

1 A bill to be entitled
2 An act relating to K-12 student safety; amending s.
3 413.208, F.S.; exempting certain school district
4 employees from Level 2 background screenings under
5 specified circumstances; amending s. 1006.07, F.S.;
6 revising district school board duties to include
7 security risk assessments; requiring certain self-
8 assessments to be in a specified format; amending s.
9 1011.62, F.S.; prohibiting certain teachers from
10 receiving bonuses related to specified FTE student
11 membership calculations; authorizing the State Board
12 of Education to adopt rules for the recension of
13 certain certifications or grades; amending s.
14 1012.315, F.S.; providing that certain persons are
15 ineligible for employment in a school district under
16 specified circumstances; amending s. 1012.36, F.S.;
17 providing that certain persons are not exempt from
18 specified certification requirements; amending s.
19 1012.56, F.S.; requiring certified educators to inform
20 their employers within a specified time period after
21 being arrested for, rather than convicted of, certain
22 offenses; authorizing the Department of Education to
23 deny applicants for certification if the applicant
24 could be disciplined by the Education Practices
25 Commission; authorizing the commission to impose

26 specified penalties on such applicants under certain
 27 circumstances; amending s. 1012.57, F.S.; prohibiting
 28 an adjunct teaching certificate from fulfilling
 29 specified certification requirements; amending s.
 30 1012.795, F.S.; authorizing the commission to take
 31 certain actions against persons who meet specified
 32 criteria; amending s. 1012.796, F.S.; requiring
 33 certified educators who are placed on probation to
 34 immediately notify a specified office upon separation
 35 from, rather than termination of, employment;
 36 providing an effective date.

37

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

39

40 Section 1. Paragraph (b) of subsection (2) of section
 41 413.208, Florida Statutes, is amended to read:

42 413.208 Service providers; quality assurance; fitness for
 43 responsibilities; background screening.—

44 (2)

45 (b) Level 2 background screening pursuant to chapter 435
 46 is not required for the following persons:

47 1. A licensed physician, nurse, or other professional who
 48 is licensed by the Department of Health and who has undergone
 49 fingerprinting and background screening as part of such
 50 licensure if providing a service that is within the scope of her

51 | or his licensed practice.

52 | 2. A relative of the vulnerable person receiving services.
 53 | For purposes of this section, the term "relative" means an
 54 | individual who is the father, mother, stepfather, stepmother,
 55 | son, daughter, brother, sister, grandmother, grandfather, great-
 56 | grandmother, great-grandfather, grandson, granddaughter, uncle,
 57 | aunt, first cousin, nephew, niece, husband, wife, father-in-law,
 58 | mother-in-law, son-in-law, daughter-in-law, brother-in-law,
 59 | sister-in-law, stepson, stepdaughter, stepbrother, stepsister,
 60 | half-brother, or half-sister of the vulnerable person.

61 | 3. An individual who provides proof of a current valid
 62 | background screening conducted pursuant to chapter 1012 if the
 63 | school district that required the background screening is the
 64 | service provider and the individual is working for the school
 65 | district in its capacity as a service provider.

66 | Section 2. Subsection (6) of section 1006.07, Florida
 67 | Statutes, is amended to read:

68 | 1006.07 District school board duties relating to student
 69 | discipline and school safety.—The district school board shall
 70 | provide for the proper accounting for all students, for the
 71 | attendance and control of students at school, and for proper
 72 | attention to health, safety, and other matters relating to the
 73 | welfare of students, including:

74 | (6) SAFETY AND SECURITY BEST PRACTICES.—Each school
 75 | district shall ~~Use the Safety and Security Best Practices~~

76 | ~~developed by the Office of Program Policy Analysis and~~
77 | ~~Government Accountability to~~ conduct a security risk assessment
78 | at each public school and conduct a self-assessment of the
79 | school districts' current safety and security practices using a
80 | format prescribed by the department. Based on these assessment
81 | ~~self-assessment~~ findings, the district school superintendent
82 | shall provide recommendations to the district school board which
83 | identify strategies and activities that the district school
84 | board should implement in order to improve school safety and
85 | security. Annually, each district school board must receive such
86 | findings and the superintendent's recommendations ~~the self-~~
87 | ~~assessment results~~ at a publicly noticed district school board
88 | meeting to provide the public an opportunity to hear the
89 | district school board members discuss and take action on the
90 | ~~report~~ findings and recommendations. Each district school
91 | superintendent shall report such findings ~~the self-assessment~~
92 | ~~results~~ and school board action to the commissioner within 30
93 | days after the district school board meeting.

