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LEGISLATIVE ACTION

Senate

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House

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The Committee on Appropriations (Perry) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsections (4) and (5) of section 1001.10,  
Florida Statutes, are amended to read:

1001.10 Commissioner of Education; general powers and  
duties.—

(4) The Department of Education shall:

(a) Provide technical assistance to school districts,



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11 charter schools, the Florida School for the Deaf and the Blind,  
12 and private schools that accept scholarship students who  
13 participate in a state scholarship program under chapter 1002 in  
14 the development of policies, procedures, and training related to  
15 employment practices and standards of ethical conduct for  
16 instructional personnel and school administrators, as defined in  
17 s. 1012.01.

18 (b) Maintain a disqualification list that includes all of  
19 the following:

20 1. The identity of each person who has been permanently  
21 denied an educator certificate or whose educator certificate has  
22 been permanently revoked and has been placed on the list as  
23 directed by the Education Practices Commission pursuant to s.  
24 1012.795(1) or s. 1012.796(7).

25 2. The identity of each person who has been permanently  
26 disqualified by the commissioner from owning or operating a  
27 private school that participates in state scholarship programs  
28 under s. 1002.421.

29 3. The identity of each person who has been terminated, or  
30 has resigned in lieu of termination, from employment as a result  
31 of sexual misconduct with a student.

32 4. The identity of each person who is ineligible for  
33 educator certification or employment pursuant to s. 1012.315.

34 (c) The department may remove a person from the  
35 disqualification list if the person demonstrates that:

36 1. A completed law enforcement investigation resulted in an  
37 exoneration or no conviction or finding of guilt and a completed  
38 investigation and proceeding, as applicable, by the responsible  
39 education agency resulted in a finding that the person did not



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40 commit disqualifying conduct;

41 2. The person was not the subject of the report of  
42 disqualifying conduct and was included on the disqualification  
43 list in error or as a result of mistaken identity; or

44 3. The employer that submitted the person for inclusion on  
45 the disqualification list requests that the person be removed  
46 and submits documentation to support the request.

47 (d) The State Board of Education shall adopt rules to  
48 implement this subsection.

49 (5) The Department of Education shall provide authorized  
50 staff of school districts, charter schools, the Florida School  
51 for the Deaf and the Blind, and private schools that accept  
52 scholarship students who participate in a state scholarship  
53 program under chapter 1002 with access to electronic  
54 verification of information from the following employment  
55 screening tools:

56 (a) The Professional Practices' Database of Disciplinary  
57 Actions Against Educators. ~~;~~ and

58 (b) The ~~department's~~ Department of Education's Teacher  
59 Certification Database.

60 (c) The department's disqualification list under paragraph

61 (4) (b).

62

63 This subsection does not require the department to provide these  
64 staff with unlimited access to the databases. However, the  
65 department shall provide the staff with access to the data  
66 necessary for performing employment history checks of the  
67 persons instructional personnel and school administrators  
68 included in the databases.



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69 Section 2. Subsections (6) and (7) of section 1001.42,  
70 Florida Statutes, are amended to read:

71 1001.42 Powers and duties of district school board.—The  
72 district school board, acting as a board, shall exercise all  
73 powers and perform all duties listed below:

74 (6) STANDARDS OF ETHICAL CONDUCT ~~FOR INSTRUCTIONAL~~  
75 ~~PERSONNEL, ADMINISTRATIVE PERSONNEL, AND SCHOOL OFFICERS.~~—Adopt  
76 policies establishing standards of ethical conduct for  
77 educational support employees, instructional personnel,  
78 administrative personnel, and school officers. The policies must  
79 require all educational support employees, instructional  
80 personnel, administrative personnel, and school officers, as  
81 defined in s. 1012.01, to complete training on the standards;  
82 establish the duty of educational support employees,  
83 instructional personnel, administrative personnel, and school  
84 officers to report, and procedures for reporting, alleged  
85 misconduct by other educational support employees, instructional  
86 or administrative personnel, and school officers which affects  
87 the health, safety, or welfare of a student, including  
88 misconduct that involves engaging in or soliciting sexual,  
89 romantic, or lewd conduct with a student; require the district  
90 school superintendent to report to law enforcement misconduct by  
91 educational support employees, instructional personnel, or  
92 school administrators that would result in disqualification from  
93 educator certification or employment as provided in s. 1012.315;  
94 and include an explanation of the liability protections provided  
95 under ss. 39.203 and 768.095. A district school board, or any of  
96 its employees or personnel, may not enter into a confidentiality  
97 agreement regarding terminated or dismissed educational support



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98 employees, instructional or administrative personnel, or school  
99 officers who resign in lieu of termination, based in whole or in  
100 part on misconduct that affects the health, safety, or welfare  
101 of a student, and may not provide educational support employees,  
102 instructional personnel, administrative personnel, or school  
103 officers with employment references or discuss the employees',  
104 personnel's, or officers' performance with prospective employers  
105 in another educational setting, without disclosing the  
106 employees', personnel's, or officers' misconduct. Any part of an  
107 agreement or contract that has the purpose or effect of  
108 concealing misconduct by educational support employees,  
109 instructional personnel, administrative personnel, or school  
110 officers which affects the health, safety, or welfare of a  
111 student is void, is contrary to public policy, and may not be  
112 enforced.

113 (7) PROHIBITION ~~DISQUALIFICATION~~ FROM EMPLOYMENT.—Prohibit  
114 educational support employees, Disqualify instructional  
115 personnel, and administrative personnel, as defined in s.  
116 1012.01, from employment in any position that requires direct  
117 contact with students if the employees or personnel are  
118 ineligible for such employment under s. 1012.315 or have been  
119 terminated or resigned in lieu of termination for sexual  
120 misconduct with a student. If the prohibited conduct occurs  
121 while employed, the district school board must report the  
122 employees or personnel and the disqualifying circumstances to  
123 the department for inclusion on the disqualification list  
124 maintained by the department pursuant s. 1001.10(4)(b). An  
125 elected or appointed school board official forfeits his or her  
126 salary for 1 year if:



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127 (a) The school board official knowingly signs and transmits  
128 to any state official a report of alleged misconduct by  
129 educational support employees, instructional personnel, or  
130 administrative personnel which ~~affects the health, safety, or~~  
131 ~~welfare of a student and~~ the school board official knows ~~the~~  
132 ~~report~~ to be false or incorrect; or

133 (b) The school board official knowingly fails to adopt  
134 policies that require:

135 1. Educational support employees, instructional personnel,  
136 and administrative personnel to report alleged misconduct by  
137 other educational support employees, instructional personnel,  
138 and administrative personnel;

139 2. The district school superintendent to report misconduct  
140 by educational support employees, instructional personnel, or  
141 school administrators that would result in disqualification from  
142 educator certification or employment as provided in s. 1012.315  
143 to the law enforcement agencies with jurisdiction over the  
144 conduct; or

145 3. The investigation of all reports of alleged misconduct  
146 by educational support employees, instructional personnel, and  
147 administrative personnel, if the misconduct affects the health,  
148 safety, or welfare of a student, regardless of whether the  
149 person resigned or was terminated before the conclusion of the  
150 investigation. The policies must require the district school  
151 superintendent to notify the department of the result of the  
152 investigation and whether the misconduct warranted termination,  
153 regardless of whether the person resigned or was terminated  
154 before the conclusion of the investigation.

