

By the Committee on Education; and Senator Book

581-02336-18

20181548c1

1                   A bill to be entitled  
2           An act relating to K-12 student safety; amending s.  
3           1006.07, F.S.; revising district school board duties  
4           to include security risk assessments; requiring  
5           certain self-assessments to be in a specified format;  
6           amending s. 1011.62, F.S.; prohibiting certain  
7           teachers from receiving bonuses related to specified  
8           FTE student membership calculations; authorizing the  
9           State Board of Education to adopt rules for rescinding  
10          certain certifications or grades; amending s.  
11          1012.315, F.S.; providing that certain persons are  
12          ineligible for employment in a school district under  
13          specified circumstances; amending s. 1012.36, F.S.;  
14          providing that certain persons are not exempt from  
15          specified certification requirements; amending s.  
16          1012.56, F.S.; requiring certified educators to inform  
17          their employers within a specified time period after  
18          being arrested for, rather than convicted of, certain  
19          offenses; authorizing the Department of Education to  
20          deny applicants for certification if the applicant  
21          could be disciplined by the Education Practices  
22          Commission; authorizing the commission to impose  
23          specified penalties on such applicants under certain  
24          circumstances; amending s. 1012.57, F.S.; providing  
25          that an adjunct teaching certificate does not fulfill  
26          specified certification requirements; amending s.  
27          1012.795, F.S.; authorizing the commission to take  
28          certain actions against persons who meet specified  
29          criteria; amending s. 1012.796, F.S.; requiring

581-02336-18

20181548c1

30 certified educators who are placed on probation to  
31 immediately notify a specified office upon separation  
32 from, rather than termination of, employment;  
33 providing an effective date.  
34

35 Be It Enacted by the Legislature of the State of Florida:  
36

37 Section 1. Subsection (6) of section 1006.07, Florida  
38 Statutes, is amended to read:

39 1006.07 District school board duties relating to student  
40 discipline and school safety.—The district school board shall  
41 provide for the proper accounting for all students, for the  
42 attendance and control of students at school, and for proper  
43 attention to health, safety, and other matters relating to the  
44 welfare of students, including:

45 (6) SAFETY AND SECURITY BEST PRACTICES.—Each school  
46 district shall Use the Safety and Security Best Practices  
47 developed by the Office of Program Policy Analysis and  
48 Government Accountability to conduct a security risk assessment  
49 at each public school and conduct a self-assessment of the  
50 school districts' current safety and security practices using a  
51 format prescribed by the department. Based on these assessment  
52 self-assessment findings, the district school superintendent  
53 shall provide recommendations to the district school board which  
54 identify strategies and activities that the district school  
55 board should implement in order to improve school safety and  
56 security. Annually, each district school board must receive such  
57 findings and the superintendent's recommendations ~~the self-~~  
58 ~~assessment results~~ at a publicly noticed district school board

581-02336-18

20181548c1

59 meeting to provide the public an opportunity to hear the  
60 district school board members discuss and take action on the  
61 ~~report~~ findings and recommendations. Each district school  
62 superintendent shall report such findings ~~the self-assessment~~  
63 ~~results~~ and school board action to the commissioner within 30  
64 days after the district school board meeting.

65 Section 2. Paragraphs (o) and (t) of subsection (1) of  
66 section 1011.62, Florida Statutes, are amended to read:

67 1011.62 Funds for operation of schools.—If the annual  
68 allocation from the Florida Education Finance Program to each  
69 district for operation of schools is not determined in the  
70 annual appropriations act or the substantive bill implementing  
71 the annual appropriations act, it shall be determined as  
72 follows:

73 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR  
74 OPERATION.—The following procedure shall be followed in  
75 determining the annual allocation to each district for  
76 operation:

77 (o) *Calculation of additional full-time equivalent*  
78 *membership based on successful completion of a career-themed*  
79 *course pursuant to ss. 1003.491, 1003.492, and 1003.493, or*  
80 *courses with embedded CAPE industry certifications or CAPE*  
81 *Digital Tool certificates, and issuance of industry*  
82 *certification identified on the CAPE Industry Certification*  
83 *Funding List pursuant to rules adopted by the State Board of*  
84 *Education or CAPE Digital Tool certificates pursuant to s.*  
85 *1003.4203.—*

86 1.a. A value of 0.025 full-time equivalent student  
87 membership shall be calculated for CAPE Digital Tool

581-02336-18

20181548c1

88 certificates earned by students in elementary and middle school  
89 grades.

