.332 may be
228 denied by the sponsor only if the sponsor demonstrates by clear
229 and convincing evidence that:

230 (I) The application of a high-performing charter school
231 does not materially comply with the requirements in paragraph
232 (a) or, for a high-performing charter school system, the

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233 application does not materially comply with s. 1002.332(2)(b);

234 (II) The charter school proposed in the application does
235 not materially comply with the requirements in paragraphs
236 (9)(a)-(f);

237 (III) The proposed charter school's educational program
238 does not substantially replicate that of the applicant or one of
239 the applicant's high-performing charter schools;

240 (IV) The applicant has made a material misrepresentation or
241 false statement or concealed an essential or material fact
242 during the application process; or

243 (V) The proposed charter school's educational program and
244 financial management practices do not materially comply with the
245 requirements of this section.

246

247 Material noncompliance is a failure to follow requirements or a
248 violation of prohibitions applicable to charter school
249 applications, which failure is quantitatively or qualitatively
250 significant either individually or when aggregated with other
251 noncompliance. An applicant is considered to be replicating a
252 high-performing charter school if the proposed school is
253 substantially similar to at least one of the applicant's high-
254 performing charter schools and the organization or individuals
255 involved in the establishment and operation of the proposed
256 school are significantly involved in the operation of replicated
257 schools.

258 c. If the sponsor denies an application submitted by a
259 high-performing charter school or a high-performing charter
260 school system, the sponsor must, within 10 calendar days after
261 such denial, state in writing the specific reasons, based upon

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262 the criteria in sub-subparagraph b., supporting its denial of
263 the application and must provide the letter of denial and
264 supporting documentation to the applicant and to the Department
265 of Education. The applicant may appeal the sponsor's denial of
266 the application in accordance with paragraph (c).

267 4. For budget projection purposes, the sponsor shall report
268 to the Department of Education the approval or denial of an
269 application within 10 calendar days after such approval or
270 denial. In the event of approval, the report to the Department
271 of Education shall include the final projected FTE for the
272 approved charter school.

273 5. Upon approval of an application, the initial startup
274 shall commence with the beginning of the public school calendar
275 for the district in which the charter is granted. A charter
276 school may defer the opening of the school's operations for up
277 to 3 years to provide time for adequate facility planning. The
278 charter school must provide written notice of such intent to the
279 sponsor and the parents of enrolled students at least 30
280 calendar days before the first day of school.

281 (7) CHARTER.—The terms and conditions for the operation of
282 a charter school shall be set forth by the sponsor and the
283 applicant in a written contractual agreement, called a charter.
284 The sponsor and the governing board of the charter school shall
285 use the standard charter contract pursuant to subsection (21),
286 which shall incorporate the approved application and any addenda
287 approved with the application. Any term or condition of a
288 proposed charter contract that differs from the standard charter
289 contract adopted by rule of the State Board of Education shall
290 be presumed a limitation on charter school flexibility. The

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291 sponsor may not impose unreasonable rules or regulations that
292 violate the intent of giving charter schools greater flexibility
293 to meet educational goals. The charter shall be signed by the
294 governing board of the charter school and the sponsor, following
295 a public hearing to ensure community input.

296 (a) The charter shall address and criteria for approval of
297 the charter shall be based on:

298 1. The school's mission, the students to be served, and the
299 ages and grades to be included.

300 2. The focus of the curriculum, the instructional methods
301 to be used, any distinctive instructional techniques to be
302 employed, and identification and acquisition of appropriate
303 technologies needed to improve educational and administrative
304 performance which include a means for promoting safe, ethical,
305 and appropriate uses of technology which comply with legal and
306 professional standards.

307 a. The charter shall ensure that reading is a primary focus
308 of the curriculum and that resources are provided to identify
309 and provide specialized instruction for students who are reading
310 below grade level. The curriculum and instructional strategies
311 for reading must be consistent with the Next Generation Sunshine
312 State Standards and grounded in scientifically based reading
313 research.