155 Section 3. Subsection (12) of section 1001.51, Florida



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156 Statutes, is amended to read:

157       1001.51 Duties and responsibilities of district school  
158 superintendent.—The district school superintendent shall  
159 exercise all powers and perform all duties listed below and  
160 elsewhere in the law, provided that, in so doing, he or she  
161 shall advise and counsel with the district school board. The  
162 district school superintendent shall perform all tasks necessary  
163 to make sound recommendations, nominations, proposals, and  
164 reports required by law to be acted upon by the district school  
165 board. All such recommendations, nominations, proposals, and  
166 reports by the district school superintendent shall be either  
167 recorded in the minutes or shall be made in writing, noted in  
168 the minutes, and filed in the public records of the district  
169 school board. It shall be presumed that, in the absence of the  
170 record required in this section, the recommendations,  
171 nominations, and proposals required of the district school  
172 superintendent were not contrary to the action taken by the  
173 district school board in such matters.

174       (12) RECORDS AND REPORTS.—Recommend such records as should  
175 be kept in addition to those prescribed by rules of the State  
176 Board of Education; prepare forms for keeping such records as  
177 are approved by the district school board; ensure that such  
178 records are properly kept; and make all reports that are needed  
179 or required, as follows:

180       (a) *Forms, blanks, and reports.*—Require that all employees  
181 accurately keep all records and promptly make in proper form all  
182 reports required by the education code or by rules of the State  
183 Board of Education; recommend the keeping of such additional  
184 records and the making of such additional reports as may be



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185 deemed necessary to provide data essential for the operation of  
186 the school system; and prepare such forms and blanks as may be  
187 required and ensure that these records and reports are properly  
188 prepared.

189 (b) *Reports to the department.*—Prepare, for the approval of  
190 the district school board, all reports required by law or rules  
191 of the State Board of Education to be made to the department and  
192 transmit promptly all such reports, when approved, to the  
193 department, as required by law. If any reports are not  
194 transmitted at the time and in the manner prescribed by law or  
195 by State Board of Education rules, the salary of the district  
196 school superintendent must be withheld until the report has been  
197 properly submitted. Unless otherwise provided by rules of the  
198 State Board of Education, the annual report on attendance and  
199 personnel is due on or before July 1, and the annual school  
200 budget and the report on finance are due on the date prescribed  
201 by the commissioner.

202  
203 Any district school superintendent who knowingly signs and  
204 transmits to any state official a report that the superintendent  
205 knows to be false or incorrect; who knowingly fails to complete  
206 the investigation of ~~investigate~~ any allegation of misconduct  
207 that by instructional personnel or school administrators, as  
208 defined in s. 1012.01, which affects the health, safety, or  
209 welfare of a student, that would be a violation of s. 800.101,  
210 or that would be a disqualifying offense under s. 1012.315, or  
211 any allegation of sexual misconduct with a student; who  
212 knowingly fails to report the alleged misconduct to the  
213 department as required in s. 1012.796; or who knowingly fails to





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214 report misconduct to the law enforcement agencies with  
215 jurisdiction over the conduct pursuant to district school board  
216 policy under s. 1001.42(6), forfeits his or her salary for 1  
217 year following the date of such act or failure to act.

218 Section 4. Paragraph (g) of subsection (12) of section  
219 1002.33, Florida Statutes, is amended to read:

220 1002.33 Charter schools.—

221 (12) EMPLOYEES OF CHARTER SCHOOLS.—

222 (g)1. A charter school shall employ or contract with  
223 employees who have undergone background screening as provided in  
224 s. 1012.32. Members of the governing board of the charter school  
225 shall also undergo background screening in a manner similar to  
226 that provided in s. 1012.32. An individual may not be employed  
227 as an employee or contract personnel of a charter school or  
228 serve as a member of a charter school governing board if the  
229 individual is on the disqualification list maintained by the  
230 department pursuant to s. 1001.10(4)(b).

231 2. A charter school shall prohibit educational support  
232 employees, disqualify instructional personnel, and school  
233 administrators, as defined in s. 1012.01, from employment in any  
234 position that requires direct contact with students if the  
235 employees, personnel, or administrators are ineligible for such  
236 employment under s. 1012.315 or have been terminated or resigned  
237 in lieu of termination for sexual misconduct with a student. If  
238 the prohibited conduct occurs while employed, a charter school  
239 must report the individual and the disqualifying circumstances  
240 to the department for inclusion on the disqualification list  
241 maintained pursuant to s. 1001.10(4)(b).

242 3. The governing board of a charter school shall adopt



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243 policies establishing standards of ethical conduct for  
244 educational support employees, instructional personnel, and  
245 school administrators. The policies must require all educational  
246 support employees, instructional personnel, and school  
247 administrators, as defined in s. 1012.01, to complete training  
248 on the standards; establish the duty of educational support  
249 employees, instructional personnel, and school administrators to  
250 report, and procedures for reporting, alleged misconduct that by  
251 ~~other instructional personnel and school administrators which~~  
252 affects the health, safety, or welfare of a student; and include  
253 an explanation of the liability protections provided under ss.  
254 39.203 and 768.095. A charter school, or any of its employees,  
255 may not enter into a confidentiality agreement regarding  
256 terminated or dismissed educational support employees,  
257 instructional personnel, or school administrators, or employees,  
258 personnel, or administrators who resign in lieu of termination,  
259 based in whole or in part on misconduct that affects the health,  
260 safety, or welfare of a student, and may not provide employees,  
261 ~~instructional personnel, or school~~ administrators with  
262 employment references or discuss the employees', personnel's, or  
263 administrators' performance with prospective employers in  
264 another educational setting, without disclosing the employees',  
265 personnel's, or administrators' misconduct. Any part of an  
266 agreement or contract that has the purpose or effect of  
267 concealing misconduct by educational support employees,  
268 instructional personnel, or school administrators which affects  
269 the health, safety, or welfare of a student is void, is contrary  
270 to public policy, and may not be enforced.

