

By Senator Diaz de la Portilla

36-1699-07

See HB 795

1                                 A bill to be entitled  
2           An act relating to the Office of Public  
3           Inspector; creating s. 1001.15, F.S.; creating  
4           the Office of Public Inspector in the Office of  
5           the Commissioner of Education; providing duties  
6           to track and report incidents of fraud, waste,  
7           and abuse and occurrences of specified crimes  
8           by teachers or other school district employees;  
9           providing for availability of weekly reports;  
10          providing definitions; requiring collaboration  
11          to identify certain incidents; providing an  
12          effective date.

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

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16           Section 1.   Section 1001.15, Florida Statutes, is  
17   created to read:

18           1001.15 Office of Public Inspector.--

19           (1) It is the intent of the Legislature to create an  
20 office within the Office of the Commissioner of Education to  
21 track incidents of fraud, waste, and abuse that occur each  
22 year in Florida public schools, to track the occurrence of  
23 selected crimes committed by teachers, and to make that  
24 information available to the public in a simple and easy to  
25 understand format.

26           (2) There is created the Office of Public Inspector in  
27 the Office of the Commissioner of Education. The Public  
28 Inspector shall gather and report information on the following  
29 incidents as defined in this section: reported teacher abuse,  
30 molestation, and sex offenses; reported fraud in school  
31 construction and overpayments for school contracts; reported

1 cases of teachers or noninstructional school district  
2 employees charged with driving under the influence of alcohol  
3 or controlled substances, theft, robbery, or FCAT cheating;  
4 and reported district school board, district school  
5 superintendent, or administrative personnel impropriety. The  
6 report must be in a simple and easy to understand format to be  
7 developed by the Public Inspector and shall be for  
8 informational tracking purposes only. The report, which must  
9 be updated on a weekly basis, must list incidents by county  
10 and be made readily available to the public through an  
11 Internet website maintained by the Department of Education.  
12 The report must also be available to the public in printed  
13 form upon written request to the Office of Public Inspector.  
14 The Public Inspector shall work cooperatively with, but  
15 independently of, the Inspector General and shall not  
16 duplicate or carry out the responsibilities of the Inspector  
17 General as set forth in s. 1001.20(4)(e).

18 (3) For purposes of gathering, tracking, and reporting  
19 the incidents described in subsection (2), the following  
20 definitions apply:

21 (a) "Charged" means formally charged by information or  
22 indictment filed by a state attorney regardless of the final  
23 disposition.

24 (b) "Driving under the influence of alcohol or  
25 controlled substances" means an offense under s. 316.193 or  
26 similar law of another state or territory of the United  
27 States.

28 (c) "Molestation" means an offense under s. 800.04 or  
29 similar law of another state or territory of the United  
30 States.

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1           (d) "Reported" means any sworn complaint filed with  
2 any law enforcement agency, state attorney, public or private  
3 school, district school board, or the Inspector General,  
4 including any incident reported to law enforcement resulting  
5 in arrest.

6           (e) "Robbery" means any robbery under s. 812.13,  
7 robbery by sudden snatching under s. 812.131, carjacking under  
8 s. 812.133, or home-invasion robbery under s. 812.135, or any  
9 similar law of another state or territory of the United  
10 States.

11           (f) "Sex offense" means any violation of s. 794.011,  
12 s. 794.05, s. 800.02, s. 800.03, or s. 827.071 or any felony  
13 violation of chapter 847, or any similar law of another state  
14 or territory of the United States.

15           (g) "Teacher abuse" means any violation under s.  
16 827.03 or s. 827.04, or any similar law of another state or  
17 territory of the United States, committed by a teacher.

18           (h) "Theft" means any offense described as a theft  
19 under chapter 812.

20           (4) In addition to the incidents defined in subsection  
21 (3), the Public Inspector shall collaborate with the Inspector  
22 General, district school boards, and other interested parties  
23 to identify incidents of reported district school board,  
24 district school superintendent, or administrative personnel  
25 impropriety; fraud in school construction; overpayments for  
26 school contracts; and FCAT cheating, for the purpose of  
27 inclusion of data regarding such incidents in the Public  
28 Inspector's weekly report.

29           (5) The first weekly report required under this  
30 section shall be due for publication by January 31, 2008.

31           Section 2. This act shall take effect July 1, 2007.