90       b. A value of 0.1 or 0.2 full-time equivalent student  
91 membership shall be calculated for each student who completes a  
92 course as defined in s. 1003.493(1)(b) or courses with embedded  
93 CAPE industry certifications and who is issued an industry  
94 certification identified annually on the CAPE Industry  
95 Certification Funding List approved under rules adopted by the  
96 State Board of Education. A value of 0.2 full-time equivalent  
97 membership shall be calculated for each student who is issued a  
98 CAPE industry certification that has a statewide articulation  
99 agreement for college credit approved by the State Board of  
100 Education. For CAPE industry certifications that do not  
101 articulate for college credit, the Department of Education shall  
102 assign a full-time equivalent value of 0.1 for each  
103 certification. Middle grades students who earn additional FTE  
104 membership for a CAPE Digital Tool certificate pursuant to sub-  
105 subparagraph a. may not use the previously funded examination to  
106 satisfy the requirements for earning an industry certification  
107 under this sub-subparagraph. Additional FTE membership for an  
108 elementary or middle grades student may not exceed 0.1 for  
109 certificates or certifications earned within the same fiscal  
110 year. The State Board of Education shall include the assigned  
111 values on the CAPE Industry Certification Funding List under  
112 rules adopted by the state board. Such value shall be added to  
113 the total full-time equivalent student membership for grades 6  
114 through 12 in the subsequent year. CAPE industry certifications  
115 earned through dual enrollment must be reported and funded  
116 pursuant to s. 1011.80. However, if a student earns a

581-02336-18

20181548c1

117 certification through a dual enrollment course and the  
118 certification is not a fundable certification on the  
119 postsecondary certification funding list, or the dual enrollment  
120 certification is earned as a result of an agreement between a  
121 school district and a nonpublic postsecondary institution, the  
122 bonus value shall be funded in the same manner as other nondual  
123 enrollment course industry certifications. In such cases, the  
124 school district may provide for an agreement between the high  
125 school and the technical center, or the school district and the  
126 postsecondary institution may enter into an agreement for  
127 equitable distribution of the bonus funds.

128 c. A value of 0.3 full-time equivalent student membership  
129 shall be calculated for student completion of the courses and  
130 the embedded certifications identified on the CAPE Industry  
131 Certification Funding List and approved by the commissioner  
132 pursuant to ss. 1003.4203(5) (a) and 1008.44.

133 d. A value of 0.5 full-time equivalent student membership  
134 shall be calculated for CAPE Acceleration Industry  
135 Certifications that articulate for 15 to 29 college credit  
136 hours, and 1.0 full-time equivalent student membership shall be  
137 calculated for CAPE Acceleration Industry Certifications that  
138 articulate for 30 or more college credit hours pursuant to CAPE  
139 Acceleration Industry Certifications approved by the  
140 commissioner pursuant to ss. 1003.4203(5) (b) and 1008.44.

141 2. Each district must allocate at least 80 percent of the  
142 funds provided for CAPE industry certification, in accordance  
143 with this paragraph, to the program that generated the funds.  
144 This allocation may not be used to supplant funds provided for  
145 basic operation of the program.

581-02336-18

20181548c1

146           3. For CAPE industry certifications earned in the 2013-2014  
147 school year and in subsequent years, the school district shall  
148 distribute to each classroom teacher who provided direct  
149 instruction toward the attainment of a CAPE industry  
150 certification that qualified for additional full-time equivalent  
151 membership under subparagraph 1.:

152           a. A bonus of \$25 for each student taught by a teacher who  
153 provided instruction in a course that led to the attainment of a  
154 CAPE industry certification on the CAPE Industry Certification  
155 Funding List with a weight of 0.1.

