

By Senator Aronberg

27-369A-03

1 A bill to be entitled
2 An act relating to school employees; requiring
3 the Department of Law Enforcement to annually
4 check its current criminal database to
5 determine whether information about certain
6 school employees appears thereon; providing
7 procedures; providing responsibilities of the
8 Department of Education; prohibiting fees;
9 providing for notification of school districts;
10 allocating responsibility for investigating
11 information obtained through the background
12 checks; providing for future repeal unless
13 reviewed and reenacted by the Legislature;
14 providing an effective date.

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

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18 Section 1. Annual background check of current school
19 employees; procedures; waiver of costs; local responsibility
20 for investigating.--

21 (1) The Department of Law Enforcement shall annually
22 check its current criminal database for the name, date of
23 birth, and social security number of all current school
24 employees in this state other than the recently hired
25 employees who have been the subject of individual background
26 checks performed under section 1012.56, Florida Statutes,
27 during the preceding 12 months. The Department of Education
28 shall provide to the Department of Law Enforcement a list of
29 such current school employees. The background check required
30 under this section must consist of one massive database query
31 conducted once a year for all current employees, not a check

1 of each name, one name at a time, nor an annual fingerprint
2 check.

3 (2) The Department of Law Enforcement may not charge a
4 fee for a background check performed under subsection (1).

5 (3) The Department of Law Enforcement must promptly
6 inform the Department of Education if a current school
7 employee's name is found in the criminal database. The
8 Department of Education shall convey that information to the
9 school district that employs the individual whose name appears
10 in the database, so that the school district may take
11 appropriate action. Neither the Department of Law Enforcement
12 nor the Department of Education has the responsibility to
13 investigate any matches that are found under subsection (1).

14 (4) This section is repealed effective July 1, 2008,
15 unless reviewed and reenacted by the Legislature before that
16 date.

17 Section 2. This act shall take effect July 1, 2003.

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20 SENATE SUMMARY

21 Requires the Department of Law Enforcement to check its
22 current criminal database annually for the name, date of
23 birth, and social security number of current school
24 employees other than certain recently hired employees.
25 Provides responsibilities of the Department of Education.
26 Prohibits the Department of Law Enforcement from charging
27 a fee for this background check. Provides for notifying a
28 school district if any of its employees is found to be
29 listed on the criminal database. Provides that the school
30 district, rather than either department, is responsible
31 for any followup investigation. Provides for future
repeal unless reviewed and reenacted by the Legislature.