271 4. Before employing an individual instructional personnel



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272 ~~or school administrators~~ in any position that requires direct  
273 contact with students, a charter school shall conduct employment  
274 history checks of each individual ~~of the personnel's or~~  
275 ~~administrators' previous employers,~~ screen the instructional  
276 ~~personnel or school administrators~~ through use of the educator  
277 screening tools described in s. 1001.10(5), and document the  
278 findings. If unable to contact a previous employer, the charter  
279 school must document efforts to contact the employer.

280         5. The sponsor of a charter school that knowingly fails to  
281 comply with this paragraph shall terminate the charter under  
282 subsection (8).

283         Section 5. Paragraphs (n) and (o) of subsection (1) and  
284 subsection (3) of section 1002.421, Florida Statutes, are  
285 amended, and paragraph (r) is added to subsection (1) of that  
286 section, to read:

287             1002.421 State school choice scholarship program  
288 accountability and oversight.—

289             (1) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—A private  
290 school participating in an educational scholarship program  
291 established pursuant to this chapter must be a private school as  
292 defined in s. 1002.01(2) in this state, be registered, and be in  
293 compliance with all requirements of this section in addition to  
294 private school requirements outlined in s. 1002.42, specific  
295 requirements identified within respective scholarship program  
296 laws, and other provisions of Florida law that apply to private  
297 schools, and must:

298             (n) Adopt policies establishing standards of ethical  
299 conduct for educational support employees, instructional  
300 personnel, and school administrators. The policies must require



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301 all educational support employees, instructional personnel, and  
302 school administrators, as defined in s. 1012.01, to complete  
303 training on the standards; establish the duty of educational  
304 support employees, instructional personnel, and school  
305 administrators to report, and procedures for reporting, alleged  
306 misconduct by other educational support employees, instructional  
307 personnel, and school administrators which affects the health,  
308 safety, or welfare of a student; and include an explanation of  
309 the liability protections provided under ss. 39.203 and 768.095.  
310 A private school, or any of its employees, may not enter into a  
311 confidentiality agreement regarding terminated or dismissed  
312 educational support employees, instructional personnel, or  
313 school administrators, or employees, personnel, or  
314 administrators who resign in lieu of termination, based in whole  
315 or in part on misconduct that affects the health, safety, or  
316 welfare of a student, and may not provide the employees,  
317 ~~instructional personnel~~, or ~~school~~ administrators with  
318 employment references or discuss the employees', personnel's, or  
319 administrators' performance with prospective employers in  
320 another educational setting, without disclosing the employees',  
321 personnel's, or administrators' misconduct. Any part of an  
322 agreement or contract that has the purpose or effect of  
323 concealing misconduct by educational support employees,  
324 instructional personnel, or school administrators which affects  
325 the health, safety, or welfare of a student is void, is contrary  
326 to public policy, and may not be enforced.

327 (o) Before employing a person ~~instructional personnel or~~  
328 ~~school administrators~~ in any position that requires direct  
329 contact with students, conduct employment history checks of each



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330 ~~of the personnel's or administrators'~~ previous employers, screen  
331 the ~~person personnel or administrators~~ through use of the  
332 ~~educator~~ screening tools described in s. 1001.10(5), and  
333 document the findings. If unable to contact a previous employer,  
334 the private school must document efforts to contact the  
335 employer. The private school may not employ a person whose  
336 educator certificate is revoked, who is barred from reapplying  
337 for an educator certificate, or who is on the disqualification  
338 list maintained by the department pursuant to s. 1001.10(4)(b).

339 (r) Prohibit education support employees, instructional  
340 personnel, and school administrators from employment in any  
341 position that requires direct contact with students if the  
342 personnel or administrators are ineligible for such employment  
343 pursuant to this section or s. 1012.315, or have been terminated  
344 or resigned in lieu of termination for sexual misconduct with a  
345 student. If the prohibited conduct occurs subsequent to  
346 employment, the private school must report the person and the  
347 disqualifying circumstances to the department for inclusion on  
348 the disqualification list maintained pursuant to s.  
349 1001.10(4)(b).

350  
351 The department shall suspend the payment of funds to a private  
352 school that knowingly fails to comply with this subsection, and  
353 shall prohibit the school from enrolling new scholarship  
354 students, for 1 fiscal year and until the school complies. If a  
355 private school fails to meet the requirements of this subsection  
356 or has consecutive years of material exceptions listed in the  
357 report required under paragraph (q), the commissioner may  
358 determine that the private school is ineligible to participate



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359 in a scholarship program.

360 (3) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—

361 The Commissioner of Education:

362 (a) Shall deny, suspend, or revoke a private school's  
363 participation in a scholarship program if it is determined that  
364 the private school has failed to comply with this section or  
365 exhibits a previous pattern of failure to comply. However, if  
366 the noncompliance is correctable within a reasonable amount of  
367 time, not to exceed 45 days, and if the health, safety, or  
368 welfare of the students is not threatened, the commissioner may  
369 issue a notice of noncompliance which provides the private  
370 school with a timeframe within which to provide evidence of  
371 compliance before taking action to suspend or revoke the private  
372 school's participation in the scholarship program.

373 (b) May deny, suspend, or revoke a private school's  
374 participation in a scholarship program if the commissioner  
375 determines that an owner or operator of the private school is  
376 operating or has operated an educational institution in this  
377 state or in another state or jurisdiction in a manner contrary  
378 to the health, safety, or welfare of the public or if the owner  
379 or operator has exhibited a previous pattern of failure to  
380 comply with this section or specific requirements identified  
381 within respective scholarship program laws. For purposes of this  
382 subsection, the term "owner or operator" has the same meaning as  
383 provided in paragraph (1) (p).

384 (c) May permanently deny or revoke the authority of an  
385 owner or operator to establish or operate a private school in  
386 the state if the commissioner decides that the owner or operator  
387 is operating or has operated an educational institution in the



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388 state or another state or jurisdiction in a manner contrary to  
389 the health, safety, or welfare of the public, and shall include  
390 such individuals on the disqualification list maintained by the  
391 department pursuant to s. 1001.10(4)(b).