156           b. A bonus of \$50 for each student taught by a teacher who  
157 provided instruction in a course that led to the attainment of a  
158 CAPE industry certification on the CAPE Industry Certification  
159 Funding List with a weight of 0.2.

160           c. A bonus of \$75 for each student taught by a teacher who  
161 provided instruction in a course that led to the attainment of a  
162 CAPE industry certification on the CAPE Industry Certification  
163 Funding List with a weight of 0.3.

164           d. A bonus of \$100 for each student taught by a teacher who  
165 provided instruction in a course that led to the attainment of a  
166 CAPE industry certification on the CAPE Industry Certification  
167 Funding List with a weight of 0.5 or 1.0.

168  
169 Bonuses awarded pursuant to this paragraph shall be provided to  
170 teachers who are employed by the district in the year in which  
171 the additional FTE membership calculation is included in the  
172 calculation. Bonuses shall be calculated based upon the  
173 associated weight of a CAPE industry certification on the CAPE  
174 Industry Certification Funding List for the year in which the

581-02336-18

20181548c1

175 certification is earned by the student. Any bonus awarded to a  
176 teacher pursuant to ~~under~~ this paragraph is in addition to any  
177 regular wage or other bonus the teacher received or is scheduled  
178 to receive. A bonus may not be awarded to a teacher who fails to  
179 maintain the security of any CAPE industry certification  
180 examination or who otherwise violates the security or  
181 administration protocol of any assessment instrument that may  
182 result in a bonus being awarded to the teacher under this  
183 paragraph.

184 (t) *Computation for funding through the Florida Education*  
185 *Finance Program.*—The State Board of Education may adopt rules  
186 establishing programs, industry certifications, and courses for  
187 which the student may earn credit toward high school graduation  
188 and the criteria under which a student's industry certification  
189 or grade may be rescinded.

190 Section 3. Section 1012.315, Florida Statutes, is amended  
191 to read:

192 1012.315 Disqualification from employment.—A person is  
193 ineligible for educator certification or, ~~and instructional~~  
194 ~~personnel and school administrators, as defined in s. 1012.01,~~  
195 ~~are ineligible for~~ employment in any position that requires  
196 direct contact with students in a district school system,  
197 charter school, or private school that accepts scholarship  
198 students under s. 1002.39 or s. 1002.395~~7~~ if the person~~7~~  
199 ~~instructional personnel, or school administrator~~ has been  
200 convicted of:

201 (1) Any felony offense prohibited under any of the  
202 following statutes:

203 (a) Section 393.135, relating to sexual misconduct with

581-02336-18

20181548c1

204 certain developmentally disabled clients and reporting of such  
205 sexual misconduct.

206 (b) Section 394.4593, relating to sexual misconduct with  
207 certain mental health patients and reporting of such sexual  
208 misconduct.

209 (c) Section 415.111, relating to adult abuse, neglect, or  
210 exploitation of aged persons or disabled adults.

211 (d) Section 782.04, relating to murder.

212 (e) Section 782.07, relating to manslaughter, aggravated  
213 manslaughter of an elderly person or disabled adult, aggravated  
214 manslaughter of a child, or aggravated manslaughter of an  
215 officer, a firefighter, an emergency medical technician, or a  
216 paramedic.

217 (f) Section 784.021, relating to aggravated assault.

218 (g) Section 784.045, relating to aggravated battery.

219 (h) Section 784.075, relating to battery on a detention or  
220 commitment facility staff member or a juvenile probation  
221 officer.

222 (i) Section 787.01, relating to kidnapping.

223 (j) Section 787.02, relating to false imprisonment.

224 (k) Section 787.025, relating to luring or enticing a  
225 child.

226 (l) Section 787.04(2), relating to leading, taking,  
227 enticing, or removing a minor beyond the state limits, or  
228 concealing the location of a minor, with criminal intent pending  
229 custody proceedings.