94 | Section 3. Paragraphs (o) and (t) of subsection (1) of
95 | section 1011.62, Florida Statutes, are amended to read:

96 | 1011.62 Funds for operation of schools.—If the annual
97 | allocation from the Florida Education Finance Program to each
98 | district for operation of schools is not determined in the
99 | annual appropriations act or the substantive bill implementing
100 | the annual appropriations act, it shall be determined as

101 follows:

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

106 (o) Calculation of additional full-time equivalent
 107 membership based on successful completion of a career-themed
 108 course pursuant to ss. 1003.491, 1003.492, and 1003.493, or
 109 courses with embedded CAPE industry certifications or CAPE
 110 Digital Tool certificates, and issuance of industry
 111 certification identified on the CAPE Industry Certification
 112 Funding List pursuant to rules adopted by the State Board of
 113 Education or CAPE Digital Tool certificates pursuant to s.
 114 1003.4203.—

115 1.a. A value of 0.025 full-time equivalent student
 116 membership shall be calculated for CAPE Digital Tool
 117 certificates earned by students in elementary and middle school
 118 grades.

119 b. A value of 0.1 or 0.2 full-time equivalent student
 120 membership shall be calculated for each student who completes a
 121 course as defined in s. 1003.493(1)(b) or courses with embedded
 122 CAPE industry certifications and who is issued an industry
 123 certification identified annually on the CAPE Industry
 124 Certification Funding List approved under rules adopted by the
 125 State Board of Education. A value of 0.2 full-time equivalent

126 membership shall be calculated for each student who is issued a
127 CAPE industry certification that has a statewide articulation
128 agreement for college credit approved by the State Board of
129 Education. For CAPE industry certifications that do not
130 articulate for college credit, the Department of Education shall
131 assign a full-time equivalent value of 0.1 for each
132 certification. Middle grades students who earn additional FTE
133 membership for a CAPE Digital Tool certificate pursuant to sub-
134 subparagraph a. may not use the previously funded examination to
135 satisfy the requirements for earning an industry certification
136 under this sub-subparagraph. Additional FTE membership for an
137 elementary or middle grades student may not exceed 0.1 for
138 certificates or certifications earned within the same fiscal
139 year. The State Board of Education shall include the assigned
140 values on the CAPE Industry Certification Funding List under
141 rules adopted by the state board. Such value shall be added to
142 the total full-time equivalent student membership for grades 6
143 through 12 in the subsequent year. CAPE industry certifications
144 earned through dual enrollment must be reported and funded
145 pursuant to s. 1011.80. However, if a student earns a
146 certification through a dual enrollment course and the
147 certification is not a fundable certification on the
148 postsecondary certification funding list, or the dual enrollment
149 certification is earned as a result of an agreement between a
150 school district and a nonpublic postsecondary institution, the

151 | bonus value shall be funded in the same manner as other nondual
152 | enrollment course industry certifications. In such cases, the
153 | school district may provide for an agreement between the high
154 | school and the technical center, or the school district and the
155 | postsecondary institution may enter into an agreement for
156 | equitable distribution of the bonus funds.

157 | c. A value of 0.3 full-time equivalent student membership
158 | shall be calculated for student completion of the courses and
159 | the embedded certifications identified on the CAPE Industry
160 | Certification Funding List and approved by the commissioner
161 | pursuant to ss. 1003.4203(5) (a) and 1008.44.

162 | d. A value of 0.5 full-time equivalent student membership
163 | shall be calculated for CAPE Acceleration Industry
164 | Certifications that articulate for 15 to 29 college credit
165 | hours, and 1.0 full-time equivalent student membership shall be
166 | calculated for CAPE Acceleration Industry Certifications that
167 | articulate for 30 or more college credit hours pursuant to CAPE
168 | Acceleration Industry Certifications approved by the
169 | commissioner pursuant to ss. 1003.4203(5) (b) and 1008.44.

