



401096

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
3/20/2008	.	
	.	
	.	

1 The Committee on Education Pre-K - 12 Appropriations (Wise)  
 2 recommended the following **amendment**:

3  
 4 **Senate Amendment (with title amendment)**

5  
 6 Delete lines 537 through 595  
 7 and insert:

8 5. The sponsor of a charter school that fails to comply  
 9 with this paragraph shall terminate the charter pursuant to  
 10 subsection (8).

11 Section 15. Paragraph (g) is added to subsection (7) of  
 12 section 1002.36, Florida Statutes, to read:

13 1002.36 Florida School for the Deaf and the Blind.--

14 (7) PERSONNEL SCREENING.--

15 (g) For the purpose of protecting the health, safety, or  
 16 welfare of students and the ethical standards for professional  
 17 educators, the Florida School for the Deaf and the Blind shall be



401096

18 considered a school district and shall meet the provisions of ss.  
19 1001.03, 1001.42, 1001.51, 1006.061, 1012.27, 1012.315, 1012.32,  
20 1012.56, 1012.33, 1012.795, and 1012.796.

21 Section 16. Present subsections (4), (5), and (6) of  
22 section 1002.421, Florida Statutes, are redesignated as  
23 subsections (5), (6), and (7), respectively, and a new subsection  
24 (4) is added to that section, to read:

25 1002.421 Accountability of private schools participating in  
26 state school choice scholarship programs.--

27 (4) A private school participating in a scholarship program  
28 under this section shall:

29 (a) Disqualify from employment in an instructional or  
30 school administrator position that involves direct contact with  
31 students any individual convicted of a disqualifying offense  
32 identified under s. 1012.315.

33 (b) Adopt and communicate policies and procedures setting  
34 forth ethical standards for all employees and include policies  
35 and procedures in professional development for all staff. The  
36 policies and procedures must include responsibilities and  
37 procedures for reporting suspected or actual misconduct by  
38 instructional personnel or a school administrator which affects  
39 the health, safety, or welfare of a student and an explanation of  
40 liability protections provided to students, parents, and  
41 employees under ss. 39.201, 39.202, and 768.095 who report  
42 suspected or actual misconduct that affects the health, safety,  
43 or welfare of a student. A private school or any of its employees  
44 may not enter into a confidentiality agreement regarding a  
45 terminated or dismissed employee or an employee who resigns in  
46 lieu of termination based in whole or in part on unethical  
47 conduct that affects the health, safety, or welfare of a student



401096

48 and may not provide the employee with a favorable recommendation  
49 for employment in another educational setting. Any portion of an  
50 agreement or contract that has the purpose or effect of  
51 concealing the unethical conduct of an educator as described  
52 under s. 1012.795 is void, is contrary to public policy, and may  
53 not be enforced.

54 (c) Prior to appointing a candidate to an instructional or  
55 school administrator position that involves direct contact with  
56 students, contact the previous employer of the candidate to  
57 assess the candidate's ability to meet ethical standards for  
58 professional educators, screen the candidate through the use of  
59 educator screening tools described in s. 1001.10(5), and document  
60 the findings.

61  
62 ===== T I T L E A M E N D M E N T =====

63 And the title is amended as follows:

64  
65 Delete lines 49 through 65  
66 and insert:

67  
68 standards; requiring the charter school sponsor to suspend  
69 the school's charter for failing to comply with these  
70 requirements; amending s. 1002.36, F.S.; requiring the  
71 Florida School for the Deaf and the Blind to meet certain  
72 requirements governing the screening of educators;  
73 amending ss. 1002.421 and 1002.55, F.S.; requiring owners  
74 of certain private schools and private prekindergarten  
75 providers to adopt ethical standards for all employees;  
76 prohibiting confidentiality agreements regarding  
77 terminated or dismissed employees which have the effect of



401096

78 |       concealing certain conduct; requiring such owners and  
79 |       providers to contact the previous employer of each  
80 |       instructional or administrative candidate for employment;  
81 |       amending ss. 1002.61,