230 (m) Section 787.04(3), relating to leading, taking,  
231 enticing, or removing a minor beyond the state limits, or  
232 concealing the location of a minor, with criminal intent pending



581-02336-18

20181548c1

233 dependency proceedings or proceedings concerning alleged abuse  
234 or neglect of a minor.

235 (n) Section 790.115(1), relating to exhibiting firearms or  
236 weapons at a school-sponsored event, on school property, or  
237 within 1,000 feet of a school.

238 (o) Section 790.115(2) (b), relating to possessing an  
239 electric weapon or device, destructive device, or other weapon  
240 at a school-sponsored event or on school property.

241 (p) Section 794.011, relating to sexual battery.

242 (q) Former s. 794.041, relating to sexual activity with or  
243 solicitation of a child by a person in familial or custodial  
244 authority.

245 (r) Section 794.05, relating to unlawful sexual activity  
246 with certain minors.

247 (s) Section 794.08, relating to female genital mutilation.

248 (t) Chapter 796, relating to prostitution.

249 (u) Chapter 800, relating to lewdness and indecent  
250 exposure.

251 (v) Section 806.01, relating to arson.

252 (w) Section 810.14, relating to voyeurism.

253 (x) Section 810.145, relating to video voyeurism.

254 (y) Section 812.014(6), relating to coordinating the  
255 commission of theft in excess of \$3,000.

256 (z) Section 812.0145, relating to theft from persons 65  
257 years of age or older.

258 (aa) Section 812.019, relating to dealing in stolen  
259 property.

260 (bb) Section 812.13, relating to robbery.

261 (cc) Section 812.131, relating to robbery by sudden

581-02336-18

20181548c1

262 snatching.

263 (dd) Section 812.133, relating to carjacking.

264 (ee) Section 812.135, relating to home-invasion robbery.

265 (ff) Section 817.563, relating to fraudulent sale of  
266 controlled substances.

267 (gg) Section 825.102, relating to abuse, aggravated abuse,  
268 or neglect of an elderly person or disabled adult.

269 (hh) Section 825.103, relating to exploitation of an  
270 elderly person or disabled adult.

271 (ii) Section 825.1025, relating to lewd or lascivious  
272 offenses committed upon or in the presence of an elderly person  
273 or disabled person.

274 (jj) Section 826.04, relating to incest.

275 (kk) Section 827.03, relating to child abuse, aggravated  
276 child abuse, or neglect of a child.

277 (ll) Section 827.04, relating to contributing to the  
278 delinquency or dependency of a child.

279 (mm) Section 827.071, relating to sexual performance by a  
280 child.

281 (nn) Section 843.01, relating to resisting arrest with  
282 violence.

283 (oo) Chapter 847, relating to obscenity.

284 (pp) Section 874.05, relating to causing, encouraging,  
285 soliciting, or recruiting another to join a criminal street  
286 gang.

287 (qq) Chapter 893, relating to drug abuse prevention and  
288 control, if the offense was a felony of the second degree or  
289 greater severity.

290 (rr) Section 916.1075, relating to sexual misconduct with

581-02336-18

20181548c1

291 certain forensic clients and reporting of such sexual  
292 misconduct.

293 (ss) Section 944.47, relating to introduction, removal, or  
294 possession of contraband at a correctional facility.

295 (tt) Section 985.701, relating to sexual misconduct in  
296 juvenile justice programs.

297 (uu) Section 985.711, relating to introduction, removal, or  
298 possession of contraband at a juvenile detention facility or  
299 commitment program.

300 (2) Any misdemeanor offense prohibited under any of the  
301 following statutes:

302 (a) Section 784.03, relating to battery, if the victim of  
303 the offense was a minor.

304 (b) Section 787.025, relating to luring or enticing a  
305 child.

306 (3) Any criminal act committed in another state or under  
307 federal law which, if committed in this state, constitutes an  
308 offense prohibited under any statute listed in subsection (1) or  
309 subsection (2).

