

1 A bill to be entitled
2 An act relating to educator conduct; amending s.
3 1001.10, F.S.; requiring the Department of Education
4 to maintain a disqualification list of certain
5 persons; providing for the removal of a person from
6 the list under certain circumstances; requiring the
7 State Board of Education to adopt rules; requiring the
8 department to provide access to specified information
9 to certain staff for specified purposes; amending s.
10 1001.42, F.S.; providing that certain provisions
11 relating to conduct and prohibition from employment
12 apply to educational support employees; prohibiting
13 certain employees and personnel from employment under
14 certain circumstances; requiring district school
15 boards to report specified persons to the department
16 for inclusion on the list; providing that a school
17 board official forfeits his or her salary for 1 year
18 under additional circumstances; amending s. 1001.51,
19 F.S.; providing that a district school superintendent
20 forfeits his or her salary for 1 year under additional
21 circumstances; amending s. 1002.33, F.S.; prohibiting
22 certain individuals from employment at a charter
23 school; providing requirements for charter schools
24 relating to employing certain individuals; requiring
25 the governing board of a charter school to establish

26 | the duty of instructional personnel and school
27 | administrators to report specified alleged misconduct
28 | by certain individuals; prohibiting an individual on
29 | the list from employment in specified positions;
30 | requiring a charter school to report specified
31 | individuals to the department for inclusion on a
32 | certain list; amending s. 1002.421, F.S.; requiring
33 | certain private schools to include educational support
34 | employees in specified policies; requiring certain
35 | private schools to deny employment to certain persons;
36 | prohibiting the employment of certain employees and
37 | personnel under circumstances; requiring private
38 | schools to report specified persons to the department
39 | for inclusion on a certain list; authorizing the
40 | Commissioner of Education to permanently revoke an
41 | owner's or operator's authority to establish or
42 | operate a private school in the state under certain
43 | circumstances; amending s. 1006.061, F.S.; revising
44 | the contents of a sign certain educational entities
45 | are required to post to include information relating
46 | to reporting of certain criminal acts; amending s.
47 | 1012.27, F.S.; revising the requirements for certain
48 | employment history checks to include a specified
49 | affidavit; amending s. 1012.31, requiring certain
50 | persons to execute and maintain an affidavit of

51 separation form for specified purposes; providing
52 requirements for such affidavit; amending s. 1012.315,
53 F.S.; providing that certain persons are ineligible
54 for an educator certification or specified employment;
55 amending s. 1012.795, F.S.; revising acts that warrant
56 a disciplinary action by the commission; amending s.
57 1012.796, F.S.; prohibiting the department from
58 issuing a certificate to certain persons; requiring
59 the commissioner to make a determination of probable
60 cause within a specified timeframe for complaints
61 relating to sexual misconduct with a student;
62 providing for such timeframe to be held in abeyance
63 under certain circumstances; providing construction;
64 requiring certain individuals to be placed on a
65 disqualification list; requiring the commissioner to
66 remove certain suspended personnel or administrators
67 from certain positions under specified circumstances;
68 requiring a district school superintendent to
69 immediately suspend certain individuals and take
70 specified action as a results of alleged misconduct;
71 prohibiting certain individuals from serving or
72 applying to serve in specified positions at public
73 schools and specified private schools; providing a
74 timeframe for specified investigations; providing
75 timeframe for administrative suspension; providing

76 criminal penalties; amending s. 1012.797, F.S.;

77 revising provisions relating to notification by law

78 enforcement of certain charges against employees;

79 expanding the entities who receive such notifications;

80 requiring a school principal or designee to notify

81 certain parents of such notifications within a

82 specified timeframe; providing minimum requirements

83 for parental notifications; providing an effective

84 date.

85

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

87

88 Section 1. Subsections (4) and (5) of section 1001.10,

89 Florida Statutes, are amended to read:

90 1001.10 Commissioner of Education; general powers and

91 duties.—

92 (4) The Department of Education shall:

93 (a) Provide technical assistance to school districts,

94 charter schools, the Florida School for the Deaf and the Blind,

95 and private schools that accept scholarship students who

96 participate in a state scholarship program under chapter 1002 in

97 the development of policies, procedures, and training related to

98 employment practices and standards of ethical conduct for

99 instructional personnel and school administrators, as defined in

100 s. 1012.01.

