

1                                   A bill to be entitled  
2           An act relating to school personnel; creating  
3           s. 1012.47, F.S.; requiring certain personnel  
4           in an alternative school that operates under  
5           contract with a district school system to file  
6           a set of fingerprints; requiring personnel to  
7           be subject to state and federal rules and  
8           regulations; amending s. 1012.32, F.S.;  
9           requiring both instructional and  
10          noninstructional personnel of charter schools  
11          to file fingerprints with the school board of  
12          the district within which the charter school is  
13          located; providing that contractors have the  
14          same probationary status as employees;  
15          providing duties of the Department of Law  
16          Enforcement with respect to retention and  
17          search of fingerprint records submitted on  
18          behalf of school employees and contractors;  
19          providing duties of school districts and  
20          charter schools; providing for fees; providing  
21          an effective date.

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

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25           Section 1. Section 1012.47, Florida Statutes, is  
26          created to read:

27           1012.47 Employment of alternative school  
28          personnel.--All instructional and noninstructional personnel  
29          who are hired to fill positions requiring direct contact with  
30          students in an alternative school that operates under contract  
31          with a district school system shall, upon employment and

1 according to conditions of the contract, file a complete set  
2 of fingerprints as required in s. 1012.32. Such personnel  
3 shall be subject to state and federal rules and regulations  
4 that govern public school personnel.

5 Section 2. Subsection (2) of section 1012.32, Florida  
6 Statutes, is amended to read:

7 1012.32 Qualifications of personnel.--

8 (2)(a) Instructional and noninstructional personnel  
9 who are hired to fill positions requiring direct contact with  
10 students in any district school system or university lab  
11 school shall, upon employment, file a complete set of  
12 fingerprints taken by an authorized law enforcement officer or  
13 an employee of the school or district who is trained to take  
14 fingerprints. Instructional and noninstructional personnel who  
15 are hired or contracted to fill positions in any charter  
16 school and members of the governing board of any charter  
17 school, in compliance with s. 1002.33(12)(g), shall, upon  
18 employment, engagement of services, or appointment, file with  
19 the district school board for the district in which the  
20 charter school is located a complete set of fingerprints taken  
21 by an authorized law enforcement officer or an employee of the  
22 school or district who is trained to take fingerprints.These  
23 fingerprints shall be submitted to the Department of Law  
24 Enforcement for state processing and to the Federal Bureau of  
25 Investigation for federal processing. The new employees or  
26 contractors shall be on probationary status pending  
27 fingerprint processing and determination of compliance with  
28 standards of good moral character. Employees or contractors  
29 found through fingerprint processing to have been convicted of  
30 a crime involving moral turpitude shall not be employed or  
31 engaged to provide services in any position requiring direct

1 contact with students. Probationary employees or contractors  
2 terminated because of their criminal record shall have the  
3 right to appeal such decisions. The cost of the fingerprint  
4 processing may be borne by the district school board, the  
5 charter school, or the employee, or the contractor.

6 (b) Personnel who have been fingerprinted or screened  
7 pursuant to this subsection and who have not been unemployed  
8 or unengaged to provide services in a public or charter school  
9 for more than 90 days shall not be required to be  
10 refingerprinted or rescreened in order to comply with the  
11 requirements of this subsection.

12 (c) Beginning July 1, 2003, all fingerprints submitted  
13 to the Department of Law Enforcement as required by paragraph  
14 (a), shall be retained by the Department of Law Enforcement  
15 and entered in the statewide automated fingerprint  
16 identification system authorized by s. 943.05(2)(b). Such  
17 fingerprints shall thereafter be available for all purposes  
18 and uses authorized for arrest fingerprint cards entered in  
19 the statewide automated fingerprint identification system  
20 pursuant to s. 943.051.

21 Section 3. This act shall take effect July 1, 2003.  
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