170 | 2. Each district must allocate at least 80 percent of the
171 | funds provided for CAPE industry certification, in accordance
172 | with this paragraph, to the program that generated the funds.
173 | This allocation may not be used to supplant funds provided for
174 | basic operation of the program.

175 | 3. For CAPE industry certifications earned in the 2013-

176 | 2014 school year and in subsequent years, the school district
177 | shall distribute to each classroom teacher who provided direct
178 | instruction toward the attainment of a CAPE industry
179 | certification that qualified for additional full-time equivalent
180 | membership under subparagraph 1.:

181 | a. A bonus of \$25 for each student taught by a teacher who
182 | provided instruction in a course that led to the attainment of a
183 | CAPE industry certification on the CAPE Industry Certification
184 | Funding List with a weight of 0.1.

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

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

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

197 |
198 | Bonuses awarded pursuant to this paragraph shall be provided to
199 | teachers who are employed by the district in the year in which
200 | the additional FTE membership calculation is included in the

201 calculation. Bonuses shall be calculated based upon the
202 associated weight of a CAPE industry certification on the CAPE
203 Industry Certification Funding List for the year in which the
204 certification is earned by the student. Any bonus awarded to a
205 teacher pursuant to ~~under~~ this paragraph is in addition to any
206 regular wage or other bonus the teacher received or is scheduled
207 to receive. A bonus may not be awarded to a teacher who fails to
208 maintain the security of any CAPE industry certification
209 examination or who otherwise violates the security or
210 administration protocol of any assessment instrument that may
211 result in a bonus being awarded to the teacher under this
212 paragraph.

213 (t) Computation for funding through the Florida Education
214 Finance Program.—The State Board of Education may adopt rules
215 establishing programs, industry certifications, and courses for
216 which the student may earn credit toward high school graduation
217 and the criteria under which a student's industry certification
218 or grade may be rescinded.

219 Section 4. Section 1012.315, Florida Statutes, is amended
220 to read:

221 1012.315 Disqualification from employment.—A person is
222 ineligible for educator certification or, ~~and instructional~~
223 ~~personnel and school administrators, as defined in s. 1012.01,~~
224 ~~are ineligible for~~ employment in any position that requires
225 direct contact with students in a district school system,

226 charter school, or private school that accepts scholarship
227 students under s. 1002.39 or s. 1002.395~~7~~ if the person~~7~~
228 ~~instructional personnel, or school administrator~~ has been
229 convicted of:

230 (1) Any felony offense prohibited under any of the
231 following statutes:

232 (a) Section 393.135, relating to sexual misconduct with
233 certain developmentally disabled clients and reporting of such
234 sexual misconduct.

235 (b) Section 394.4593, relating to sexual misconduct with
236 certain mental health patients and reporting of such sexual
237 misconduct.

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

240 (d) Section 782.04, relating to murder.

241 (e) Section 782.07, relating to manslaughter, aggravated
242 manslaughter of an elderly person or disabled adult, aggravated
243 manslaughter of a child, or aggravated manslaughter of an
244 officer, a firefighter, an emergency medical technician, or a
245 paramedic.

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

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

248 (h) Section 784.075, relating to battery on a detention or
249 commitment facility staff member or a juvenile probation
250 officer.

- 251 (i) Section 787.01, relating to kidnapping.
- 252 (j) Section 787.02, relating to false imprisonment.
- 253 (k) Section 787.025, relating to luring or enticing a
254 child.
- 255 (l) Section 787.04(2), relating to leading, taking,
256 enticing, or removing a minor beyond the state limits, or
257 concealing the location of a minor, with criminal intent pending
258 custody proceedings.
- 259 (m) Section 787.04(3), relating to leading, taking,
260 enticing, or removing a minor beyond the state limits, or
261 concealing the location of a minor, with criminal intent pending
262 dependency proceedings or proceedings concerning alleged abuse
263 or neglect of a minor.
- 264 (n) Section 790.115(1), relating to exhibiting firearms or
265 weapons at a school-sponsored event, on school property, or
266 within 1,000 feet of a school.
- 267 (o) Section 790.115(2)(b), relating to possessing an
268 electric weapon or device, destructive device, or other weapon
269 at a school-sponsored event or on school property.
- 270 (p) Section 794.011, relating to sexual battery.
- 271 (q) Former s. 794.041, relating to sexual activity with or
272 solicitation of a child by a person in familial or custodial
273 authority.
- 274 (r) Section 794.05, relating to unlawful sexual activity
275 with certain minors.

