

1                                   A bill to be entitled  
 2           An act relating to teacher protection; providing a  
 3           short title; creating s. 16.0152, F.S.; authorizing  
 4           certain teachers who are made a party to a civil suit  
 5           to request representation by the Attorney General;  
 6           requiring the Attorney General to defend the teacher  
 7           if the Attorney General determines that the suit has  
 8           arisen out of an act that the teacher in good faith  
 9           believed was within the scope of his or her duties;  
 10          requiring annual notice to teachers of their options  
 11          under this provision; providing that certain  
 12          determinations by the Attorney General are not  
 13          admissible in evidence; providing construction;  
 14          amending s. 447.203, F.S.; excluding certain  
 15          professional teacher associations from the definition  
 16          of "employee organization" for purposes of provisions  
 17          relating to public employee organizations unless such  
 18          associations apply for registration under specified  
 19          provisions; providing an effective date.

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

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 23           Section 1. This act may be cited as the "Teacher  
 24 Protection Act."

25           Section 2. Section 16.0152, Florida Statutes, is created  
 26 to read:

27           16.0152 Suits against K-12 classroom teachers; defense by  
 28 Attorney General.-

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29       (1) A K-12 classroom teacher as defined in s.  
30 1012.01(2)(a), other than a substitute teacher, who is made a  
31 party to a civil suit for enforcing discipline policies  
32 developed under s. 1003.32 may request legal representation by  
33 the Attorney General. Such request must be in writing and  
34 submitted to the Attorney General as soon as possible, but no  
35 later than 14 days after the teacher receives the complaint.

36       (2) The Attorney General shall defend the teacher  
37 throughout the civil action if the Attorney General determines  
38 that the suit has arisen out of an act that the teacher in good  
39 faith believed was within the scope of the teacher's duties in  
40 enforcing discipline policies developed under s. 1003.32.

41       (3) No later than August 15 of each year, the Attorney  
42 General shall draft and the Commissioner of Education shall  
43 disseminate a notice to each K-12 classroom teacher concerning  
44 the teacher's options under this section.

45       (4) A determination made by the Attorney General not to  
46 represent a teacher under this section is not admissible as  
47 evidence in the trial of any such civil action.

48       (5) This section does not deprive any person of the  
49 person's right to select counsel of the person's own choice at  
50 the person's own expense.

51       Section 3. Subsection (11) of section 447.203, Florida  
52 Statutes, is amended to read:

53       447.203 Definitions.—As used in this part:

54       (11) "Employee organization" or "organization" means any  
55 labor organization, union, association, fraternal order,  
56 occupational or professional society, or group, however

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57 | organized or constituted, that ~~which~~ represents, or seeks to  
58 | represent, any public employee or group of public employees  
59 | concerning any matters relating to their employment relationship  
60 | with a public employer, except that a "professional teacher  
61 | association" as defined in s. 1001.03(4) shall not be included  
62 | in this definition until it applies for registration pursuant to  
63 | s. 447.305.

64 | Section 4. This act shall take effect July 1, 2012.