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1
2 An act relating to K-12 public education; amending s.
3 121.091, F.S.; revising limitations on the maximum
4 length of participation in the Deferred Retirement
5 Option Program for certain instructional personnel and
6 administrative personnel; requiring an employer to
7 notify the Division of Retirement of the Department of
8 Management Services regarding any change in
9 termination date and program participation for each
10 affected member; providing a statement of important
11 state interest; amending s. 1007.2616, F.S.; providing
12 a definition; providing requirements for specified
13 instruction relating to computer science; requiring
14 certain computer science courses to be included in the
15 Course Code Directory and published on the Department
16 of Education's website by a specified date; requiring
17 the Florida Virtual School to offer certain computer
18 science courses; requiring school districts to provide
19 access to computer science courses offered by the
20 Florida Virtual School or by other means under certain
21 circumstances; providing funds for school districts to
22 provide professional development for classroom
23 teachers; providing Department of Education
24 responsibilities for the distribution of such funds;
25 requiring high school students to be provided

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26 | opportunities to take certain courses to meet certain
27 | graduation requirements; providing funds for bonuses
28 | for certain classroom teachers; requiring, rather than
29 | authorizing, the State Board of Education to adopt
30 | rules; creating s. 800.101, F.S.; providing
31 | definitions; prohibiting certain conduct with students
32 | by authority figures; providing penalties; providing
33 | exceptions; amending s. 810.097, F.S.; including
34 | school buses within the definition of the term
35 | "school" for purposes of trespass upon grounds or
36 | facilities of a school; amending s. 1001.42, F.S.;
37 | requiring school districts to adopt certain standards
38 | of ethical conduct; requiring the district school
39 | superintendent to report certain misconduct to law
40 | enforcement agencies; amending s. 1001.51, F.S.;
41 | providing for the forfeiture of a district school
42 | superintendent's salary for a specified period for
43 | failure to report certain misconduct to law
44 | enforcement agencies; amending s. 1012.27, F.S.;
45 | requiring the district school superintendent to notify
46 | a parent of specified information relating to
47 | allegations of misconduct by instructional personnel
48 | or school administrators; amending s. 1012.31, F.S.;
49 | requiring a resignation or termination before an
50 | investigation of certain misconduct is concluded to be

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51 indicated in a personnel file; specifying that legally
52 sufficient complaints of certain misconduct must be
53 reported to the Department of Education; amending s.
54 1012.315, F.S.; expanding the scope of provisions
55 requiring the disqualification of persons convicted of
56 certain offenses to apply to all persons who are
57 required to have contact with students; providing an
58 additional offense that disqualifies such persons from
59 employment; amending s. 1012.56, F.S.; authorizing the
60 Department of Education to deny applicants for
61 certification if the applicant could be disciplined by
62 the Education Practices Commission; authorizing the
63 commission to approve an application with certain
64 conditions; amending s. 1012.795, F.S.; authorizing
65 the commission to take certain actions against persons
66 who meet specified criteria; revising reporting
67 requirements concerning specified misconduct by
68 certified personnel; amending s. 1012.796, F.S.;
69 requiring a school district to file certain complaints
70 with the Department of Education even if the subject
71 of the complaint is no longer employed by the
72 district; requiring certain information be included on
73 an educator's certificate file; requiring certified
74 educators who are placed on probation to immediately
75 notify a specified office upon separation from, rather

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76 | than termination of, employment; amending s. 1008.22,
 77 | F.S.; specifying that certain students enrolled in
 78 | specified courses do not have to take the
 79 | corresponding end-of-course assessment; providing
 80 | effective dates.

81 |
 82 | Be It Enacted by the Legislature of the State of Florida:

83 |
 84 | Section 1. Paragraph (b) of subsection (13) of section
 85 | 121.091, Florida Statutes, is amended to read:

86 | 121.091 Benefits payable under the system.—Benefits may
 87 | not be paid under this section unless the member has terminated
 88 | employment as provided in s. 121.021(39) (a) or begun
 89 | participation in the Deferred Retirement Option Program as
 90 | provided in subsection (13), and a proper application has been
 91 | filed in the manner prescribed by the department. The department
 92 | may cancel an application for retirement benefits when the
 93 | member or beneficiary fails to timely provide the information
 94 | and documents required by this chapter and the department's
 95 | rules. The department shall adopt rules establishing procedures
 96 | for application for retirement benefits and for the cancellation
 97 | of such application when the required information or documents
 98 | are not received.

99 | (13) DEFERRED RETIREMENT OPTION PROGRAM.—In general, and
 100 | subject to this section, the Deferred Retirement Option Program,

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101 hereinafter referred to as DROP, is a program under which an
 102 eligible member of the Florida Retirement System may elect to
 103 participate, deferring receipt of retirement benefits while
 104 continuing employment with his or her Florida Retirement System
 105 employer. The deferred monthly benefits shall accrue in the
 106 Florida Retirement System on behalf of the member, plus interest
 107 compounded monthly, for the specified period of the DROP
 108 participation, as provided in paragraph (c). Upon termination of
 109 employment, the member shall receive the total DROP benefits and
 110 begin to receive the previously determined normal retirement
 111 benefits. Participation in the DROP does not guarantee
 112 employment for the specified period of DROP. Participation in
 113 DROP by an eligible member beyond the initial 60-month period as
 114 authorized in this subsection shall be on an annual contractual
 115 basis for all participants.

116 (b) *Participation in DROP.*~~Except as provided in this~~
 117 paragraph, an eligible member may elect to participate in DROP
 118 for a period not to exceed a maximum of 60 calendar months.

119 1.a. An eligible member may elect to participate in DROP
 120 for a period not to exceed a maximum of 60 calendar months.
 121 However, members who are instructional personnel employed by the
 122 Florida School for the Deaf and the Blind and authorized by the
 123 Board of Trustees of the Florida School for the Deaf and the
 124 Blind, who are instructional personnel as defined in s.
 125 1012.01(2)(a)-(d) in grades K-12 and authorized by the district

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126 school superintendent, or who are instructional personnel as
127 defined in s. 1012.01(2)(a) employed by a developmental research
128 school and authorized by the school's director, or if the school
129 has no director, by the school's principal, may participate in
130 DROP for up to 36 calendar months beyond the 60-month period.
131 Effective July 1, 2018, instructional personnel who are
132 authorized to extend DROP participation beyond the 60-month
133 period must have a termination date that is the last day of the
134 last calendar month of the school year within the DROP extension
135 granted by the employer. If, on July 1, 2018, the member's DROP
136 participation has already been extended for the maximum 36
137 calendar months and the extension period concludes before the
138 end of the school year, the member's DROP participation may be
139 extended through the last day of the last calendar month of that
140 school year. The employer shall notify the division of the
141 change in termination date and the additional period of DROP
142 participation for the affected instructional personnel.