- 276 (s) Section 794.08, relating to female genital mutilation.
- 277 (t) Chapter 796, relating to prostitution.
- 278 (u) Chapter 800, relating to lewdness and indecent
- 279 exposure.
- 280 (v) Section 806.01, relating to arson.
- 281 (w) Section 810.14, relating to voyeurism.
- 282 (x) Section 810.145, relating to video voyeurism.
- 283 (y) Section 812.014(6), relating to coordinating the
- 284 commission of theft in excess of \$3,000.
- 285 (z) Section 812.0145, relating to theft from persons 65
- 286 years of age or older.
- 287 (aa) Section 812.019, relating to dealing in stolen
- 288 property.
- 289 (bb) Section 812.13, relating to robbery.
- 290 (cc) Section 812.131, relating to robbery by sudden
- 291 snatching.
- 292 (dd) Section 812.133, relating to carjacking.
- 293 (ee) Section 812.135, relating to home-invasion robbery.
- 294 (ff) Section 817.563, relating to fraudulent sale of
- 295 controlled substances.
- 296 (gg) Section 825.102, relating to abuse, aggravated abuse,
- 297 or neglect of an elderly person or disabled adult.
- 298 (hh) Section 825.103, relating to exploitation of an
- 299 elderly person or disabled adult.
- 300 (ii) Section 825.1025, relating to lewd or lascivious

301 offenses committed upon or in the presence of an elderly person
302 or disabled person.

303 (jj) Section 826.04, relating to incest.

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

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

308 (mm) Section 827.071, relating to sexual performance by a
309 child.

310 (nn) Section 843.01, relating to resisting arrest with
311 violence.

312 (oo) Chapter 847, relating to obscenity.

313 (pp) Section 874.05, relating to causing, encouraging,
314 soliciting, or recruiting another to join a criminal street
315 gang.

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

319 (rr) Section 916.1075, relating to sexual misconduct with
320 certain forensic clients and reporting of such sexual
321 misconduct.

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

324 (tt) Section 985.701, relating to sexual misconduct in
325 juvenile justice programs.

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326 (uu) Section 985.711, relating to introduction, removal,
 327 or possession of contraband at a juvenile detention facility or
 328 commitment program.

329 (2) Any misdemeanor offense prohibited under any of the
 330 following statutes:

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

333 (b) Section 787.025, relating to luring or enticing a
 334 child.

335 (3) Any criminal act committed in another state or under
 336 federal law which, if committed in this state, constitutes an
 337 offense prohibited under any statute listed in subsection (1) or
 338 subsection (2).

339 (4) Any delinquent act committed in this state or any
 340 delinquent or criminal act committed in another state or under
 341 federal law which, if committed in this state, qualifies an
 342 individual for inclusion on the Registered Juvenile Sex Offender
 343 List under s. 943.0435(1)(h)1.d.

344 Section 5. Subsection (3) is added to section 1012.36,
 345 Florida Statutes, to read:

346 1012.36 Part-time teachers.—

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

349 Section 6. Paragraph (b) of subsection (10) and subsection
 350 (12) of section 1012.56, Florida Statutes, are amended to read:

351 1012.56 Educator certification requirements.—

352 (10) BACKGROUND SCREENING REQUIRED, INITIALLY AND
353 PERIODICALLY.—

354 (b) A person may not receive a certificate under this
355 chapter until the person's screening under s. 1012.32 is
356 completed and the results have been submitted to the Department
357 of Education or to the district school superintendent of the
358 school district that employs the person. Every 5 years after
359 obtaining initial certification, each person who is required to
360 be certified under this chapter must be rescreened in accordance
361 with s. 1012.32, at which time the school district shall request
362 the Department of Law Enforcement to forward the fingerprints to
363 the Federal Bureau of Investigation for federal criminal records
364 checks. If, for any reason after obtaining initial
365 certification, the fingerprints of a person who is required to
366 be certified under this chapter are not retained by the
367 Department of Law Enforcement under s. 1012.32(3)(a) and (b),
368 the person must file a complete set of fingerprints with the
369 district school superintendent of the employing school district.
370 Upon submission of fingerprints for this purpose, the school
371 district shall request the Department of Law Enforcement to
372 forward the fingerprints to the Federal Bureau of Investigation
373 for federal criminal records checks, and the fingerprints shall
374 be retained by the Department of Law Enforcement under s.
375 1012.32(3)(a) and (b). The cost of the state and federal