310 (4) Any delinquent act committed in this state or any  
311 delinquent or criminal act committed in another state or under  
312 federal law which, if committed in this state, qualifies an  
313 individual for inclusion on the Registered Juvenile Sex Offender  
314 List under s. 943.0435(1)(h)1.d.

315 Section 4. Subsection (3) is added to section 1012.36,  
316 Florida Statutes, to read:

317 1012.36 Part-time teachers.—

318 (3) Persons employed under the provisions of this section  
319 are not exempt from the requirements of s. 1012.55(2)(a).

581-02336-18

20181548c1

320 Section 5. Paragraph (b) of subsection (10) and subsection  
321 (12) of section 1012.56, Florida Statutes, are amended to read:  
322 1012.56 Educator certification requirements.—

323 (10) BACKGROUND SCREENING REQUIRED, INITIALLY AND  
324 PERIODICALLY.—

325 (b) A person may not receive a certificate under this  
326 chapter until the person's screening under s. 1012.32 is  
327 completed and the results have been submitted to the Department  
328 of Education or to the district school superintendent of the  
329 school district that employs the person. Every 5 years after  
330 obtaining initial certification, each person who is required to  
331 be certified under this chapter must be rescreened in accordance  
332 with s. 1012.32, at which time the school district shall request  
333 the Department of Law Enforcement to forward the fingerprints to  
334 the Federal Bureau of Investigation for federal criminal records  
335 checks. If, for any reason after obtaining initial  
336 certification, the fingerprints of a person who is required to  
337 be certified under this chapter are not retained by the  
338 Department of Law Enforcement under s. 1012.32(3)(a) and (b),  
339 the person must file a complete set of fingerprints with the  
340 district school superintendent of the employing school district.  
341 Upon submission of fingerprints for this purpose, the school  
342 district shall request the Department of Law Enforcement to  
343 forward the fingerprints to the Federal Bureau of Investigation  
344 for federal criminal records checks, and the fingerprints shall  
345 be retained by the Department of Law Enforcement under s.  
346 1012.32(3)(a) and (b). The cost of the state and federal  
347 criminal history checks required by paragraph (a) and this  
348 paragraph may be borne by the district school board or the

581-02336-18

20181548c1

349 employee. Under penalty of perjury, each person who is certified  
350 under this chapter must agree to inform his or her employer  
351 within 48 hours if arrested for ~~convicted of~~ any disqualifying  
352 offense while he or she is employed in a position for which such  
353 certification is required.

354 (12) DENIAL OF CERTIFICATE.—

355 (a) The Department of Education may deny an applicant a  
356 certificate if the department possesses evidence satisfactory to  
357 it that the applicant has committed an act or acts, or that a  
358 situation exists, for which the Education Practices Commission  
359 would be authorized to discipline a certified educator ~~revoke a~~  
360 ~~teaching certificate~~.

361 (b) The decision of the department is subject to review by  
362 the Education Practices Commission upon the filing of a written  
363 request from the applicant within 20 days after receipt of the  
364 notice of denial. Upon review, the commission may impose one or  
365 more of the following penalties pursuant to s. 1012.796(7):

366 1. Denial of an application.

367 2. Bar from reapplication.

368 3. Probation for a period of time.

369 4. Restriction of the scope of practice.

370 5. Issuance of a letter of reprimand.

371 6. Referral of the teacher, administrator, or supervisor to  
372 the recovery network program provided in s. 1012.798 under such  
373 terms and conditions as the commission may specify.

374 7. An administrative fine not to exceed \$2,000 for each  
375 count or separate offense.