314 b. In order to provide students with access to diverse
315 instructional delivery models, to facilitate the integration of
316 technology within traditional classroom instruction, and to
317 provide students with the skills they need to compete in the
318 21st century economy, the Legislature encourages instructional
319 methods for blended learning courses consisting of both

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320 traditional classroom and online instructional techniques.
321 Charter schools may implement blended learning courses which
322 combine traditional classroom instruction and virtual
323 instruction. Students in a blended learning course must be full-
324 time students of the charter school pursuant to s.
325 1011.61(1)(a)1. Instructional personnel certified pursuant to s.
326 1012.55 who provide virtual instruction for blended learning
327 courses may be employees of the charter school or may be under
328 contract to provide instructional services to charter school
329 students. At a minimum, such instructional personnel must hold
330 an active state or school district adjunct certification under
331 s. 1012.57 for the subject area of the blended learning course.
332 The funding and performance accountability requirements for
333 blended learning courses are the same as those for traditional
334 courses.

335 3. The current incoming baseline standard of student
336 academic achievement, the outcomes to be achieved, and the
337 method of measurement that will be used. The criteria listed in
338 this subparagraph shall include a detailed description of:

339 a. How the baseline student academic achievement levels and
340 prior rates of academic progress will be established.

341 b. How these baseline rates will be compared to rates of
342 academic progress achieved by these same students while
343 attending the charter school.

344 c. To the extent possible, how these rates of progress will
345 be evaluated and compared with rates of progress of other
346 closely comparable student populations.

347
348 The district school board is required to provide academic

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349 student performance data to charter schools for each of their
350 students coming from the district school system, as well as
351 rates of academic progress of comparable student populations in
352 the district school system.

353 4. The methods used to identify the educational strengths
354 and needs of students and how well educational goals and
355 performance standards are met by students attending the charter
356 school. The methods shall provide a means for the charter school
357 to ensure accountability to its constituents by analyzing
358 student performance data and by evaluating the effectiveness and
359 efficiency of its major educational programs. Students in
360 charter schools shall, at a minimum, participate in the
361 statewide assessment program created under s. 1008.22.

362 5. In secondary charter schools, a method for determining
363 that a student has satisfied the requirements for graduation in
364 s. 1002.3105(5), s. 1003.4281, or s. 1003.4282.

365 6. A method for resolving conflicts between the governing
366 board of the charter school and the sponsor.

367 7. The admissions procedures and dismissal procedures,
368 including the school's code of student conduct. Admission or
369 dismissal must not be based on a student's academic performance.

370 8. The ways by which the school will achieve a
371 racial/ethnic balance reflective of the community it serves or
372 within the racial/ethnic range of other public schools in the
373 same school district.

374 9. The financial and administrative management of the
375 school, including a reasonable demonstration of the professional
376 experience or competence of those individuals or organizations
377 applying to operate the charter school or those hired or

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378 retained to perform such professional services and the
379 description of clearly delineated responsibilities and the
380 policies and practices needed to effectively manage the charter
381 school. A description of internal audit procedures and
382 establishment of controls to ensure that financial resources are
383 properly managed must be included. Both public sector and
384 private sector professional experience shall be equally valid in
385 such a consideration.

386 10. The asset and liability projections required in the
387 application which are incorporated into the charter and shall be
388 compared with information provided in the annual report of the
389 charter school.

390 11. A description of procedures that identify various risks
391 and provide for a comprehensive approach to reduce the impact of
392 losses; plans to ensure the safety and security of students and
393 staff; plans to identify, minimize, and protect others from
394 violent or disruptive student behavior; and the manner in which
395 the school will be insured, including whether or not the school
396 will be required to have liability insurance, and, if so, the
397 terms and conditions thereof and the amounts of coverage.

398 12. The term of the charter which shall provide for
399 cancellation of the charter if insufficient progress has been
400 made in attaining the student achievement objectives of the
401 charter and if it is not likely that such objectives can be
402 achieved before expiration of the charter. The initial term of a
403 charter shall be for 5 years, excluding 2 planning years. In
404 order to facilitate access to long-term financial resources for
405 charter school construction, charter schools that are operated
406 by a municipality or other public entity as provided by law are

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407 eligible for up to a 15-year charter, subject to approval by the
408 district school board. A charter lab school is eligible for a
409 charter for a term of up to 15 years. In addition, to facilitate
410 access to long-term financial resources for charter school
411 construction, charter schools that are operated by a private,
412 not-for-profit, s. 501(c)(3) status corporation are eligible for
413 up to a 15-year charter, subject to approval by the district
414 school board. Such long-term charters remain subject to annual
415 review and may be terminated during the term of the charter, but
416 only according to the provisions set forth in subsection (8).