143 b. Administrative personnel in grades K-12, as defined in
144 s. 1012.01(3), who have a DROP termination date on or after July
145 1, 2018, may be authorized to extend DROP participation beyond
146 the initial 60 calendar month period if the administrative
147 personnel's termination date is before the end of the school
148 year. Such administrative personnel may have DROP participation
149 extended until the last day of the last calendar month of the
150 school year in which their original DROP termination date

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151 occurred if a date other than the last day of the last calendar
 152 month of the school year is designated. The employer shall
 153 notify the division of the change in termination date and the
 154 additional period of DROP participation for the affected
 155 administrative personnel.

156 2. Upon deciding to participate in DROP, the member shall
 157 submit, on forms required by the division:

158 a. A written election to participate in DROP;

159 b. Selection of DROP participation and termination dates
 160 that satisfy the limitations stated in paragraph (a) and
 161 subparagraph 1. The termination date must be in a binding letter
 162 of resignation to the employer establishing a deferred
 163 termination date. The member may change the termination date
 164 within the limitations of subparagraph 1., but only with the
 165 written approval of the employer;

166 c. A properly completed DROP application for service
 167 retirement as provided in this section; and

168 d. Any other information required by the division.

169 3. The DROP participant is a retiree under the Florida
 170 Retirement System for all purposes, except for paragraph (5) (f)
 171 and subsection (9) and ss. 112.3173, 112.363, 121.053, and
 172 121.122. DROP participation is final and may not be canceled by
 173 the participant after the first payment is credited during the
 174 DROP participation period. However, participation in DROP does
 175 not alter the participant's employment status, and the member is

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176 | not deemed retired from employment until his or her deferred
177 | resignation is effective and termination occurs as defined in s.
178 | 121.021.

179 | 4. Elected officers are eligible to participate in DROP
180 | subject to the following:

181 | a. An elected officer who reaches normal retirement date
182 | during a term of office may defer the election to participate
183 | until the next succeeding term in that office. An elected
184 | officer who exercises this option may participate in DROP for up
185 | to 60 calendar months or no longer than the succeeding term of
186 | office, whichever is less.

187 | b. An elected or a nonelected participant may run for a
188 | term of office while participating in DROP and, if elected,
189 | extend the DROP termination date accordingly; however, if such
190 | additional term of office exceeds the 60-month limitation
191 | established in subparagraph 1., and the officer does not resign
192 | from office within such 60-month limitation, the retirement and
193 | the participant's DROP is null and void as provided in sub-
194 | subparagraph (c)5.d.

195 | c. An elected officer who is dually employed and elects to
196 | participate in DROP must terminate all employment relationships
197 | as provided in s. 121.021(39) for the nonelected position within
198 | the original 60-month period or maximum participation period as
199 | provided in subparagraph 1. For DROP participation ending:

200 | (I) Before July 1, 2010, the officer may continue

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201 employment as an elected officer as provided in s. 121.053. The
 202 elected officer shall be enrolled as a renewed member in the
 203 Elected Officers' Class or the Regular Class, as provided in ss.
 204 121.053 and 121.122, on the first day of the month after
 205 termination of employment in the nonelected position and
 206 termination of DROP. Distribution of the DROP benefits shall be
 207 made as provided in paragraph (c).

208 (II) On or after July 1, 2010, the officer may continue
 209 employment as an elected officer but must defer termination as
 210 provided in s. 121.053.

211 Section 2. The Legislature finds that a proper and
 212 legitimate state purpose is served when employees and retirees
 213 of the state and its political subdivisions, and the dependents,
 214 survivors, and beneficiaries of such employees and retirees, are
 215 extended the basic protections afforded by governmental
 216 retirement systems. These persons must be provided benefits that
 217 are fair and adequate and that are managed, administered, and
 218 funded in an actuarially sound manner, as required by s. 14,
 219 Article X of the State Constitution and part VII of chapter 112,
 220 Florida Statutes. Therefore, the Legislature determines and
 221 declares that the amendments made to s. 121.091, Florida
 222 Statutes, by this act fulfills an important state interest.

223 Section 3. Section 1007.2616, Florida Statutes, is amended
 224 to read:

225 1007.2616 Computer science and technology instruction.—

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226 (1) For the purposes of this section, the term "computer
 227 science" means the study of computers and algorithmic processes,
 228 including their principles, hardware and software designs,
 229 applications, and their impact on society, and includes computer
 230 coding and computer programming.

231 (2) (a) ~~(1)~~ Public schools shall provide students in grades
 232 K-12 opportunities for learning computer science, including, but
 233 not limited to, computer coding and computer programming. Such
 234 opportunities may include coding instruction in elementary
 235 school and middle school ~~and~~ instruction to develop students'
 236 computer usage and digital literacy skills in middle school, and
 237 must include courses in computer science, ~~computer coding, and~~
 238 ~~computer programming~~ in middle school and high school, including
 239 earning-related industry certifications. Such courses must be
 240 integrated into each school district's middle and high schools,
 241 including combination schools in which any of grades 6 through
 242 12 are taught.

243 (b) Computer science courses must be identified in the
 244 Course Code Directory and published on the Department of
 245 Education's website no later than July 1, 2018. Additional
 246 computer science courses may be subsequently identified and
 247 posted on the department's website.

248 (3) The Florida Virtual School shall offer computer
 249 science courses identified in the Course Code Directory pursuant
 250 to paragraph (2) (b). If a school district does not offer an

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251 identified course, the district must provide students access to
252 the course through the Florida Virtual School or through other
253 means.

254 (4) (a) Subject to legislative appropriation, a school
255 district or a consortium of school districts may apply to the
256 department, in a format prescribed by the department, for
257 funding to deliver or facilitate training for classroom teachers
258 to earn an educator certificate in computer science pursuant to
259 s. 1012.56 or an industry certification associated with a course
260 identified in the Course Code Directory pursuant to paragraph
261 (2) (b). Such funding shall only be used to provide training for
262 classroom teachers and to pay fees for examinations that lead to
263 a credential pursuant to this paragraph.

