

By Representative Wasserman Schultz

1 A bill to be entitled
2 An act relating to school personnel; amending
3 s. 231.02, F.S.; providing for access to the
4 Florida Crimes Information Telecommunications
5 Network for background checks of school
6 personnel; providing for the cost of background
7 checks; providing an effective date.

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

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11 Section 1. Paragraph (a) of subsection (2) of section
12 231.02, Florida Statutes, 1998 Supplement, is amended, and
13 paragraph (c) is added to that subsection to read:

14 231.02 Qualifications of personnel.--

15 (2)(a) Instructional and noninstructional personnel
16 who are hired or contracted individually or by an agency to
17 fill positions ~~requiring direct contact with students~~ in any
18 district school system or laboratory school shall, upon
19 employment, file a complete set of fingerprints taken by an
20 authorized law enforcement officer or an employee of the
21 school or district who is trained to take fingerprints. These
22 fingerprints shall be submitted to the Department of Law
23 Enforcement for state processing and to the Federal Bureau of
24 Investigation for federal processing. School districts that
25 have authorized terminal access to the Florida Crimes
26 Information Telecommunications Network may use this equipment
27 for the background check of district employees or employees
28 contracted individually or by an agency. However, the
29 background check may not be in lieu of the requirement that
30 fingerprints be submitted to the Florida Department of Law
31 Enforcement.Such new employees shall be on probationary

1 status pending fingerprint processing and determination of
2 compliance with standards of good moral character. Employees
3 found through fingerprint processing to have been convicted
4 of, found guilty of, or having entered a plea of guilty or
5 nolo contendere, regardless of adjudication, to a crime
6 involving moral turpitude or other crime under s. 435.04 may
7 ~~shall~~ not be employed in any position, except as specifically
8 approved by the district school board in accordance with
9 chapter 435 requiring direct contact with students.
10 Probationary employees terminated because of their criminal
11 record shall have the right to appeal such decisions. The
12 cost of the fingerprint processing may be borne by the school
13 board, ~~or the employee, or the contracted individual.~~

14 (c) Notwithstanding any other provision of this
15 section, school districts may have access to the Florida
16 Crimes Information Communications Network for background
17 checks of school volunteers. Beginning in fiscal year
18 1999-2000, the cost of background checks will be borne as
19 provided in the annual appropriations act.

20 Section 2. This act shall take effect upon becoming a
21 law.

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24 SENATE SUMMARY

25 Provides for terminal access to the Florida Crimes
26 Information Telecommunications Network for the purpose of
27 conducting background checks on school district
28 personnel. Provides for the allocation of costs of
29 background checks.
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