392 (d)1.(e)1- In making such a determination, may consider  
393 factors that include, but are not limited to, acts or omissions  
394 by an owner or operator which led to a previous denial,  
395 suspension, or revocation of participation in a state or federal  
396 education scholarship program; an owner's or operator's failure  
397 to reimburse the department or scholarship-funding organization  
398 for scholarship funds improperly received or retained by a  
399 school; the imposition of a prior criminal sanction related to  
400 an owner's or operator's management or operation of an  
401 educational institution; the imposition of a civil fine or  
402 administrative fine, license revocation or suspension, or  
403 program eligibility suspension, termination, or revocation  
404 related to an owner's or operator's management or operation of  
405 an educational institution; or other types of criminal  
406 proceedings in which an owner or operator was found guilty of,  
407 regardless of adjudication, or entered a plea of nolo contendere  
408 or guilty to, any offense involving fraud, deceit, dishonesty,  
409 or moral turpitude.

410 2. The commissioner's determination is subject to the  
411 following:

412 a. If the commissioner intends to deny, suspend, or revoke  
413 a private school's participation in the scholarship program, the  
414 department shall notify the private school of such proposed  
415 action in writing by certified mail and regular mail to the  
416 private school's address of record with the department. The



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417 notification shall include the reasons for the proposed action  
418 and notice of the timelines and procedures set forth in this  
419 paragraph.

420       b. The private school that is adversely affected by the  
421 proposed action shall have 15 days after receipt of the notice  
422 of proposed action to file with the department's agency clerk a  
423 request for a proceeding pursuant to ss. 120.569 and 120.57. If  
424 the private school is entitled to a hearing under s. 120.57(1),  
425 the department shall forward the request to the Division of  
426 Administrative Hearings.

427       c. Upon receipt of a request referred pursuant to this  
428 subparagraph, the director of the Division of Administrative  
429 Hearings shall expedite the hearing and assign an administrative  
430 law judge who shall commence a hearing within 30 days after the  
431 receipt of the formal written request by the division and enter  
432 a recommended order within 30 days after the hearing or within  
433 30 days after receipt of the hearing transcript, whichever is  
434 later. Each party shall be allowed 10 days in which to submit  
435 written exceptions to the recommended order. A final order shall  
436 be entered by the agency within 30 days after the entry of a  
437 recommended order. The provisions of this sub-subparagraph may  
438 be waived upon stipulation by all parties.

439       (e) ~~(d)~~ May immediately suspend payment of scholarship funds  
440 if it is determined that there is probable cause to believe that  
441 there is:

442           1. An imminent threat to the health, safety, or welfare of  
443 the students;

444           2. A previous pattern of failure to comply with this  
445 section; or





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446           3. Fraudulent activity on the part of the private school.  
447 Notwithstanding s. 1002.22, in incidents of alleged fraudulent  
448 activity pursuant to this section, the department's Office of  
449 Inspector General is authorized to release personally  
450 identifiable records or reports of students to the following  
451 persons or organizations:

452           a. A court of competent jurisdiction in compliance with an  
453 order of that court or the attorney of record in accordance with  
454 a lawfully issued subpoena, consistent with the Family  
455 Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

456           b. A person or entity authorized by a court of competent  
457 jurisdiction in compliance with an order of that court or the  
458 attorney of record pursuant to a lawfully issued subpoena,  
459 consistent with the Family Educational Rights and Privacy Act,  
460 20 U.S.C. s. 1232g.

461           c. Any person, entity, or authority issuing a subpoena for  
462 law enforcement purposes when the court or other issuing agency  
463 has ordered that the existence or the contents of the subpoena  
464 or the information furnished in response to the subpoena not be  
465 disclosed, consistent with the Family Educational Rights and  
466 Privacy Act, 20 U.S.C. s. 1232g, and 34 C.F.R. s. 99.31.

467  
468 The commissioner's order suspending payment pursuant to this  
469 paragraph may be appealed pursuant to the same procedures and  
470 timelines as the notice of proposed action set forth in  
471 subparagraph (d)2 ~~(e)2~~.

472           Section 6. Subsection (2) and paragraph (a) of subsection  
473 (4) of section 1006.061, Florida Statutes, are amended to read:

474           1006.061 Child abuse, abandonment, and neglect policy.—Each



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475 district school board, charter school, and private school that  
476 accepts scholarship students who participate in a state  
477 scholarship program under chapter 1002 shall:

478 (2) Post in a prominent place at each school site and on  
479 each school's ~~Internet~~ website, if available, the policies and  
480 procedures for reporting alleged misconduct by educational  
481 support employees, instructional personnel, or school  
482 administrators which affects the health, safety, or welfare of a  
483 student; the contact person to whom the report is made; and the  
484 penalties imposed on educational support employees,  
485 instructional personnel, or school administrators who fail to  
486 report suspected or actual child abuse or alleged misconduct by  
487 other educational support employees, instructional personnel, or  
488 school administrators.

489 (4) (a) Post in a prominent place in a clearly visible  
490 location and public area of the school which is readily  
491 accessible to and widely used by students a sign in English and  
492 Spanish that contains:

493 1. The statewide toll-free telephone number of the central  
494 abuse hotline as provided in chapter 39. ~~;~~

495 2. Instructions to call 911 for emergencies. ~~;~~ ~~and~~

496 3. Directions for accessing the Department of Children and  
497 Families Internet website for more information on reporting  
498 abuse, neglect, and exploitation.

499 4. Directions for accessing the Department of Education's  
500 website for more information on reporting acts that violate s.  
501 800.101.

502  
503 The Department of Education shall develop, and publish on the



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504 department's Internet website, sample notices suitable for  
505 posting in accordance with subsections (1), (2), and (4).

506 Section 7. Subsection (6) of section 1012.27, Florida  
507 Statutes, is amended to read:

508 1012.27 Public school personnel; powers and duties of  
509 district school superintendent.—The district school  
510 superintendent is responsible for directing the work of the  
511 personnel, subject to the requirements of this chapter, and in  
512 addition the district school superintendent shall perform the  
513 following:

514 (6) EMPLOYMENT HISTORY CHECKS.—Before employing a person in  
515 any position that requires direct contact with students, conduct  
516 employment history checks of each of the person's previous  
517 employers, review each affidavit of separation from previous  
518 employers pursuant to s. 1012.31, screen instructional personnel  
519 and school administrators, as defined in s. 1012.01, through use  
520 of the educator screening tools described in s. 1001.10(5), and  
521 document the findings. If unable to contact a previous employer,  
522 the district school superintendent shall document efforts to  
523 contact the employer.