264 (b) Once the department has identified courses in the
265 Course Code Directory pursuant to paragraph (2) (b), the
266 department shall establish a deadline for submitting
267 applications. The department shall award funding to school
268 districts in a manner that allows for an equitable distribution
269 of funding statewide based on student population.

270 (5) ~~(2)~~ Elementary schools and middle schools may establish
271 digital classrooms in which students are provided opportunities
272 to improve digital literacy and competency; to learn digital
273 skills, such as coding, multiple media presentation, and the
274 manipulation of multiple digital graphic images; and to earn
275 digital tool certificates and certifications pursuant to s.

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276 | 1003.4203 and grade-appropriate, technology-related industry
 277 | certifications.

278 | (6)-(3) High school students must be provided ~~schools may~~
 279 | ~~provide students~~ opportunities to take computer science courses
 280 | to satisfy high school graduation requirements, including, but
 281 | not limited to, the following:

282 | (a) High school computer science courses of sufficient
 283 | rigor, as identified by the commissioner, such that one credit
 284 | in computer science and the earning of related industry
 285 | certifications constitute the equivalent of up to one credit of
 286 | the mathematics requirement, with the exception of Algebra I or
 287 | higher-level mathematics, or up to one credit of the science
 288 | requirement, with the exception of Biology I or higher-level
 289 | science, for high school graduation. Computer science courses
 290 | and technology-related industry certifications that are
 291 | identified as eligible for meeting mathematics or science
 292 | requirements for high school graduation shall be included in the
 293 | Course Code Directory.

294 | (b) High school computer technology courses in 3D rapid
 295 | prototype printing of sufficient rigor, as identified by the
 296 | commissioner, such that one or more credits in such courses and
 297 | related industry certifications earned may satisfy up to two
 298 | credits of mathematics required for high school graduation with
 299 | the exception of Algebra I. Computer technology courses in 3D
 300 | rapid prototype printing and related industry certifications

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301 that are identified as eligible for meeting mathematics
 302 requirements for high school graduation shall be included in the
 303 Course Code Directory.

304 (7) Subject to legislative appropriation, a classroom
 305 teacher who was evaluated as effective or highly effective
 306 pursuant to s. 1012.34 in the previous school year or who is
 307 newly hired by the district school board and has not been
 308 evaluated pursuant to s. 1012.34 must receive a bonus as
 309 follows:

310 (a) If the classroom teacher holds an educator certificate
 311 in computer science pursuant to s. 1012.56 or if he or she has
 312 passed the computer science subject area examination and holds
 313 an adjunct certificate issued by a school district pursuant to
 314 s. 1012.57, he or she shall receive a bonus of \$1,000 after each
 315 year the individual completes teaching a computer science course
 316 identified in the Course Code Directory pursuant to paragraph
 317 (2)(b) at a public middle, high, or combination school in the
 318 state, for up to 3 years.

319 (b) If the classroom teacher holds an industry
 320 certification associated with a course identified in the Course
 321 Code Directory pursuant to paragraph (2)(b), he or she shall
 322 receive a bonus of \$500 after each year the individual completes
 323 teaching the identified course at a public middle, high, or
 324 combination school in the state, for up to 3 years.

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326 A school district shall report a qualifying classroom teacher to
 327 the department by a date and in a format established by the
 328 department. An eligible classroom teacher shall receive his or
 329 her bonus upon completion of the school year in which he or she
 330 taught the course. A teacher may not receive more than one bonus
 331 per year under this subsection.

332 (8)~~(4)~~ The State Board of Education shall ~~may~~ adopt rules
 333 to administer this section.

334 Section 4. Section 800.101, Florida Statutes, is created
 335 to read:

336 800.101 Offenses against students by authority figures.-

337 (1) As used in this section, the term:

338 (a) "Authority figure" means a person 18 years of age or
 339 older who is employed by, volunteering at, or under contract
 340 with a school, including school resource officers as provided in
 341 s. 1006.12.

342 (b) "School" has the same meaning as provided in s.
 343 1003.01 and includes a private school as defined in s. 1002.01,
 344 a voluntary prekindergarten education program as described in s.
 345 1002.53(3), early learning programs, a public school as
 346 described in s. 402.3025(1), the Florida School for the Deaf and
 347 the Blind, and the Florida Virtual School established under s.
 348 1002.37. The term does not include a facility dedicated
 349 exclusively to the education of adults.

350 (c) "Student" means a person who is enrolled at a school.

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- 351 (2) An authority figure shall not solicit or engage in:
 352 (a) Sexual conduct;
 353 (b) A relationship of a romantic nature; or
 354 (c) Lewd conduct

355
 356 with a student.

357 (3) A person who violates this section commits a felony of
 358 the second degree, punishable as provided in s. 775.082, s.
 359 775.083, or s. 775.084.

360 (4) This section does not apply to conduct constituting an
 361 offense that is subject to reclassification under s. 775.0862.

362 Section 5. Subsection (5) of section 810.097, Florida
 363 Statutes, is amended to read:

364 810.097 Trespass upon grounds or facilities of a school;
 365 penalties; arrest.-

366 (5) As used in this section, the term "school" means the
 367 grounds or any facility, including school buses, of any
 368 kindergarten, elementary school, middle school, junior high
 369 school, or secondary school, whether public or nonpublic.

370 Section 6. Subsection (6) and paragraph (b) of subsection
 371 (7) of section 1001.42, Florida Statutes, are amended to read:

372 1001.42 Powers and duties of district school board.-The
 373 district school board, acting as a board, shall exercise all
 374 powers and perform all duties listed below:

375 (6) STANDARDS OF ETHICAL CONDUCT FOR INSTRUCTIONAL

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376 PERSONNEL AND SCHOOL ADMINISTRATORS.—Adopt policies establishing
377 standards of ethical conduct for instructional personnel and
378 school administrators. The policies must require all
379 instructional personnel and school administrators, as defined in
380 s. 1012.01, to complete training on the standards; establish the
381 duty of instructional personnel and school administrators to
382 report, and procedures for reporting, alleged misconduct by
383 other instructional personnel and school administrators which
384 affects the health, safety, or welfare of a student, including
385 misconduct that involves engaging in or soliciting sexual,
386 romantic, or lewd conduct with a student; require the district
387 school superintendent to report to law enforcement misconduct by
388 instructional personnel or school administrators that would
389 result in disqualification from educator certification or
390 employment as provided in s. 1012.315; and include an
391 explanation of the liability protections provided under ss.
392 39.203 and 768.095. A district school board, or any of its
393 employees, may not enter into a confidentiality agreement
394 regarding terminated or dismissed instructional personnel or
395 school administrators, or personnel or administrators who resign
396 in lieu of termination, based in whole or in part on misconduct
397 that affects the health, safety, or welfare of a student, and
398 may not provide instructional personnel or school administrators
399 with employment references or discuss the personnel's or
400 administrators' performance with prospective employers in

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401 another educational setting, without disclosing the personnel's
 402 or administrators' misconduct. Any part of an agreement or
 403 contract that has the purpose or effect of concealing misconduct
 404 by instructional personnel or school administrators which
 405 affects the health, safety, or welfare of a student is void, is
 406 contrary to public policy, and may not be enforced.

