

Bill No. SB 10-A

Amendment No. 1 Barcode 701728

CHAMBER ACTION

Senate

House

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The Committee on Appropriations recommended the following amendment:

**Senate Amendment (with title amendment)**

On page 3, between lines 9 and 10,

and insert:

Section 3. Subsection (2) of section 1012.32, Florida Statutes, is amended to read:

1012.32 Qualifications of personnel.--

(2)(a) Instructional and noninstructional personnel who are hired to fill positions requiring direct contact with students in any district school system or university lab school shall, upon employment, file a complete set of fingerprints taken by an authorized law enforcement officer or an employee of the school or district who is trained to take fingerprints. Instructional and noninstructional personnel who are hired or contracted to fill positions in any charter school and members of the governing board of any charter school, in compliance with s. 1002.33(12)(g), shall, upon employment, engagement of services, or appointment, file with

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1 the district school board for the district in which the  
2 charter school is located a complete set of fingerprints taken  
3 by an authorized law enforcement officer or an employee of the  
4 school or district who is trained to take fingerprints. These  
5 fingerprints shall be submitted to the Department of Law  
6 Enforcement for state processing and to the Federal Bureau of  
7 Investigation for federal processing. The new employees or  
8 contractors shall be on probationary status pending  
9 fingerprint processing and determination of compliance with  
10 standards of good moral character. Employees or contractors  
11 found through fingerprint processing to have been convicted of  
12 a crime involving moral turpitude shall not be employed or  
13 engaged to provide services in any position requiring direct  
14 contact with students. Probationary employees or contractors  
15 terminated because of their criminal record shall have the  
16 right to appeal such decisions. The cost of the fingerprint  
17 processing may be borne by the district school board, the  
18 charter school, or the employee, or the contractor.

19 (b) Personnel who have been fingerprinted or screened  
20 pursuant to this subsection and who have not been unemployed  
21 or unengaged to provide services in a public or charter school  
22 for more than 90 days shall not be required to be  
23 refingerprinted or rescreened in order to comply with the  
24 requirements of this subsection.

25 (c) Beginning July 1, 2003, all fingerprints submitted  
26 to the Department of Law Enforcement as required by paragraph  
27 (a) shall be retained by the Department of Law Enforcement and  
28 entered into the statewide automated fingerprint  
29 identification system authorized by s. 943.05(2)(b). Such  
30 fingerprints shall thereafter be available for all purposes  
31 and uses authorized for arrest fingerprint cards entered in

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1 the statewide automated fingerprint identification system  
2 pursuant to s. 943.051.

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4 (Redesignate subsequent sections.)

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7 ===== T I T L E A M E N D M E N T =====

8 And the title is amended as follows:

9 On page 1, line 11, after the semicolon,

10  
11 insert:

12 amending s. 1012.32, F.S.; requiring both  
13 instructional and noninstructional personnel of  
14 charter schools to file fingerprints with the  
15 school board of the district within which the  
16 charter school is located; providing that  
17 contractors have the same probationary status  
18 as employees; providing duties of the  
19 Department of Law Enforcement with respect to  
20 retention and search of fingerprint records  
21 submitted on behalf of school employees and  
22 contractors; providing for fees;

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