101 (b) Maintain a disqualification list that includes all of
102 the following:

103 1. The identity of each person who has been permanently
104 denied an educator certificate or whose educator certificate has
105 been permanently revoked and has been placed on the list as
106 directed by the Education Practices Commission pursuant to s.
107 1012.795(1) or s. 1012.796(7).

108 2. The identity of each person who has been permanently
109 disqualified by the commissioner from owning or operating a
110 private school that participates in state scholarship programs
111 under s. 1002.421.

112 3. The identity of each person who has been terminated, or
113 has resigned in lieu of termination, from employment as a result
114 of sexual misconduct with a student.

115 4. The identity of each person who is ineligible for
116 educator certification or employment pursuant to s. 1012.315.

117 (c) The department may remove a person from the
118 disqualification list if the person demonstrates that:

119 1. A completed law enforcement investigation resulted in
120 an exoneration or no conviction or finding of guilt and a
121 completed investigation and proceeding, as applicable, by the
122 responsible education agency resulted in a finding that the
123 person did not commit disqualifying conduct;

124 2. The person was not the subject of the report of
125 disqualifying conduct and was included on the disqualification

126 | list in error or as a result of mistaken identity; or

127 | 3. The employer that submitted the person for inclusion on
 128 | the disqualification list requests that the person be removed
 129 | and submits documentation to support the request.

130 | (d) The State Board of Education shall adopt rules to
 131 | implement this subsection.

132 | (5) The Department of Education shall provide authorized
 133 | staff of school districts, charter schools, the Florida School
 134 | for the Deaf and the Blind, and private schools that accept
 135 | scholarship students who participate in a state scholarship
 136 | program under chapter 1002 with access to electronic
 137 | verification of information from the following employment
 138 | screening tools:

139 | (a) The Professional Practices' Database of Disciplinary
 140 | Actions Against Educators ~~;~~ and

141 | (b) The department's ~~Department of Education's~~ Teacher
 142 | Certification Database.

143 | (c) The department's disqualification list under paragraph
 144 | (4) (b).

145 |
 146 | This subsection does not require the department to provide these
 147 | staff with unlimited access to the databases. However, the
 148 | department shall provide the staff with access to the data
 149 | necessary for performing employment history checks of the
 150 | persons ~~instructional personnel and school administrators~~

151 included in the databases.

152 Section 2. Subsections (6) and (7) of section 1001.42,
153 Florida Statutes, are amended to read:

154 1001.42 Powers and duties of district school board.—The
155 district school board, acting as a board, shall exercise all
156 powers and perform all duties listed below:

157 (6) STANDARDS OF ETHICAL CONDUCT ~~FOR INSTRUCTIONAL~~
158 ~~PERSONNEL, ADMINISTRATIVE PERSONNEL, AND SCHOOL OFFICERS.~~—Adopt
159 policies establishing standards of ethical conduct for
160 educational support employees, instructional personnel,
161 administrative personnel, and school officers. The policies must
162 require all educational support employees, instructional
163 personnel, administrative personnel, and school officers, as
164 defined in s. 1012.01, to complete training on the standards;
165 establish the duty of educational support employees,
166 instructional personnel, administrative personnel, and school
167 officers to report, and procedures for reporting, alleged
168 misconduct by other educational support employees, instructional
169 or administrative personnel, and school officers which affects
170 the health, safety, or welfare of a student, including
171 misconduct that involves engaging in or soliciting sexual,
172 romantic, or lewd conduct with a student; require the district
173 school superintendent to report to law enforcement misconduct by
174 educational support employees, instructional personnel, or
175 school administrators that would result in disqualification from

176 educator certification or employment as provided in s. 1012.315;
177 and include an explanation of the liability protections provided
178 under ss. 39.203 and 768.095. A district school board, or any of
179 its employees or personnel, may not enter into a confidentiality
180 agreement regarding terminated or dismissed educational support
181 employees, instructional or administrative personnel, or school
182 officers who resign in lieu of termination, based in whole or in
183 part on misconduct that affects the health, safety, or welfare
184 of a student, and may not provide educational support employees,
185 instructional personnel, administrative personnel, or school
186 officers with employment references or discuss the employees',
187 personnel's, or officers' performance with prospective employers
188 in another educational setting, without disclosing the
189 employees', personnel's, or officers' misconduct. Any part of an
190 agreement or contract that has the purpose or effect of
191 concealing misconduct by educational support employees,
192 instructional personnel, administrative personnel, or school
193 officers which affects the health, safety, or welfare of a
194 student is void, is contrary to public policy, and may not be
195 enforced.

