

HB 0685

2004

1 A bill to be entitled
 2 An act relating to school district and charter school
 3 employees and contractors; amending s. 1012.32, F.S.;
 4 requiring both instructional and noninstructional
 5 personnel of charter schools to file fingerprints with the
 6 school board of the district within which the charter
 7 school is located; providing that contractors have the
 8 same probationary status as employees; providing duties of
 9 the Department of Law Enforcement with respect to
 10 retention of fingerprint records submitted on behalf of
 11 school employees and contractors; providing for the
 12 availability of such fingerprints; providing an effective
 13 date.

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

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 17 Section 1. Subsection (2) of section 1012.32, Florida
 18 Statutes, is amended to read:

19 1012.32 Qualifications of personnel.--

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

HB 0685

2004

30 services, or appointment, file with the district school board
 31 for the district in which the charter school is located a
 32 complete set of fingerprints taken by an authorized law
 33 enforcement officer or an employee of the school or district who
 34 is trained to take fingerprints. These fingerprints shall be
 35 submitted to the Department of Law Enforcement for state
 36 processing and to the Federal Bureau of Investigation for
 37 federal processing. The new employees or contractors shall be on
 38 probationary status pending fingerprint processing and
 39 determination of compliance with standards of good moral
 40 character. Employees or contractors found through fingerprint
 41 processing to have been convicted of a crime involving moral
 42 turpitude shall not be employed or engaged to provide services
 43 in any position requiring direct contact with students.
 44 Probationary employees or contractors terminated because of
 45 their criminal record shall have the right to appeal such
 46 decisions. The cost of the fingerprint processing may be borne
 47 by the district school board, the charter school, ~~or~~ the
 48 employee, or the contractor.

49 (b) Personnel who have been fingerprinted or screened
 50 pursuant to this subsection and who have not been unemployed or
 51 unengaged to provide services in a public or charter school for
 52 more than 90 days shall not be required to be refingerprinted or
 53 rescreened in order to comply with the requirements of this
 54 subsection.

55 (c) Beginning July 1, 2004, all fingerprints submitted to
 56 the Department of Law Enforcement as required by paragraph (a)
 57 shall be retained by the Department of Law Enforcement and
 58 entered in the statewide automated fingerprint identification

HB 0685

2004

59 system authorized by s. 943.05(2)(b). Such fingerprints must
60 thereafter be available for all purposes and uses authorized for
61 arrest fingerprint cards entered in the statewide automated
62 fingerprint identification system pursuant to s. 943.051.

63 Section 2. This act shall take effect July 1, 2004.