417 13. The facilities to be used and their location. The
418 sponsor may not require a charter school to have a certificate
419 of occupancy or a temporary certificate of occupancy for such a
420 facility earlier than 15 calendar days before the first day of
421 school.

422 14. The qualifications to be required of the teachers and
423 the potential strategies used to recruit, hire, train, and
424 retain qualified staff to achieve best value.

425 15. The governance structure of the school, including the
426 status of the charter school as a public or private employer as
427 required in paragraph (12)(j) ~~(12)(i)~~.

428 16. A timetable for implementing the charter which
429 addresses the implementation of each element thereof and the
430 date by which the charter shall be awarded in order to meet this
431 timetable.

432 17. In the case of an existing public school that is being
433 converted to charter status, alternative arrangements for
434 current students who choose not to attend the charter school and
435 for current teachers who choose not to teach in the charter

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436 school after conversion in accordance with the existing
437 collective bargaining agreement or district school board rule in
438 the absence of a collective bargaining agreement. However,
439 alternative arrangements shall not be required for current
440 teachers who choose not to teach in a charter lab school, except
441 as authorized by the employment policies of the state university
442 which grants the charter to the lab school.

443 18. Full disclosure of the identity of all relatives
444 employed by the charter school who are related to the charter
445 school owner, president, chairperson of the governing board of
446 directors, superintendent, governing board member, principal,
447 assistant principal, or any other person employed by the charter
448 school who has equivalent decisionmaking authority. For the
449 purpose of this subparagraph, the term "relative" means father,
450 mother, son, daughter, brother, sister, uncle, aunt, first
451 cousin, nephew, niece, husband, wife, father-in-law, mother-in-
452 law, son-in-law, daughter-in-law, brother-in-law, sister-in-law,
453 stepfather, stepmother, stepson, stepdaughter, stepbrother,
454 stepsister, half brother, or half sister.

455 19. Implementation of the activities authorized under s.
456 1002.331 by the charter school when it satisfies the eligibility
457 requirements for a high-performing charter school. A high-
458 performing charter school shall notify its sponsor in writing by
459 March 1 if it intends to increase enrollment or expand grade
460 levels the following school year. The written notice shall
461 specify the amount of the enrollment increase and the grade
462 levels that will be added, as applicable.

463 (8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.—

464 (g)1. If a charter is terminated or a charter school closes

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465 before the end of a school year or within 3 years after
466 beginning operations and, after a specific finding by the school
467 district of material fraud, disregard of generally accepted
468 accounting principles, or of intentional malfeasance by an
469 applicant for the charter, the charter school owner, the charter
470 school president, charter school governing board members, and
471 the relatives of such owner, upon findings made by the school
472 district, the applicant for the charter, the charter school
473 owner, the charter school president, the charter school
474 governing board members, and the relatives of such owner,
475 president, or governing board member may not submit an
476 application to open a charter school in this state pursuant to
477 subsection (6) for a period of 5 years after the termination of
478 the charter or closure of the charter school. The applicant for
479 the charter, the charter school owner, the charter school
480 president, the charter school governing board members, and the
481 relatives of such owner, president, or governing board member,
482 may appeal to the charter appeals commission the school
483 district's finding of material fraud, intentional malfeasance,
484 or disregard of generally accepted accounting principles.

485 2. If a charter school owner, a charter school president, a
486 member of a charter school governing board, a charter management
487 organization, or an education management organization is
488 convicted of a crime, including, but not limited to, material
489 fraud or serious financial theft offenses, misrepresentation,
490 fraud, or misappropriation related to the operation of a charter
491 school, that owner, president, or governing board member,
492 including any relatives of such individuals, or the charter
493 management organization or the education management

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494 organization, may not submit an application to open a charter
495 school in this state pursuant to subsection (6) for a period of
496 10 years after such conviction.