196 (7) PROHIBITION DISQUALIFICATION FROM EMPLOYMENT.—Prohibit
197 educational support employees, Disqualify instructional
198 personnel, and administrative personnel, as defined in s.
199 1012.01, from employment in any position that requires direct
200 contact with students if the employees or personnel are

201 | ineligible for such employment under s. 1012.315 or have been
202 | terminated or resigned in lieu of termination for sexual
203 | misconduct with a student. If the prohibited conduct occurs
204 | while employed, the district school board must report the
205 | employees or personnel and the disqualifying circumstances to
206 | the department for inclusion on the disqualification list
207 | maintained by the department pursuant s. 1001.10(4)(b). An
208 | elected or appointed school board official forfeits his or her
209 | salary for 1 year if:

210 | (a) The school board official knowingly signs and
211 | transmits to any state official a report of alleged misconduct
212 | by educational support employees, instructional personnel, or
213 | administrative personnel which ~~affects the health, safety, or~~
214 | ~~welfare of a student~~ and the school board official knows ~~the~~
215 | ~~report~~ to be false or incorrect; or

216 | (b) The school board official knowingly fails to adopt
217 | policies that require:

218 | 1. Educational support employees, instructional personnel,
219 | and administrative personnel to report alleged misconduct by
220 | other educational support employees, instructional personnel,
221 | and administrative personnel;

222 | 2. The district school superintendent to report misconduct
223 | by educational support employees, instructional personnel, or
224 | school administrators that would result in disqualification from
225 | educator certification or employment as provided in s. 1012.315

226 to the law enforcement agencies with jurisdiction over the
227 conduct; or

228 3. The investigation of all reports of alleged misconduct
229 by educational support employees, instructional personnel, and
230 administrative personnel, if the misconduct affects the health,
231 safety, or welfare of a student, regardless of whether the
232 person resigned or was terminated before the conclusion of the
233 investigation. The policies must require the district school
234 superintendent to notify the department of the result of the
235 investigation and whether the misconduct warranted termination,
236 regardless of whether the person resigned or was terminated
237 before the conclusion of the investigation.

238 Section 3. Subsection (12) of section 1001.51, Florida
239 Statutes, is amended to read:

240 1001.51 Duties and responsibilities of district school
241 superintendent.—The district school superintendent shall
242 exercise all powers and perform all duties listed below and
243 elsewhere in the law, provided that, in so doing, he or she
244 shall advise and counsel with the district school board. The
245 district school superintendent shall perform all tasks necessary
246 to make sound recommendations, nominations, proposals, and
247 reports required by law to be acted upon by the district school
248 board. All such recommendations, nominations, proposals, and
249 reports by the district school superintendent shall be either
250 recorded in the minutes or shall be made in writing, noted in

251 the minutes, and filed in the public records of the district
252 school board. It shall be presumed that, in the absence of the
253 record required in this section, the recommendations,
254 nominations, and proposals required of the district school
255 superintendent were not contrary to the action taken by the
256 district school board in such matters.

257 (12) RECORDS AND REPORTS.—Recommend such records as should
258 be kept in addition to those prescribed by rules of the State
259 Board of Education; prepare forms for keeping such records as
260 are approved by the district school board; ensure that such
261 records are properly kept; and make all reports that are needed
262 or required, as follows:

263 (a) Forms, blanks, and reports.—Require that all employees
264 accurately keep all records and promptly make in proper form all
265 reports required by the education code or by rules of the State
266 Board of Education; recommend the keeping of such additional
267 records and the making of such additional reports as may be
268 deemed necessary to provide data essential for the operation of
269 the school system; and prepare such forms and blanks as may be
270 required and ensure that these records and reports are properly
271 prepared.