407 (7) DISQUALIFICATION FROM EMPLOYMENT.—Disqualify
 408 instructional personnel and school administrators, as defined in
 409 s. 1012.01, from employment in any position that requires direct
 410 contact with students if the personnel or administrators are
 411 ineligible for such employment under s. 1012.315. An elected or
 412 appointed school board official forfeits his or her salary for 1
 413 year if:

414 (b) The school board official knowingly fails to adopt
 415 policies that require:

416 1. Instructional personnel and school administrators to
 417 report alleged misconduct by other instructional personnel and
 418 school administrators;

419 2. The district school superintendent to report misconduct
 420 by instructional personnel or school administrators that would
 421 result in disqualification from educator certification or
 422 employment as provided in s. 1012.315 to the law enforcement
 423 agencies with jurisdiction over the conduct;~~7~~ or

424 3. ~~that require~~ The investigation of all reports of
 425 alleged misconduct by instructional personnel and school

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426 administrators, if the misconduct affects the health, safety, or
 427 welfare of a student.

428 Section 7. Subsection (12) of section 1001.51, Florida
 429 Statutes, is amended to read:

430 1001.51 Duties and responsibilities of district school
 431 superintendent.—The district school superintendent shall
 432 exercise all powers and perform all duties listed below and
 433 elsewhere in the law, provided that, in so doing, he or she
 434 shall advise and counsel with the district school board. The
 435 district school superintendent shall perform all tasks necessary
 436 to make sound recommendations, nominations, proposals, and
 437 reports required by law to be acted upon by the district school
 438 board. All such recommendations, nominations, proposals, and
 439 reports by the district school superintendent shall be either
 440 recorded in the minutes or shall be made in writing, noted in
 441 the minutes, and filed in the public records of the district
 442 school board. It shall be presumed that, in the absence of the
 443 record required in this section, the recommendations,
 444 nominations, and proposals required of the district school
 445 superintendent were not contrary to the action taken by the
 446 district school board in such matters.

447 (12) RECORDS AND REPORTS.—Recommend such records as should
 448 be kept in addition to those prescribed by rules of the State
 449 Board of Education; prepare forms for keeping such records as
 450 are approved by the district school board; ensure that such

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451 records are properly kept; and make all reports that are needed
452 or required, as follows:

453 (a) *Forms, blanks, and reports.*—Require that all employees
454 accurately keep all records and promptly make in proper form all
455 reports required by the education code or by rules of the State
456 Board of Education; recommend the keeping of such additional
457 records and the making of such additional reports as may be
458 deemed necessary to provide data essential for the operation of
459 the school system; and prepare such forms and blanks as may be
460 required and ensure that these records and reports are properly
461 prepared.

462 (b) *Reports to the department.*—Prepare, for the approval
463 of the district school board, all reports required by law or
464 rules of the State Board of Education to be made to the
465 department and transmit promptly all such reports, when
466 approved, to the department, as required by law. If any reports
467 are not transmitted at the time and in the manner prescribed by
468 law or by State Board of Education rules, the salary of the
469 district school superintendent must be withheld until the report
470 has been properly submitted. Unless otherwise provided by rules
471 of the State Board of Education, the annual report on attendance
472 and personnel is due on or before July 1, and the annual school
473 budget and the report on finance are due on the date prescribed
474 by the commissioner.

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476 Any district school superintendent who knowingly signs and
 477 transmits to any state official a report that the superintendent
 478 knows to be false or incorrect; who knowingly fails to
 479 investigate any allegation of misconduct by instructional
 480 personnel or school administrators, as defined in s. 1012.01,
 481 which affects the health, safety, or welfare of a student; ~~or~~
 482 who knowingly fails to report the alleged misconduct to the
 483 department as required in s. 1012.796; or who knowingly fails to
 484 report misconduct to the law enforcement agencies with
 485 jurisdiction over the conduct pursuant to district school board
 486 policy under s. 1001.42(6), forfeits his or her salary for 1
 487 year following the date of such act or failure to act.

488 Section 8. Subsections (5) and (6) of section 1012.27,
 489 Florida Statutes, are amended to read:

490 1012.27 Public school personnel; powers and duties of
 491 district school superintendent.—The district school
 492 superintendent is responsible for directing the work of the
 493 personnel, subject to the requirements of this chapter, and in
 494 addition the district school superintendent shall perform the
 495 following:

496 (5) SUSPENSION AND DISMISSAL; NOTIFICATION.—

497 (a) Suspend members of the instructional staff and other
 498 school employees during emergencies for a period extending to
 499 and including the day of the next regular or special meeting of
 500 the district school board and notify the district school board

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501 immediately of such suspension. When authorized to do so, serve
 502 notice on the suspended member of the instructional staff of
 503 charges made against him or her and of the date of hearing.
 504 Recommend employees for dismissal under the terms prescribed
 505 herein.

506 (b) Notify the parent of a student who was subjected to or
 507 affected by misconduct identified under s. 1001.42(6) within 30
 508 days after the date on which the school district learns of the
 509 misconduct. The notification must inform the parent of:

510 1. The alleged misconduct, including which allegations
 511 have been substantiated, if any.

512 2. Whether the district reported the misconduct to the
 513 department, if required by s. 1012.796(1)(d).

514 3. The sanctions imposed by the school district against
 515 the employee, if any.

516 4. The support the school district will make available to
 517 the student in response to the misconduct.