524 Section 8. Paragraph (a) of subsection (2) of section  
525 1012.31, Florida Statutes, is amended to read:

526 1012.31 Personnel files.—Public school system employee  
527 personnel files shall be maintained according to the following  
528 provisions:

529 (2) (a) Materials relating to work performance, discipline,  
530 suspension, or dismissal must be reduced to writing and signed  
531 by a person competent to know the facts or make the judgment. In  
532 cases of separation due to termination or resignation in lieu of



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533 termination, the person shall execute and maintain an affidavit  
534 of separation, on the form adopted by the Department of  
535 Education, setting forth in detail the facts and reasons for  
536 such separation. The affidavit must expressly disclose when  
537 separation is due to a report of sexual misconduct with a  
538 student. The affidavit of separation must be executed under oath  
539 and constitutes an official statement within the purview of s.  
540 837.06. The affidavit of separation must include conspicuous  
541 language that intentional false execution of the affidavit  
542 constitutes a misdemeanor of the second degree ~~The resignation~~  
543 ~~or termination of an employee before an investigation of alleged~~  
544 ~~misconduct by the employee affecting the health, safety, or~~  
545 ~~welfare of a student is concluded must be clearly indicated in~~  
546 ~~the employee's personnel file.~~

547 Section 9. Section 1012.315, Florida Statutes, is amended  
548 to read:

549 1012.315 Screening standards ~~Disqualification from~~  
550 ~~employment.~~-A person is ineligible for educator certification or  
551 employment in any position that requires direct contact with  
552 students in a district school system, charter school, or a  
553 private school that participates ~~accepts scholarship students~~  
554 ~~who participate~~ in a state scholarship program under chapter  
555 1002 if the person is on the disqualification list maintained by  
556 the department pursuant to s. 1001.10(4)(b), is registered as a  
557 sex offender as described in 42 U.S.C. s. 9858f(c)(1)(C), or has  
558 been convicted or found guilty of, has had adjudication withheld  
559 for, or has pled guilty or nolo contendere to ~~of:~~

560 (1) Any felony offense prohibited under any of the  
561 following statutes:



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562 (a) Section 393.135, relating to sexual misconduct with  
563 certain developmentally disabled clients and reporting of such  
564 sexual misconduct.

565 (b) Section 394.4593, relating to sexual misconduct with  
566 certain mental health patients and reporting of such sexual  
567 misconduct.

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

570 (d) Section 782.04, relating to murder.

571 (e) Section 782.07, relating to manslaughter, aggravated  
572 manslaughter of an elderly person or disabled adult, aggravated  
573 manslaughter of a child, or aggravated manslaughter of an  
574 officer, a firefighter, an emergency medical technician, or a  
575 paramedic.

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

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

578 (h) Section 784.075, relating to battery on a detention or  
579 commitment facility staff member or a juvenile probation  
580 officer.

581 (i) Section 787.01, relating to kidnapping.

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

583 (k) Section 787.025, relating to luring or enticing a  
584 child.

585 (l) Section 787.04(2), relating to leading, taking,  
586 enticing, or removing a minor beyond the state limits, or  
587 concealing the location of a minor, with criminal intent pending  
588 custody proceedings.

589 (m) Section 787.04(3), relating to leading, taking,  
590 enticing, or removing a minor beyond the state limits, or



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591 concealing the location of a minor, with criminal intent pending  
592 dependency proceedings or proceedings concerning alleged abuse  
593 or neglect of a minor.

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

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

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

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

604 (r) Section 794.05, relating to unlawful sexual activity  
605 with certain minors.

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

607 (t) Chapter 796, relating to prostitution.

608 (u) Chapter 800, relating to lewdness and indecent  
609 exposure.

610 (v) Section 800.101, relating to offenses against students  
611 by authority figures.

612 (w) Section 806.01, relating to arson.

613 (x) Section 810.14, relating to voyeurism.

614 (y) Section 810.145, relating to video voyeurism.

615 (z) Section 812.014(6), relating to coordinating the  
616 commission of theft in excess of \$3,000.

617 (aa) Section 812.0145, relating to theft from persons 65  
618 years of age or older.

619 (bb) Section 812.019, relating to dealing in stolen



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620 property.  
621 (cc) Section 812.13, relating to robbery.  
622 (dd) Section 812.131, relating to robbery by sudden  
623 snatching.  
624 (ee) Section 812.133, relating to carjacking.  
625 (ff) Section 812.135, relating to home-invasion robbery.  
626 (gg) Section 817.563, relating to fraudulent sale of  
627 controlled substances.  
628 (hh) Section 825.102, relating to abuse, aggravated abuse,  
629 or neglect of an elderly person or disabled adult.  
630 (ii) Section 825.103, relating to exploitation of an  
631 elderly person or disabled adult.  
632 (jj) Section 825.1025, relating to lewd or lascivious  
633 offenses committed upon or in the presence of an elderly person  
634 or disabled person.  
635 (kk) Section 826.04, relating to incest.  
636 (ll) Section 827.03, relating to child abuse, aggravated  
637 child abuse, or neglect of a child.  
638 (mm) Section 827.04, relating to contributing to the  
639 delinquency or dependency of a child.  
640 (nn) Section 827.071, relating to sexual performance by a  
641 child.  
642 (oo) Section 843.01, relating to resisting arrest with  
643 violence.  
644 (pp) Chapter 847, relating to obscenity.  
645 (qq) Section 874.05, relating to causing, encouraging,  
646 soliciting, or recruiting another to join a criminal street  
647 gang.  
648 (rr) Chapter 893, relating to drug abuse prevention and



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649 control, if the offense was a felony of the second degree or  
650 greater severity.

651 (ss) Section 916.1075, relating to sexual misconduct with  
652 certain forensic clients and reporting of such sexual  
653 misconduct.

654 (tt) Section 944.47, relating to introduction, removal, or  
655 possession of contraband at a correctional facility.

656 (uu) Section 985.701, relating to sexual misconduct in  
657 juvenile justice programs.

658 (vv) Section 985.711, relating to introduction, removal, or  
659 possession of contraband at a juvenile detention facility or  
660 commitment program.

661 (2) Any misdemeanor offense prohibited under any of the  
662 following statutes:

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

665 (b) Section 787.025, relating to luring or enticing a  
666 child.

667 (3) Any criminal act committed in another state or under  
668 federal law which, if committed in this state, constitutes an  
669 offense prohibited under any statute listed in subsection (1) or  
670 subsection (2).