376 criminal history checks required by paragraph (a) and this
377 paragraph may be borne by the district school board or the
378 employee. Under penalty of perjury, each person who is certified
379 under this chapter must agree to inform his or her employer
380 within 48 hours if arrested for ~~convicted of~~ any disqualifying
381 offense while he or she is employed in a position for which such
382 certification is required.

383 (12) DENIAL OF CERTIFICATE.—

384 (a) The Department of Education may deny an applicant a
385 certificate if the department possesses evidence satisfactory to
386 it that the applicant has committed an act or acts, or that a
387 situation exists, for which the Education Practices Commission
388 would be authorized to discipline a certified educator ~~revoke a~~
389 ~~teaching certificate~~.

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

- 395 1. Deny of an application.
- 396 2. Bar from re-application.
- 397 3. Probation for a period of time.
- 398 4. Restrict the scope of practice.
- 399 5. Issue a letter of reprimand.
- 400 6. Refer the teacher, administrator, or supervisor to the

401 recovery network program provided in s. 1012.798 under such
402 terms and conditions as the commission may specify.

403 7. Imposition of an administrative fine not to exceed
404 \$2,000 for each count or separate offense.

405 Section 7. Subsection (1) of section 1012.57, Florida
406 Statutes, is amended to read:

407 1012.57 Certification of adjunct educators.—

408 (1) Notwithstanding ~~the provisions of~~ ss. 1012.32,
409 1012.55, and 1012.56, or any other provision of law or rule to
410 the contrary, district school boards shall adopt rules to allow
411 for the issuance of an adjunct teaching certificate to any
412 applicant who fulfills the requirements of s. 1012.56(2)(a)-(f)
413 and (10) and who has expertise in the subject area to be taught.
414 An applicant shall be considered to have expertise in the
415 subject area to be taught if the applicant demonstrates
416 sufficient subject area mastery through passage of a subject
417 area test. The adjunct teaching certificate shall be used for
418 part-time teaching positions. The adjunct teaching certificate
419 may not be used to fulfill the requirements of s. 1012.55(2)(a).

420 Section 8. Subsections (1) and (5) of section 1012.795,
421 Florida Statutes, are amended to read:

422 1012.795 Education Practices Commission; authority to
423 discipline.—

424 (1) The Education Practices Commission may deny an
425 application for certification; may suspend the educator

426 certificate of any instructional personnel or school
427 administrators, ~~person~~ as defined in s. 1012.01(2) or (3), for
428 up to 5 years, thereby denying that person the right to teach or
429 otherwise be employed by a district school board or public
430 school in any capacity requiring direct contact with students
431 for that period of time, after which the person holder may
432 return to teaching as provided in subsection (4); may revoke the
433 educator certificate of any person, thereby denying that person
434 the right to teach or otherwise be employed by a district school
435 board or public school in any capacity requiring direct contact
436 with students for up to 10 years, with reinstatement subject to
437 ~~the provisions of~~ subsection (4); may permanently revoke
438 ~~permanently~~ the educator certificate of any person, thereby
439 denying that person the right to teach or otherwise be employed
440 by a district school board or public school in any capacity
441 requiring direct contact with students; may suspend a person's
442 ~~the~~ educator certificate, upon an order of the court or notice
443 by the Department of Revenue relating to the payment of child
444 support; or may impose any other penalty provided by law, if the
445 person:

446 (a) Obtained or attempted to obtain an educator
447 certificate by fraudulent means.

448 (b) Knowingly failed to report actual or suspected child
449 abuse as required in s. 1006.061 or report alleged misconduct by
450 instructional personnel or school administrators which affects

451 the health, safety, or welfare of a student as required in s.
452 1012.796.