518 (6) EMPLOYMENT HISTORY CHECKS.—Before employing a person
 519 ~~instructional personnel and school administrators, as defined in~~
 520 ~~s. 1012.01,~~ in any position that requires direct contact with
 521 students, conduct employment history checks of each of the
 522 ~~person's personnel's or administrators'~~ person's previous employers,
 523 ~~screen instructional the personnel and school or administrators,~~
 524 as defined in s. 1012.01, through use of the educator screening
 525 tools described in s. 1001.10(5), and document the findings. If

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526 | unable to contact a previous employer, the district school
527 | superintendent shall document efforts to contact the employer.

528 | Section 9. Paragraph (a) of subsection (2) and paragraph
529 | (a) of subsection (3) of section 1012.31, Florida Statutes, are
530 | amended to read:

531 | 1012.31 Personnel files.—Public school system employee
532 | personnel files shall be maintained according to the following
533 | provisions:

534 | (2) (a) Materials relating to work performance, discipline,
535 | suspension, or dismissal must be reduced to writing and signed
536 | by a person competent to know the facts or make the judgment.
537 | The resignation or termination of an employee before an
538 | investigation of alleged misconduct by the employee affecting
539 | the health, safety, or welfare of a student is concluded must be
540 | clearly indicated in the employee's personnel file.

541 | (3) (a) Public school system employee personnel files are
542 | subject to the provisions of s. 119.07(1), except as follows:

543 | 1. Any complaint and any material relating to the
544 | investigation of a complaint against an employee shall be
545 | confidential and exempt from the provisions of s. 119.07(1)
546 | until the conclusion of the preliminary investigation or until
547 | such time as the preliminary investigation ceases to be active.
548 | If the preliminary investigation is concluded with the finding
549 | that there is no probable cause to proceed further and with no
550 | disciplinary action taken or charges filed, a statement to that

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551 effect signed by the responsible investigating official shall be
552 attached to the complaint, and the complaint and all such
553 materials shall be open thereafter to inspection pursuant to s.
554 119.07(1). If the preliminary investigation is concluded with
555 the finding that there is probable cause to proceed further or
556 with disciplinary action taken or charges filed, the complaint
557 and all such materials shall be open thereafter to inspection
558 pursuant to s. 119.07(1). If the preliminary investigation
559 ceases to be active, the complaint and all such materials shall
560 be open thereafter to inspection pursuant to s. 119.07(1). For
561 the purpose of this subsection, a preliminary investigation
562 shall be considered active as long as it is continuing with a
563 reasonable, good faith anticipation that an administrative
564 finding will be made in the foreseeable future. An investigation
565 shall be presumed to be inactive if no finding relating to
566 probable cause is made within 60 days after the complaint is
567 made. This subparagraph does not absolve the school district of
568 its duty to provide any legally sufficient complaint to the
569 department within 30 days after the date on which the subject
570 matter of the complaint comes to the attention of the school
571 district pursuant to s. 1012.796(1)(d)1., regardless of the
572 status of the complaint.

573 2. An employee evaluation prepared pursuant to s. 1012.33,
574 s. 1012.34, or s. 1012.56 or rules adopted by the State Board of
575 Education or district school board under the authority of those

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576 sections shall be confidential and exempt from the provisions of
 577 s. 119.07(1) until the end of the school year immediately
 578 following the school year in which the evaluation was made. No
 579 evaluation prepared before July 1, 1983, shall be made public
 580 pursuant to this section.

581 3. No material derogatory to an employee shall be open to
 582 inspection until 10 days after the employee has been notified
 583 pursuant to paragraph (2)(c).

584 4. The payroll deduction records of an employee shall be
 585 confidential and exempt from the provisions of s. 119.07(1).

586 5. Employee medical records, including psychiatric and
 587 psychological records, shall be confidential and exempt from the
 588 provisions of s. 119.07(1); however, at any hearing relative to
 589 the competency or performance of an employee, the administrative
 590 law judge, hearing officer, or panel shall have access to such
 591 records.

592 Section 10. Section 1012.315, Florida Statutes, is amended
 593 to read:

594 1012.315 Disqualification from employment.—A person is
 595 ineligible for educator certification or, ~~and instructional~~
 596 ~~personnel and school administrators, as defined in s. 1012.01,~~
 597 ~~are ineligible for~~ employment in any position that requires
 598 direct contact with students in a district school system,
 599 charter school, or private school that accepts scholarship
 600 students under s. 1002.39 or s. 1002.395~~7~~, if the person~~7~~

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601 ~~instructional personnel, or school administrator~~ has been
 602 convicted of:

603 (1) Any felony offense prohibited under any of the
 604 following statutes:

605 (a) Section 393.135, relating to sexual misconduct with
 606 certain developmentally disabled clients and reporting of such
 607 sexual misconduct.

608 (b) Section 394.4593, relating to sexual misconduct with
 609 certain mental health patients and reporting of such sexual
 610 misconduct.

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

613 (d) Section 782.04, relating to murder.

614 (e) Section 782.07, relating to manslaughter, aggravated
 615 manslaughter of an elderly person or disabled adult, aggravated
 616 manslaughter of a child, or aggravated manslaughter of an
 617 officer, a firefighter, an emergency medical technician, or a
 618 paramedic.

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

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

621 (h) Section 784.075, relating to battery on a detention or
 622 commitment facility staff member or a juvenile probation
 623 officer.

624 (i) Section 787.01, relating to kidnapping.

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

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626 (k) Section 787.025, relating to luring or enticing a
627 child.

628 (l) Section 787.04(2), relating to leading, taking,
629 enticing, or removing a minor beyond the state limits, or
630 concealing the location of a minor, with criminal intent pending
631 custody proceedings.

632 (m) Section 787.04(3), relating to leading, taking,
633 enticing, or removing a minor beyond the state limits, or
634 concealing the location of a minor, with criminal intent pending
635 dependency proceedings or proceedings concerning alleged abuse
636 or neglect of a minor.

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

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

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

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

647 (r) Section 794.05, relating to unlawful sexual activity
648 with certain minors.

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

650 (t) Chapter 796, relating to prostitution.

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651 (u) Chapter 800, relating to lewdness and indecent
 652 exposure.

653 (v) Section 800.101, relating to offenses against students
 654 by authority figures.

655 (w)~~(v)~~ Section 806.01, relating to arson.

656 (x)~~(w)~~ Section 810.14, relating to voyeurism.

657 (y)~~(x)~~ Section 810.145, relating to video voyeurism.

658 (z)~~(y)~~ Section 812.014(6), relating to coordinating the
 659 commission of theft in excess of \$3,000.

660 (aa)~~(z)~~ Section 812.0145, relating to theft from persons
 661 65 years of age or older.