671 (4) Any delinquent act committed in this state or any  
672 delinquent or criminal act committed in another state or under  
673 federal law which, if committed in this state, qualifies an  
674 individual for inclusion on the Registered Juvenile Sex Offender  
675 List under s. 943.0435(1)(h)1.d.

676 Section 10. Subsection (1) of section 1012.795, Florida  
677 Statutes, is amended to read:





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678 1012.795 Education Practices Commission; authority to  
679 discipline.—

680 (1) The Education Practices Commission may suspend the  
681 educator certificate of any instructional personnel or school  
682 administrator, as defined in s. 1012.01(2) or (3), for up to 5  
683 years, thereby denying that person the right to teach or  
684 otherwise be employed by a district school board or public  
685 school in any capacity requiring direct contact with students  
686 for that period of time, after which the person may return to  
687 teaching as provided in subsection (4); may revoke the educator  
688 certificate of any person, thereby denying that person the right  
689 to teach or otherwise be employed by a district school board or  
690 public school in any capacity requiring direct contact with  
691 students for up to 10 years, with reinstatement subject to  
692 subsection (4); may permanently revoke the educator certificate  
693 of any person thereby denying that person the right to teach or  
694 otherwise be employed by a district school board or public  
695 school in any capacity requiring direct contact with students;  
696 may suspend a person's educator certificate, upon an order of  
697 the court or notice by the Department of Revenue relating to the  
698 payment of child support; may direct the department to place a  
699 certificateholder employed by a public school, charter school,  
700 charter school governing board, or private school that  
701 participates in a state scholarship program under chapter 1002  
702 on the disqualification list maintained by the department  
703 pursuant to s. 1001.10(4)(b) for misconduct that would render  
704 the person ineligible pursuant to s. 1012.315 or sexual  
705 misconduct with a student; or may impose any other penalty  
706 provided by law, if the person:



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707 (a) Obtained or attempted to obtain an educator certificate  
708 by fraudulent means.

709 (b) Knowingly failed to report actual or suspected child  
710 abuse as required in s. 1006.061 or report alleged misconduct by  
711 instructional personnel or school administrators which affects  
712 the health, safety, or welfare of a student as required in s.  
713 1012.796.

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

717 (d) Has been guilty of gross immorality or an act involving  
718 moral turpitude as defined by rule of the State Board of  
719 Education, including engaging in or soliciting sexual, romantic,  
720 or lewd conduct with a student or minor.

721 (e) Has had an educator certificate or other professional  
722 license sanctioned by this or any other state or has had the  
723 authority to practice the regulated profession revoked,  
724 suspended, or otherwise acted against, including a denial of  
725 certification or licensure, by the licensing or certifying  
726 authority of any jurisdiction, including its agencies and  
727 subdivisions. The licensing or certifying authority's acceptance  
728 of a relinquishment, stipulation, consent order, or other  
729 settlement offered in response to or in anticipation of the  
730 filing of charges against the licensee or certificateholder  
731 shall be construed as action against the license or certificate.  
732 For purposes of this section, a sanction or action against a  
733 professional license, a certificate, or an authority to practice  
734 a regulated profession must relate to being an educator or the  
735 fitness of or ability to be an educator.



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736 (f) Has been convicted or found guilty of, has had  
737 adjudication withheld for, or has pled guilty or nolo contendere  
738 to a misdemeanor, felony, or any other criminal charge, other  
739 than a minor traffic violation.

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

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

745 (i) Has been the subject of a court order or notice by the  
746 Department of Revenue pursuant to s. 409.2598 directing the  
747 Education Practices Commission to suspend the certificate as a  
748 result of noncompliance with a child support order, a subpoena,  
749 an order to show cause, or a written agreement with the  
750 Department of Revenue.

751 (j) Has violated the Principles of Professional Conduct for  
752 the Education Profession prescribed by State Board of Education  
753 rules.

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

756 (l) Has violated any order of the Education Practices  
757 Commission.

758 (m) Has been the subject of a court order or plea agreement  
759 in any jurisdiction which requires the certificateholder to  
760 surrender or otherwise relinquish his or her educator's  
761 certificate. A surrender or relinquishment shall be for  
762 permanent revocation of the certificate. A person may not  
763 surrender or otherwise relinquish his or her certificate prior  
764 to a finding of probable cause by the commissioner as provided



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765 in s. 1012.796.

766 (n) Has been disqualified from educator certification under  
767 s. 1012.315.

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

771 (p) Has violated test security as provided in s. 1008.24.

772 Section 11. Paragraphs (a), (b), (d), and (e) of subsection  
773 (1) and subsection (5) of section 1012.796, Florida Statutes,  
774 are amended, paragraph (i) is added to subsection (7), and  
775 subsection (10) is added to that section, to read:

776 1012.796 Complaints against teachers and administrators;  
777 procedure; penalties.-

778 (1)(a) The Department of Education shall cause to be  
779 investigated expeditiously any complaint filed before it or  
780 otherwise called to its attention which, if legally sufficient,  
781 contains grounds for the revocation or suspension of a  
782 certificate or any other appropriate penalty as set forth in  
783 subsection (7). The complaint is legally sufficient if it  
784 contains the ultimate facts which show a violation has occurred  
785 as provided in s. 1012.795 and defined by rule of the State  
786 Board of Education. The department shall investigate or continue  
787 to investigate and take appropriate action on a complaint even  
788 though the original complainant withdraws the complaint or  
789 otherwise indicates a desire not to cause it to be investigated  
790 or prosecuted to completion. The department may investigate or  
791 continue to investigate and take action on a complaint filed  
792 against a person whose educator certificate has expired if the  
793 act or acts that are the basis for the complaint were allegedly



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794 committed while that person possessed an educator certificate  
795 and may not issue a certificate to such a person unless an  
796 investigation has been completed.

797 (b) The department shall immediately investigate any  
798 legally sufficient complaint that involves misconduct by any  
799 certificated personnel which affects the health, safety, or  
800 welfare of a student, giving the complaint priority over other  
801 pending complaints. The department must investigate or continue  
802 to investigate and take action on such a complaint filed against  
803 a person whose educator certificate has expired if the act or  
804 acts that are the basis for the complaint were allegedly  
805 committed while that person possessed an educator certificate.  
806 The Commissioner of Education shall make a determination of  
807 probable cause within 90 days after receipt of any complaint  
808 involving sexual misconduct with a student. Upon the written  
809 request of a state attorney, this deadline may be held in  
810 abeyance during criminal proceedings related to the sexual  
811 misconduct with a student.