376 Section 6. Subsection (1) of section 1012.57, Florida  
377 Statutes, is amended to read:

581-02336-18

20181548c1

378 1012.57 Certification of adjunct educators.—

379 (1) Notwithstanding ~~the provisions of~~ ss. 1012.32, 1012.55,  
380 and 1012.56~~7~~, or any other provision of law or rule to the  
381 contrary, district school boards shall adopt rules to allow for  
382 the issuance of an adjunct teaching certificate to any applicant  
383 who fulfills the requirements of s. 1012.56(2)(a)-(f) and (10)  
384 and who has expertise in the subject area to be taught. An  
385 applicant shall be considered to have expertise in the subject  
386 area to be taught if the applicant demonstrates sufficient  
387 subject area mastery through passage of a subject area test. The  
388 adjunct teaching certificate shall be used for part-time  
389 teaching positions. The adjunct teaching certificate may not be  
390 used to fulfill the requirements of s. 1012.55(2)(a).

391 Section 7. Subsections (1) and (5) of section 1012.795,  
392 Florida Statutes, are amended to read:

393 1012.795 Education Practices Commission; authority to  
394 discipline.—

395 (1) The Education Practices Commission may deny an  
396 application for certification; may suspend the educator  
397 certificates certificate of any instructional personnel or  
398 school administrators, person as defined in s. 1012.01(2) or  
399 (3), for up to 5 years, thereby denying that person the right to  
400 teach or otherwise be employed by a district school board or  
401 public school in any capacity requiring direct contact with  
402 students for that period of time, after which the person holder  
403 may return to teaching as provided in subsection (4); may revoke  
404 the educator certificate of any person, thereby denying that  
405 person the right to teach or otherwise be employed by a district  
406 school board or public school in any capacity requiring direct

581-02336-18

20181548c1

407 contact with students for up to 10 years, with reinstatement  
408 subject to ~~the provisions of~~ subsection (4); may permanently  
409 revoke ~~permanently~~ the educator certificate of any person,  
410 thereby denying that person the right to teach or otherwise be  
411 employed by a district school board or public school in any  
412 capacity requiring direct contact with students; may suspend a  
413 person's ~~the~~ educator certificate, upon an order of the court or  
414 notice by the Department of Revenue relating to the payment of  
415 child support; or may impose any other penalty provided by law,  
416 if the person:

417 (a) Obtained or attempted to obtain an educator certificate  
418 by fraudulent means.

419 (b) Knowingly failed to report actual or suspected child  
420 abuse as required in s. 1006.061 or report alleged misconduct by  
421 instructional personnel or school administrators which affects  
422 the health, safety, or welfare of a student as required in s.  
423 1012.796.

424 (c) Has proved to be incompetent to teach or to perform  
425 duties as an employee of the public school system or to teach in  
426 or to operate a private school.

427 (d) Has been guilty of gross immorality or an act involving  
428 moral turpitude as defined by rule of the State Board of  
429 Education.

430 (e) Has had an educator certificate or other professional  
431 license sanctioned by this or any other ~~revocation, suspension,~~  
432 ~~or surrender in another state~~ or has had the authority to  
433 practice the regulated profession revoked, suspended, or  
434 otherwise acted against, including a denial of certification or  
435 licensure, by the licensing or certifying authority of any

581-02336-18

20181548c1

436 jurisdiction, including its agencies and subdivisions. The  
437 licensing or certifying authority's acceptance of a  
438 relinquishment, stipulation, consent order, or other settlement  
439 offered in response to or in anticipation of the filing of  
440 charges against the licensee or certificateholder shall be  
441 construed as action against the license or certificate.

442 (f) Regardless of adjudication, has been convicted or found  
443 guilty of, or entered a plea of guilty or nolo contendere to,  
444 ~~regardless of adjudication of guilt,~~ a misdemeanor, a felony, or  
445 any other criminal charge, other than a minor traffic violation.

446 (g) Upon investigation, has been found guilty of personal  
447 conduct that seriously reduces that person's effectiveness as an  
448 employee of the district school board.

449 (h) Has breached a contract, as provided in s. 1012.33(2)  
450 or s. 1012.335.

451 (i) Has been the subject of a court order or notice by the  
452 Department of Revenue pursuant to s. 409.2598 directing the  
453 Education Practices Commission to suspend the certificate as a  
454 result of noncompliance with a child support order, a subpoena,  
455 an order to show cause, or a written agreement with the  
456 Department of Revenue.