662 (bb)~~(aa)~~ Section 812.019, relating to dealing in stolen
 663 property.

664 (cc)~~(bb)~~ Section 812.13, relating to robbery.

665 (dd)~~(cc)~~ Section 812.131, relating to robbery by sudden
 666 snatching.

667 (ee)~~(dd)~~ Section 812.133, relating to carjacking.

668 (ff)~~(ee)~~ Section 812.135, relating to home-invasion
 669 robbery.

670 (gg)~~(ff)~~ Section 817.563, relating to fraudulent sale of
 671 controlled substances.

672 (hh)~~(gg)~~ Section 825.102, relating to abuse, aggravated
 673 abuse, or neglect of an elderly person or disabled adult.

674 (ii)~~(hh)~~ Section 825.103, relating to exploitation of an
 675 elderly person or disabled adult.

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676 (jj)~~(ii)~~ Section 825.1025, relating to lewd or lascivious
 677 offenses committed upon or in the presence of an elderly person
 678 or disabled person.
 679 (kk)~~(jj)~~ Section 826.04, relating to incest.
 680 (ll)~~(kk)~~ Section 827.03, relating to child abuse,
 681 aggravated child abuse, or neglect of a child.
 682 (mm)~~(ll)~~ Section 827.04, relating to contributing to the
 683 delinquency or dependency of a child.
 684 (nn)~~(mm)~~ Section 827.071, relating to sexual performance
 685 by a child.
 686 (oo)~~(nn)~~ Section 843.01, relating to resisting arrest with
 687 violence.
 688 (pp)~~(oo)~~ Chapter 847, relating to obscenity.
 689 (qq)~~(pp)~~ Section 874.05, relating to causing, encouraging,
 690 soliciting, or recruiting another to join a criminal street
 691 gang.
 692 (rr)~~(qq)~~ Chapter 893, relating to drug abuse prevention
 693 and control, if the offense was a felony of the second degree or
 694 greater severity.
 695 (ss)~~(rr)~~ Section 916.1075, relating to sexual misconduct
 696 with certain forensic clients and reporting of such sexual
 697 misconduct.
 698 (tt)~~(ss)~~ Section 944.47, relating to introduction,
 699 removal, or possession of contraband at a correctional facility.
 700 (uu)~~(tt)~~ Section 985.701, relating to sexual misconduct in

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701 juvenile justice programs.

702 (vv)~~(uu)~~ Section 985.711, relating to introduction,
703 removal, or possession of contraband at a juvenile detention
704 facility or commitment program.

705 (2) Any misdemeanor offense prohibited under any of the
706 following statutes:

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

709 (b) Section 787.025, relating to luring or enticing a
710 child.

711 (3) Any criminal act committed in another state or under
712 federal law which, if committed in this state, constitutes an
713 offense prohibited under any statute listed in subsection (1) or
714 subsection (2).

715 (4) Any delinquent act committed in this state or any
716 delinquent or criminal act committed in another state or under
717 federal law which, if committed in this state, qualifies an
718 individual for inclusion on the Registered Juvenile Sex Offender
719 List under s. 943.0435(1)(h)1.d.

720 Section 11. Subsection (12) of section 1012.56, Florida
721 Statutes, is amended to read:

722 1012.56 Educator certification requirements.—

723 (12) DENIAL OF CERTIFICATE.—

724 (a) The Department of Education may deny an applicant a
725 certificate if the department possesses evidence satisfactory to

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726 it that the applicant has committed an act or acts, or that a
727 situation exists, for which the Education Practices Commission
728 would be authorized to discipline a certified educator ~~revoke a~~
729 ~~teaching certificate~~.

730 (b) The decision of the department is subject to review by
731 the Education Practices Commission upon the filing of a written
732 request from the applicant within 20 days after receipt of the
733 notice of denial. Upon review, the commission may deny the award
734 of a certificate, bar an applicant from reapplying for a
735 certificate, or allow the award of a certificate with one or
736 more of the following conditions:

- 737 1. Probation for a period of time.
- 738 2. Restriction on the scope of practice.
- 739 3. Issuance of a letter of reprimand.
- 740 4. Referral to the recovery network program provided in s.
741 1012.798 under such terms and conditions as the commission may
742 specify.
- 743 5. Imposition of an administrative fine not to exceed
744 \$2,000 for each count or separate offense.

745 Section 12. Subsections (1) and (5) of section 1012.795,
746 Florida Statutes, are amended to read:

747 1012.795 Education Practices Commission; authority to
748 discipline.—

749 (1) The Education Practices Commission may suspend the
750 educator certificate of any instructional personnel or school

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751 administrator, person as defined in s. 1012.01(2) or (3), for up
 752 to 5 years, thereby denying that person the right to teach or
 753 otherwise be employed by a district school board or public
 754 school in any capacity requiring direct contact with students
 755 for that period of time, after which the person holder may
 756 return to teaching as provided in subsection (4); may revoke the
 757 educator certificate of any person, thereby denying that person
 758 the right to teach or otherwise be employed by a district school
 759 board or public school in any capacity requiring direct contact
 760 with students for up to 10 years, with reinstatement subject to
 761 ~~the provisions of~~ subsection (4); may permanently revoke
 762 ~~permanently~~ the educator certificate of any person thereby
 763 denying that person the right to teach or otherwise be employed
 764 by a district school board or public school in any capacity
 765 requiring direct contact with students; may suspend a person's
 766 ~~the~~ educator certificate, upon an order of the court or notice
 767 by the Department of Revenue relating to the payment of child
 768 support; or may impose any other penalty provided by law, if the
 769 person:

770 (a) Obtained or attempted to obtain an educator
 771 certificate by fraudulent means.

772 (b) Knowingly failed to report actual or suspected child
 773 abuse as required in s. 1006.061 or report alleged misconduct by
 774 instructional personnel or school administrators which affects
 775 the health, safety, or welfare of a student as required in s.

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776 | 1012.796.

777 | (c) Has proved to be incompetent to teach or to perform
778 | duties as an employee of the public school system or to teach in
779 | or to operate a private school.

780 | (d) Has been guilty of gross immorality or an act
781 | involving moral turpitude as defined by rule of the State Board
782 | of Education, including engaging in or soliciting sexual,
783 | romantic, or lewd conduct with a student or minor.