812 (d)1. Each school district shall file in writing with the  
813 department all legally sufficient complaints within 30 days  
814 after the date on which subject matter of the complaint comes to  
815 the attention of the school district, regardless of whether the  
816 subject of the complaint is still an employee of the school  
817 district. A complaint is legally sufficient if it contains  
818 ultimate facts that show a violation has occurred as provided in  
819 s. 1012.795 and defined by rule of the State Board of Education.  
820 The school district shall include all information relating to  
821 the complaint which is known to the school district at the time  
822 of filing.



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823           2. A school district shall immediately notify the  
824 department if the subject of a legally sufficient complaint of  
825 misconduct affecting the health, safety, or welfare of a student  
826 resigns or is terminated before the conclusion of the school  
827 district's investigation. Upon receipt of the notification, the  
828 department shall place an alert on the person's certification  
829 file indicating that he or she resigned or was terminated before  
830 an investigation involving allegations of misconduct affecting  
831 the health, safety, or welfare of a student was concluded. In  
832 such circumstances, the database may not include specific  
833 information relating to the alleged misconduct until permitted  
834 by subsection (4). This subparagraph does not limit or restrict  
835 the duty of the district school board to investigate the  
836 complaint and report the findings and conclusion to the  
837 department.

838           3. Each district school board shall develop and adopt  
839 policies and procedures to comply with this reporting  
840 requirement. School board policies and procedures must include  
841 standards for screening, hiring, and terminating instructional  
842 personnel and school administrators, as defined in s. 1012.01;  
843 standards of ethical conduct for instructional personnel and  
844 school administrators; the duties of instructional personnel and  
845 school administrators for upholding the standards; detailed  
846 procedures for reporting alleged misconduct by instructional  
847 personnel and school administrators which affects the health,  
848 safety, or welfare of a student; requirements for the  
849 reassignment of instructional personnel and ~~or~~ school  
850 administrators pending the outcome of a misconduct  
851 investigation; and penalties for failing to comply with s.



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852 1001.51 or s. 1012.795. The district school board policies and  
853 procedures must ~~shall~~ include appropriate penalties for all  
854 personnel of the district school board for nonreporting and  
855 procedures for promptly informing the district school  
856 superintendent of each legally sufficient complaint. The  
857 district school superintendent is charged with knowledge of  
858 these policies and procedures and is accountable for the  
859 training of all instructional personnel and school  
860 administrators of the school district on the standards of  
861 ethical conduct, policies, and procedures.

862 4. If the district school superintendent has knowledge of a  
863 legally sufficient complaint and does not report the complaint,  
864 or fails to enforce the policies and procedures of the district  
865 school board, and fails to comply with the requirements of this  
866 subsection, in addition to other actions against  
867 certificateholders authorized by law, the district school  
868 superintendent is subject to penalties as specified in s.  
869 1001.51(12).

870 5. If the superintendent determines that misconduct by  
871 instructional personnel or school administrators who hold an  
872 educator certificate affects the health, safety, or welfare of a  
873 student and the misconduct warrants termination, the  
874 instructional personnel or school administrators may resign or  
875 be terminated, and the superintendent must report the misconduct  
876 to the department in the format prescribed by the department.  
877 The department shall maintain each report of misconduct as a  
878 public record in the instructional personnel's or school  
879 administrators' certification files. This paragraph does not  
880 limit or restrict the power and duty of the department to



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881 investigate complaints regarding certificateholders, regardless  
882 of the school district's untimely filing, or failure to file,  
883 complaints and followup reports. This subparagraph does not  
884 create a duty for the department to investigate complaints  
885 regarding noncertificateholders.

886 (e) If allegations arise against an employee who is  
887 certified under s. 1012.56 and employed in an educator-  
888 certificated position in any public school, charter school or  
889 governing board thereof, or private school that accepts  
890 scholarship students who participate in a state scholarship  
891 program under chapter 1002, the school shall file in writing  
892 with the department a legally sufficient complaint within 30  
893 days after the date on which the subject matter of the complaint  
894 came to the attention of the school, regardless of whether the  
895 subject of the allegations is still an employee of the school. A  
896 complaint is legally sufficient if it contains ultimate facts  
897 that show a violation has occurred as provided in s. 1012.795  
898 and defined by rule of the State Board of Education. The school  
899 shall include all known information relating to the complaint  
900 with the filing of the complaint. This paragraph does not limit  
901 or restrict the power and duty of the department to investigate  
902 complaints, regardless of the school's untimely filing, or  
903 failure to file, complaints and followup reports. A school  
904 described in this paragraph shall immediately notify the  
905 department if the subject of a legally sufficient complaint of  
906 misconduct affecting the health, safety, or welfare of a student  
907 resigns or is terminated before the conclusion of the school's  
908 investigation. Upon receipt of the notification, the department  
909 shall place an alert on the person's certification file





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910 indicating that he or she resigned or was terminated before an  
911 investigation involving allegations of misconduct affecting the  
912 health, safety, or welfare of a student was concluded and place  
913 the person on the disqualification list maintained by the  
914 department pursuant to s. 1001.10(4)(b). In such circumstances,  
915 the database may not include specific information relating to  
916 the alleged misconduct until permitted by subsection (4).

917 (5) When an allegation of misconduct by instructional  
918 personnel or school administrators, as defined in s. 1012.01, is  
919 received, if the alleged misconduct affects the health, safety,  
920 or welfare of a student, the district school superintendent in  
921 consultation with the school principal, or upon the request of  
922 the Commissioner of Education, must, at a minimum, immediately  
923 suspend the instructional personnel or school administrators  
924 from regularly assigned duties, with pay, and remove ~~reassign~~  
925 the suspended personnel or administrators from ~~to~~ positions that  
926 may ~~do not~~ require direct contact with students in the district  
927 school system. Such suspension shall continue until submission  
928 of a legally sufficient complaint. The proceedings and  
929 determination of sanctions shall be completed by a school  
930 district within 1 year after submission of the legally  
931 sufficient complaint ~~the completion of the proceedings and the~~  
932 ~~determination of sanctions, if any, pursuant to this section and~~  
933 ~~s. 1012.795.~~

934 (7) A panel of the commission shall enter a final order  
935 either dismissing the complaint or imposing one or more of the  
936 following penalties:

937 (i) Direct the department to place instructional personnel  
938 or school administrators on the disqualification list maintained



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939 by the department pursuant to s. 1001.10(4)(b) for conduct that  
940 would render the person ineligible pursuant to s. 1012.315 or  
941 sexual misconduct with a student.