497
498 For the purpose of this paragraph, the term "relative" has the
499 same meaning as specified in subparagraph (24) (a)2.

500 (12) EMPLOYEES OF CHARTER SCHOOLS.—

501 (g) Each charter school principal, governing board member,
502 chief financial officer, or equivalent position must hold a
503 valid certification issued by a third-party credentialing entity
504 that is recognized under s. 1001.241, at least 30 days before
505 the school opens or within 30 days of the first date of
506 employment, whichever comes first. The credentialing entity must
507 certify the individual's core competence in the administration
508 of a charter school, including, but not limited to, developing
509 and adjusting business plans; accurate financial planning and
510 good business practices, including accounting for costs and
511 income; state and federal grant and student performance
512 accountability requirements; identification of, and application
513 for, state and federal funding sources; and governance,
514 including government in the sunshine, conflicts of interest,
515 ethics, and financial responsibility. An individual certified
516 under this paragraph meets the training requirements under
517 subparagraph (h)3., paragraph (6) (f), and subparagraph (9) (j)4.

518 Section 3. Paragraph (d) of subsection (1) of section
519 1002.45, Florida Statutes, is amended to read:

520 1002.45 Virtual instruction programs.—

521 (1) PROGRAM.—

522 (d) A virtual charter school may provide part-time and

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523 full-time virtual instruction for students in kindergarten
524 through grade 12 if the virtual charter school has a charter
525 approved pursuant to s. 1002.33 ~~authorizing full-time virtual~~
526 ~~instruction~~. A virtual charter school may:

527 1. Contract with the Florida Virtual School.

528 2. Contract with or be an approved provider under
529 subsection (2).

530 3. Enter into an agreement with a school district to allow
531 the participation of the virtual charter school's students in
532 the school district's virtual instruction program. The agreement
533 must indicate a process for reporting of student enrollment and
534 the transfer of funds required by paragraph (7) (e).

535 Section 4. Paragraph (b) of subsection (2) of section
536 1012.32, Florida Statutes, is amended to read:

537 1012.32 Qualifications of personnel.—

538 (2)

539 (b) Instructional and noninstructional personnel who are
540 hired or contracted to fill positions in any charter school and
541 members of the governing board of any charter school, in
542 compliance with s. 1002.33(12) (h) ~~s. 1002.33(12) (g)~~, must, upon
543 employment, engagement of services, or appointment, undergo
544 background screening as required under s. 1012.465 or s.
545 1012.56, whichever is applicable, by filing with any single the
546 district school board ~~for the school district~~ in which one of
547 the charter governing board's charter schools ~~the charter school~~
548 is located a complete set of fingerprints taken by an authorized
549 law enforcement agency or an employee of the school or school
550 district who is trained to take fingerprints. Once such
551 instructional and noninstructional personnel are fingerprinted

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552 and pass the appropriate background check in any single school
553 district, such fingerprints and background check shall be valid
554 for a period of 3 years and valid in all school districts
555 throughout the state.

556
557 Fingerprints shall be submitted to the Department of Law
558 Enforcement for statewide criminal and juvenile records checks
559 and to the Federal Bureau of Investigation for federal criminal
560 records checks. A person subject to this subsection who is found
561 ineligible for employment under s. 1012.315, or otherwise found
562 through background screening to have been convicted of any crime
563 involving moral turpitude as defined by rule of the State Board
564 of Education, shall not be employed, engaged to provide
565 services, or serve in any position that requires direct contact
566 with students. Probationary persons subject to this subsection
567 terminated because of their criminal record have the right to
568 appeal such decisions. The cost of the background screening may
569 be borne by the district school board, the charter school, the
570 employee, the contractor, or a person subject to this
571 subsection. A district school board shall reimburse a charter
572 school the cost of background screening if it does not notify
573 the charter school of the eligibility of a governing board
574 member or instructional or noninstructional personnel within the
575 earlier of 14 days after receipt of the background screening
576 results from the Florida Department of Law Enforcement or 30
577 days of submission of fingerprints by the governing board member
578 or instructional or noninstructional personnel.

579 Section 5. This act shall take effect January 1, 2020.