784 | (e) Has had an educator certificate or other professional
785 | license sanctioned by this or any other ~~revocation, suspension,~~
786 | ~~or surrender in another~~ state or has had the authority to
787 | practice the regulated profession revoked, suspended, or
788 | otherwise acted against, including a denial of certification or
789 | licensure, by the licensing or certifying authority of any
790 | jurisdiction, including its agencies and subdivisions. The
791 | licensing or certifying authority's acceptance of a
792 | relinquishment, stipulation, consent order, or other settlement
793 | offered in response to or in anticipation of the filing of
794 | charges against the licensee or certificateholder shall be
795 | construed as action against the license or certificate. For
796 | purposes of this section, a sanction or action against a
797 | professional license, a certificate, or an authority to practice
798 | a regulated profession must relate to being an educator or the
799 | fitness of or ability to be an educator.

800 | (f) Has been convicted or found guilty of, has had

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801 adjudication withheld for, or has pled ~~entered a plea of guilty~~
 802 or nolo contendere ~~to, regardless of adjudication of guilt,~~ a
 803 misdemeanor, felony, or any other criminal charge, other than a
 804 minor traffic violation.

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

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

810 (i) Has been the subject of a court order or notice by the
 811 Department of Revenue pursuant to s. 409.2598 directing the
 812 Education Practices Commission to suspend the certificate as a
 813 result of noncompliance with a child support order, a subpoena,
 814 an order to show cause, or a written agreement with the
 815 Department of Revenue.

816 (j) Has violated the Principles of Professional Conduct
 817 for the Education Profession prescribed by State Board of
 818 Education rules.

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

821 (l) Has violated any order of the Education Practices
 822 Commission.

823 (m) Has been the subject of a court order or plea
 824 agreement in any jurisdiction which requires the
 825 certificateholder to surrender or otherwise relinquish his or

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826 her educator's certificate. A surrender or relinquishment shall
 827 be for permanent revocation of the certificate. A person may not
 828 surrender or otherwise relinquish his or her certificate prior
 829 to a finding of probable cause by the commissioner as provided
 830 in s. 1012.796.

831 (n) Has been disqualified from educator certification
 832 under s. 1012.315.

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

836 (p) Has violated test security as provided in s. 1008.24.

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

842 (a) Who has been convicted or found guilty of, who has had
 843 adjudication withheld for, or who has pled guilty or nolo
 844 contendere to, a misdemeanor, felony, or any other criminal
 845 charge, other than a minor traffic infraction;

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

849 (c) Who has been dismissed or severed from employment
 850 because of conduct involving any immoral, unnatural, or

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851 lascivious act.

852 Section 13. Paragraphs (d) and (e) of subsection (1) and
853 paragraphs (a) and (d) of subsection (7) of section 1012.796,
854 Florida Statutes, are amended to read:

855 1012.796 Complaints against teachers and administrators;
856 procedure; penalties.—

857 (1)

858 (d)1. Each school district shall file in writing with the
859 department all legally sufficient complaints within 30 days
860 after the date on which subject matter of the complaint comes to
861 the attention of the school district, regardless of whether the
862 subject of the complaint is still an employee of the school
863 district. A complaint is legally sufficient if it contains
864 ultimate facts that show a violation has occurred as provided in
865 s. 1012.795 and defined by rule of the State Board of Education.
866 The school district shall include all information relating to
867 the complaint which is known to the school district at the time
868 of filing.

869 2. A school district shall immediately notify the
870 department if the subject of a legally sufficient complaint of
871 misconduct affecting the health, safety, or welfare of a student
872 resigns or is terminated before the conclusion of the school
873 district's investigation. Upon receipt of the notification, the
874 department shall place an alert on the person's certification
875 file indicating that he or she resigned or was terminated before

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876 | an investigation involving allegations of misconduct affecting
877 | the health, safety, or welfare of a student was concluded. In
878 | such circumstances, the database may not include specific
879 | information relating to the alleged misconduct until permitted
880 | by subsection (4).

881 | 3. Each district school board shall develop and adopt
882 | policies and procedures to comply with this reporting
883 | requirement. School board policies and procedures must include
884 | standards for screening, hiring, and terminating instructional
885 | personnel and school administrators, as defined in s. 1012.01;
886 | standards of ethical conduct for instructional personnel and
887 | school administrators; the duties of instructional personnel and
888 | school administrators for upholding the standards; detailed
889 | procedures for reporting alleged misconduct by instructional
890 | personnel and school administrators which affects the health,
891 | safety, or welfare of a student; requirements for the
892 | reassignment of instructional personnel or school administrators
893 | pending the outcome of a misconduct investigation; and penalties
894 | for failing to comply with s. 1001.51 or s. 1012.795. The
895 | district school board policies and procedures shall include
896 | appropriate penalties for all personnel of the district school
897 | board for nonreporting and procedures for promptly informing the
898 | district school superintendent of each legally sufficient
899 | complaint. The district school superintendent is charged with
900 | knowledge of these policies and procedures and is accountable

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901 | for the training of all instructional personnel and school
902 | administrators of the school district on the standards of
903 | ethical conduct, policies, and procedures.

904 | 4. If the district school superintendent has knowledge of
905 | a legally sufficient complaint and does not report the
906 | complaint, or fails to enforce the policies and procedures of
907 | the district school board, and fails to comply with the
908 | requirements of this subsection, in addition to other actions
909 | against certificateholders authorized by law, the district
910 | school superintendent is subject to penalties as specified in s.
911 | 1001.51(12).

912 | 5. If the superintendent determines that misconduct by
913 | instructional personnel or school administrators who hold an
914 | educator certificate affects the health, safety, or welfare of a
915 | student and the misconduct warrants termination, the
916 | instructional personnel or school administrators may resign or
917 | be terminated, and the superintendent must report the misconduct
918 | to the department in the format prescribed by the department.
919 | The department shall maintain each report of misconduct as a
920 | public record in the instructional personnel's or school
921 | administrators' certification files. This paragraph does not
922 | limit or restrict the power and duty of the department to
923 | investigate complaints, regardless of the school district's
924 | untimely filing, or failure to file, complaints and followup
925 | reports.