457 (j) Has violated the Principles of Professional Conduct for  
458 the Education Profession prescribed by State Board of Education  
459 rules.

460 (k) Has otherwise violated the provisions of law, the  
461 penalty for which is the revocation of the educator certificate.

462 (l) Has violated any order of the Education Practices  
463 Commission.

464 (m) Has been the subject of a court order or plea agreement



581-02336-18

20181548c1

465 in any jurisdiction which requires the certificateholder to  
466 surrender or otherwise relinquish his or her educator's  
467 certificate. A surrender or relinquishment shall be for  
468 permanent revocation of the certificate. A person may not  
469 surrender or otherwise relinquish his or her certificate prior  
470 to a finding of probable cause by the commissioner as provided  
471 in s. 1012.796.

472 (n) Has been disqualified from educator certification under  
473 s. 1012.315.

474 (o) Has committed a third recruiting offense as determined  
475 by the Florida High School Athletic Association (FHSAA) pursuant  
476 to s. 1006.20(2)(b).

477 (p) Has violated test security rules as provided in s.  
478 1008.24.

479 (5) Each district school superintendent and the governing  
480 authority of each university lab school, state-supported school,  
481 private school, and the FHSAA shall report to the department the  
482 name of any person certified pursuant to this chapter ~~or~~  
483 ~~employed and qualified pursuant to s. 1012.39:~~

484 (a) Who has been convicted or found guilty of, who has had  
485 adjudication withheld, or who has pled guilty or nolo contendere  
486 to, a misdemeanor, a felony, or any other criminal charge, other  
487 than a minor traffic infraction;

488 (b) Who that official has reason to believe has committed  
489 or is found to have committed any act which would be a ground  
490 for revocation or suspension under subsection (1); or

491 (c) Who has been dismissed or severed from employment  
492 because of conduct involving any immoral, unnatural, or  
493 lascivious act.

581-02336-18

20181548c1

494 Section 8. Paragraphs (a) and (d) of subsection (7) of  
495 section 1012.796, Florida Statutes, are amended to read:

496 1012.796 Complaints against teachers and administrators;  
497 procedure; penalties.—

498 (7) A panel of the commission shall enter a final order  
499 either dismissing the complaint or imposing one or more of the  
500 following penalties:

501 (a) Denial of an application for a ~~teaching~~ certificate or  
502 for an administrative or supervisory endorsement on a teaching  
503 certificate. The denial may provide that the applicant may not  
504 reapply for certification, and that the department may refuse to  
505 consider that applicant's application, for a specified period of  
506 time or permanently.

507 (d) Placement of the teacher, administrator, or supervisor  
508 on probation for a period of time and subject to such conditions  
509 as the commission may specify, including requiring the certified  
510 teacher, administrator, or supervisor to complete additional  
511 appropriate college courses or work with another certified  
512 educator, with the administrative costs of monitoring the  
513 probation assessed to the educator placed on probation. An  
514 educator who has been placed on probation shall, at a minimum:

515 1. Immediately notify the investigative office in the  
516 Department of Education upon employment or separation from  
517 ~~termination of employment in the state~~ in any public or private  
518 position requiring a Florida educator's certificate.

519 2. Have his or her immediate supervisor submit annual  
520 performance reports to the investigative office in the  
521 Department of Education.

522 3. Pay to the commission within the first 6 months of each

581-02336-18

20181548c1

523 probation year the administrative costs of monitoring probation  
524 assessed to the educator.

525 4. Violate no law and fully comply with all district school  
526 board policies, school rules, and State Board of Education  
527 rules.

528 5. Satisfactorily perform his or her assigned duties in a  
529 competent, professional manner.

530 6. Bear all costs of complying with the terms of a final  
531 order entered by the commission.

532

533 The penalties imposed under this subsection are in addition to,  
534 and not in lieu of, the penalties required for a third  
535 recruiting offense pursuant to s. 1006.20(2)(b).

536 Section 9. This act shall take effect July 1, 2018.