942  
943 The penalties imposed under this subsection are in addition to,  
944 and not in lieu of, the penalties required for a third  
945 recruiting offense pursuant to s. 1006.20(2)(b).

946 (10) A person on the disqualification list maintained by  
947 the department pursuant to s. 1001.10(4)(b) shall be notified  
948 that he or she may not serve or apply to serve as an employee or  
949 contracted personnel at a public school or private school that  
950 participates in a state scholarship program under chapter 1002.  
951 A person who knowingly violates this provision commits a felony  
952 of the third degree, punishable as provided in s. 775.082 or s.  
953 775.083.

954 Section 12. Section 1012.797, Florida Statutes, is amended  
955 to read:

956 1012.797 Notification of ~~district school superintendent of~~  
957 certain charges against ~~or convictions of~~ employees.-

958 ~~(1)~~ Notwithstanding the provisions of s. 985.04(7) or any  
959 other ~~provision of~~ law to the contrary, a law enforcement agency  
960 shall, within 48 hours, notify the appropriate district school  
961 superintendent, charter school governing board, private school  
962 owner or administrator, president of the Florida School for the  
963 Deaf and the Blind, or university lab schools director or  
964 principal, as applicable, when its ~~of the name and address of~~  
965 any employee of the school district who is arrested for charged  
966 with a felony or with a misdemeanor involving the abuse of a  
967 minor child or the sale or possession of a controlled substance.



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968 The notification shall include the specific charge for which the  
969 employee of the school district was arrested. Notwithstanding  
970 ss. 1012.31(3)(a)1. and 1012.796(4), within 24 hours after such  
971 notification, the school principal or designee shall notify  
972 parents of enrolled students who had direct contact with the  
973 employee and include, at a minimum, the name and specific  
974 charges against the employee. Such notification shall include  
975 ~~other education providers such as the Florida School for the~~  
976 ~~Deaf and the Blind, university lab schools, and private~~  
977 ~~elementary and secondary schools.~~

978 ~~(2) Except to the extent necessary to protect the health,~~  
979 ~~safety, and welfare of other students, the information obtained~~  
980 ~~by the district school superintendent pursuant to this section~~  
981 ~~may be released only to appropriate school personnel or as~~  
982 ~~otherwise provided by law.~~

983 Section 13. This act shall take effect July 1, 2021.

984  
985 ===== T I T L E A M E N D M E N T =====

986 And the title is amended as follows:

987 Delete everything before the enacting clause  
988 and insert:

989 A bill to be entitled  
990 An act relating to educator conduct; amending s.  
991 1001.10, F.S.; requiring the Department of Education  
992 to maintain a disqualification list of certain  
993 persons; providing for the removal of a person from  
994 the list under certain circumstances; requiring the  
995 State Board of Education to adopt rules; requiring the  
996 department to provide access to specified information



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997 to certain staff for specified purposes; amending s.  
998 1001.42, F.S.; providing that certain provisions  
999 relating to conduct and prohibition from employment  
1000 apply to educational support employees; prohibiting  
1001 certain employees and personnel from employment under  
1002 certain circumstances; requiring district school  
1003 boards to report specified persons to the department  
1004 for inclusion on the list; providing that a school  
1005 board official forfeits his or her salary for 1 year  
1006 under additional circumstances; amending s. 1001.51,  
1007 F.S.; providing that a district school superintendent  
1008 forfeits his or her salary for 1 year under additional  
1009 circumstances; amending s. 1002.33, F.S.; prohibiting  
1010 certain individuals from employment at a charter  
1011 school; providing requirements for charter schools  
1012 relating to employing certain individuals; requiring  
1013 the governing board of a charter school to establish  
1014 the duty of instructional personnel and school  
1015 administrators to report specified alleged misconduct  
1016 by certain individuals; prohibiting an individual on  
1017 the list from employment in specified positions;  
1018 requiring a charter school to report specified  
1019 individuals to the department for inclusion on a  
1020 certain list; amending s. 1002.421, F.S.; requiring  
1021 certain private schools to include educational support  
1022 employees in specified policies; requiring certain  
1023 private schools to deny employment to certain persons;  
1024 prohibiting the employment of certain employees and  
1025 personnel under circumstances; requiring private



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1026 schools to report specified persons to the department  
1027 for inclusion on a certain list; authorizing the  
1028 Commissioner of Education to permanently revoke an  
1029 owner's or operator's authority to establish or  
1030 operate a private school in the state under certain  
1031 circumstances; amending s. 1006.061, F.S.; revising  
1032 the contents of a sign certain educational entities  
1033 are required to post to include information relating  
1034 to reporting of certain criminal acts; amending s.  
1035 1012.27, F.S.; revising the requirements for certain  
1036 employment history checks to include a specified  
1037 affidavit; amending s. 1012.31, requiring certain  
1038 persons to execute and maintain an affidavit of  
1039 separation form for specified purposes; providing  
1040 requirements for such affidavit; amending s. 1012.315,  
1041 F.S.; providing that certain persons are ineligible  
1042 for an educator certification or specified employment;  
1043 amending s. 1012.795, F.S.; revising acts that warrant  
1044 a disciplinary action by the commission; amending s.  
1045 1012.796, F.S.; prohibiting the department from  
1046 issuing a certificate to certain persons; requiring  
1047 the commissioner to make a determination of probable  
1048 cause within a specified timeframe for complaints  
1049 relating to sexual misconduct with a student;  
1050 providing for such timeframe to be held in abeyance  
1051 under certain circumstances; providing construction;  
1052 requiring certain individuals to be placed on a  
1053 disqualification list; requiring the commissioner to  
1054 remove certain suspended personnel or administrators



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1055 from certain positions under specified circumstances;  
1056 requiring a district school superintendent to  
1057 immediately suspend certain individuals and take  
1058 specified action as a results of alleged misconduct;  
1059 prohibiting certain individuals from serving or  
1060 applying to serve in specified positions at public  
1061 schools and specified private schools; providing a  
1062 timeframe for specified investigations; providing  
1063 timeframe for administrative suspension; providing  
1064 criminal penalties; amending s. 1012.797, F.S.;  
1065 revising provisions relating to notification by law  
1066 enforcement of certain charges against employees;  
1067 expanding the entities who receive such notifications;  
1068 requiring a school principal or designee to notify  
1069 certain parents of such notifications within a  
1070 specified timeframe; providing minimum requirements  
1071 for parental notifications; providing an effective  
1072 date.