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926 (e) If allegations arise against an employee who is
927 certified under s. 1012.56 and employed in an educator-
928 certificated position in any public school, charter school or
929 governing board thereof, or private school that accepts
930 scholarship students under s. 1002.39 or s. 1002.395, the school
931 shall file in writing with the department a legally sufficient
932 complaint within 30 days after the date on which the subject
933 matter of the complaint came to the attention of the school,
934 regardless of whether the subject of the allegations is still an
935 employee of the school. A complaint is legally sufficient if it
936 contains ultimate facts that show a violation has occurred as
937 provided in s. 1012.795 and defined by rule of the State Board
938 of Education. The school shall include all known information
939 relating to the complaint with the filing of the complaint. This
940 paragraph does not limit or restrict the power and duty of the
941 department to investigate complaints, regardless of the school's
942 untimely filing, or failure to file, complaints and followup
943 reports. A school described in this paragraph shall immediately
944 notify the department if the subject of a legally sufficient
945 complaint of misconduct affecting the health, safety, or welfare
946 of a student resigns or is terminated before the conclusion of
947 the school's investigation. Upon receipt of the notification,
948 the department shall place an alert on the person's
949 certification file indicating that he or she resigned or was
950 terminated before an investigation involving allegations of

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951 misconduct affecting the health, safety, or welfare of a student
 952 was concluded. In such circumstances, the database may not
 953 include specific information relating to the alleged misconduct
 954 until permitted by subsection (4).

955 (7) A panel of the commission shall enter a final order
 956 either dismissing the complaint or imposing one or more of the
 957 following penalties:

958 (a) Denial of an application for a ~~teaching~~ certificate or
 959 for an administrative or supervisory endorsement on a teaching
 960 certificate. The denial may provide that the applicant may not
 961 reapply for certification, and that the department may refuse to
 962 consider that applicant's application, for a specified period of
 963 time or permanently.

964 (d) Placement of the teacher, administrator, or supervisor
 965 on probation for a period of time and subject to such conditions
 966 as the commission may specify, including requiring the certified
 967 teacher, administrator, or supervisor to complete additional
 968 appropriate college courses or work with another certified
 969 educator, with the administrative costs of monitoring the
 970 probation assessed to the educator placed on probation. An
 971 educator who has been placed on probation shall, at a minimum:

972 1. Immediately notify the investigative office in the
 973 Department of Education upon employment or separation from
 974 ~~termination of employment in the state~~ in any public or private
 975 position requiring a Florida educator's certificate.

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976 2. Have his or her immediate supervisor submit annual
977 performance reports to the investigative office in the
978 Department of Education.

979 3. Pay to the commission within the first 6 months of each
980 probation year the administrative costs of monitoring probation
981 assessed to the educator.

982 4. Violate no law and fully comply with all district
983 school board policies, school rules, and State Board of
984 Education rules.

985 5. Satisfactorily perform his or her assigned duties in a
986 competent, professional manner.

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

989
990 The penalties imposed under this subsection are in addition to,
991 and not in lieu of, the penalties required for a third
992 recruiting offense pursuant to s. 1006.20(2)(b).

993 Section 14. Paragraph (b) of subsection (3) of section
994 1008.22, Florida Statutes, is amended to read:

995 1008.22 Student assessment program for public schools.—

996 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
997 Commissioner of Education shall design and implement a
998 statewide, standardized assessment program aligned to the core
999 curricular content established in the Next Generation Sunshine
1000 State Standards. The commissioner also must develop or select

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1001 and implement a common battery of assessment tools that will be
1002 used in all juvenile justice education programs in the state.
1003 These tools must accurately measure the core curricular content
1004 established in the Next Generation Sunshine State Standards.
1005 Participation in the assessment program is mandatory for all
1006 school districts and all students attending public schools,
1007 including adult students seeking a standard high school diploma
1008 under s. 1003.4282 and students in Department of Juvenile
1009 Justice education programs, except as otherwise provided by law.
1010 If a student does not participate in the assessment program, the
1011 school district must notify the student's parent and provide the
1012 parent with information regarding the implications of such
1013 nonparticipation. The statewide, standardized assessment program
1014 shall be designed and implemented as follows:

1015 (b) *End-of-course (EOC) assessments.*—EOC assessments must
1016 be statewide, standardized, and developed or approved by the
1017 Department of Education as follows:

1018 1. EOC assessments for Algebra I, Geometry, Biology I,
1019 United States History, and Civics shall be administered to
1020 students enrolled in such courses as specified in the course
1021 code directory.

1022 2. Students enrolled in a course, as specified in the
1023 course code directory, with an associated statewide,
1024 standardized EOC assessment must take the EOC assessment for
1025 such course and may not take the corresponding subject or grade-

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1026 | level statewide, standardized assessment pursuant to paragraph
 1027 | (a). Sections 1003.4156 and 1003.4282 govern the use of
 1028 | statewide, standardized EOC assessment results for students.

1029 | 3. The commissioner may select one or more nationally
 1030 | developed comprehensive examinations, which may include
 1031 | examinations for a College Board Advanced Placement course,
 1032 | International Baccalaureate course, or Advanced International
 1033 | Certificate of Education course, or industry-approved
 1034 | examinations to earn national industry certifications identified
 1035 | in the CAPE Industry Certification Funding List, for use as EOC
 1036 | assessments under this paragraph if the commissioner determines
 1037 | that the content knowledge and skills assessed by the
 1038 | examinations meet or exceed the grade-level expectations for the
 1039 | core curricular content established for the course in the Next
 1040 | Generation Sunshine State Standards. Use of any such examination
 1041 | as an EOC assessment must be approved by the state board in
 1042 | rule.

1043 | 4. Contingent upon funding provided in the General
 1044 | Appropriations Act, including the appropriation of funds
 1045 | received through federal grants, the commissioner may establish
 1046 | an implementation schedule for the development and
 1047 | administration of additional statewide, standardized EOC
 1048 | assessments that must be approved by the state board in rule. If
 1049 | approved by the state board, student performance on such
 1050 | assessments constitutes 30 percent of a student's final course

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1051 grade.

1052 5. All statewide, standardized EOC assessments must be
 1053 administered online except as otherwise provided in paragraph
 1054 (c).

1055 6. A student enrolled in an Advanced Placement (AP),
 1056 International Baccalaureate (IB), or Advanced International
 1057 Certificate of Education (AICE) course who takes the respective
 1058 AP, IB, or AICE assessment and earns the minimum score necessary
 1059 to earn college credit, as identified in s. 1007.27(2), meets
 1060 the requirements of this paragraph and does not have to take the
 1061 EOC assessment for the corresponding course.

1062 Section 15. Except for section 3 of this act, which shall
 1063 take effect upon this act becoming a law, and except for
 1064 sections 4 and 5 of this act, which shall take effect October 1,
 1065 2018, this act shall take effect July 1, 2018.

1066