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

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

459 (e) Has had an educator certificate or other professional
460 license sanctioned by this or any other ~~revocation, suspension,~~
461 ~~or surrender in another~~ state or has had the authority to
462 practice the regulated profession revoked, suspended, or
463 otherwise acted against, including a denial of certification or
464 licensure, by the licensing or certifying authority of any
465 jurisdiction, including its agencies and subdivisions. The
466 licensing or certifying authority's acceptance of a
467 relinquishment, stipulation, consent order, or other settlement
468 offered in response to or in anticipation of the filing of
469 charges against the licensee or certificateholder shall be
470 construed as action against the license or certificate.

471 (f) Regardless of adjudication, has been convicted or
472 found guilty of, or entered a plea of guilty or nolo contendere
473 ~~to, regardless of adjudication of guilt,~~ a misdemeanor, felony,
474 or any other criminal charge, other than a minor traffic
475 violation.

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

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

481 (i) Has been the subject of a court order or notice by the
482 Department of Revenue pursuant to s. 409.2598 directing the
483 Education Practices Commission to suspend the certificate as a
484 result of noncompliance with a child support order, a subpoena,
485 an order to show cause, or a written agreement with the
486 Department of Revenue.

487 (j) Has violated the Principles of Professional Conduct
488 for the Education Profession prescribed by State Board of
489 Education rules.

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

492 (l) Has violated any order of the Education Practices
493 Commission.

494 (m) Has been the subject of a court order or plea
495 agreement in any jurisdiction which requires the
496 certificateholder to surrender or otherwise relinquish his or
497 her educator's certificate. A surrender or relinquishment shall
498 be for permanent revocation of the certificate. A person may not
499 surrender or otherwise relinquish his or her certificate prior
500 to a finding of probable cause by the commissioner as provided

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501 in s. 1012.796.

502 (n) Has been disqualified from educator certification
503 under s. 1012.315.

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

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

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

513 (a) Who has been convicted or found guilty of, who has had
514 adjudication withheld, or who has pled guilty or nolo contendere
515 ~~to~~ a misdemeanor, felony, or any other criminal charge, other
516 than a minor traffic infraction;

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

520 (c) Who has been dismissed or severed from employment
521 because of conduct involving any immoral, unnatural, or
522 lascivious act.

523 Section 9. Paragraphs (a) and (d) of subsection (7) of
524 section 1012.796, Florida Statutes, are amended to read:

525 1012.796 Complaints against teachers and administrators;

526 procedure; penalties.-

527 (7) A panel of the commission shall enter a final order
528 either dismissing the complaint or imposing one or more of the
529 following penalties:

530 (a) Denial of an application for a ~~teaching~~ certificate or
531 for an administrative or supervisory endorsement on a teaching
532 certificate. The denial may provide that the applicant may not
533 reapply for certification, and that the department may refuse to
534 consider that applicant's application, for a specified period of
535 time or permanently.

536 (d) Placement of the teacher, administrator, or supervisor
537 on probation for a period of time and subject to such conditions
538 as the commission may specify, including requiring the certified
539 teacher, administrator, or supervisor to complete additional
540 appropriate college courses or work with another certified
541 educator, with the administrative costs of monitoring the
542 probation assessed to the educator placed on probation. An
543 educator who has been placed on probation shall, at a minimum:

544 1. Immediately notify the investigative office in the
545 Department of Education upon employment or separation from
546 ~~termination of employment in the state~~ in any public or private
547 position requiring a Florida educator's certificate.

548 2. Have his or her immediate supervisor submit annual
549 performance reports to the investigative office in the
550 Department of Education.

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551 3. Pay to the commission within the first 6 months of each
552 probation year the administrative costs of monitoring probation
553 assessed to the educator.

554 4. Violate no law and fully comply with all district
555 school board policies, school rules, and State Board of
556 Education rules.

557 5. Satisfactorily perform his or her assigned duties in a
558 competent, professional manner.

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

561
562 The penalties imposed under this subsection are in addition to,
563 and not in lieu of, the penalties required for a third
564 recruiting offense pursuant to s. 1006.20(2)(b).

565 Section 10. This act shall take effect July 1, 2018.