272 (b) Reports to the department.—Prepare, for the approval
273 of the district school board, all reports required by law or
274 rules of the State Board of Education to be made to the
275 department and transmit promptly all such reports, when

276 approved, to the department, as required by law. If any reports
277 are not transmitted at the time and in the manner prescribed by
278 law or by State Board of Education rules, the salary of the
279 district school superintendent must be withheld until the report
280 has been properly submitted. Unless otherwise provided by rules
281 of the State Board of Education, the annual report on attendance
282 and personnel is due on or before July 1, and the annual school
283 budget and the report on finance are due on the date prescribed
284 by the commissioner.

285
286 Any district school superintendent who knowingly signs and
287 transmits to any state official a report that the superintendent
288 knows to be false or incorrect; who knowingly fails to complete
289 the investigation of ~~investigate~~ any allegation of misconduct
290 that by instructional personnel or school administrators, as
291 ~~defined in s. 1012.01, which~~ affects the health, safety, or
292 welfare of a student, that would be a violation of s. 800.101,
293 or that would be a disqualifying offense under s. 1012.315, or
294 any allegation of sexual misconduct with a student; who
295 knowingly fails to report the alleged misconduct to the
296 department as required in s. 1012.796; or who knowingly fails to
297 report misconduct to the law enforcement agencies with
298 jurisdiction over the conduct pursuant to district school board
299 policy under s. 1001.42(6), forfeits his or her salary for 1
300 year following the date of such act or failure to act.

301 Section 4. Paragraph (g) of subsection (12) of section
302 1002.33, Florida Statutes, is amended to read:

303 1002.33 Charter schools.—

304 (12) EMPLOYEES OF CHARTER SCHOOLS.—

305 (g)1. A charter school shall employ or contract with
306 employees who have undergone background screening as provided in
307 s. 1012.32. Members of the governing board of the charter school
308 shall also undergo background screening in a manner similar to
309 that provided in s. 1012.32. An individual may not be employed
310 as an employee or contract personnel of a charter school or
311 serve as a member of a charter school governing board if the
312 individual is on the disqualification list maintained by the
313 department pursuant to s. 1001.10(4)(b).

314 2. A charter school shall prohibit educational support
315 employees, disqualify instructional personnel, and school
316 administrators, as defined in s. 1012.01, from employment in any
317 position that requires direct contact with students if the
318 employees, personnel, or administrators are ineligible for such
319 employment under s. 1012.315 or have been terminated or resigned
320 in lieu of termination for sexual misconduct with a student. If
321 the prohibited conduct occurs while employed, a charter school
322 must report the individual and the disqualifying circumstances
323 to the department for inclusion on the disqualification list
324 maintained pursuant to s. 1001.10(4)(b).

325 3. The governing board of a charter school shall adopt

326 policies establishing standards of ethical conduct for
327 educational support employees, instructional personnel, and
328 school administrators. The policies must require all educational
329 support employees, instructional personnel, and school
330 administrators, as defined in s. 1012.01, to complete training
331 on the standards; establish the duty of educational support
332 employees, instructional personnel, and school administrators to
333 report, and procedures for reporting, alleged misconduct that ~~by~~
334 ~~other instructional personnel and school administrators which~~
335 affects the health, safety, or welfare of a student; and include
336 an explanation of the liability protections provided under ss.
337 39.203 and 768.095. A charter school, or any of its employees,
338 may not enter into a confidentiality agreement regarding
339 terminated or dismissed educational support employees,
340 instructional personnel, or school administrators, or employees,
341 personnel, or administrators who resign in lieu of termination,
342 based in whole or in part on misconduct that affects the health,
343 safety, or welfare of a student, and may not provide employees,
344 ~~instructional personnel,~~ or ~~school~~ administrators with
345 employment references or discuss the employees', personnel's, or
346 administrators' performance with prospective employers in
347 another educational setting, without disclosing the employees',
348 personnel's, or administrators' misconduct. Any part of an
349 agreement or contract that has the purpose or effect of
350 concealing misconduct by educational support employees,

351 instructional personnel, or school administrators which affects
352 the health, safety, or welfare of a student is void, is contrary
353 to public policy, and may not be enforced.

354 4. Before employing an individual ~~instructional personnel~~
355 ~~or school administrators~~ in any position that requires direct
356 contact with students, a charter school shall conduct employment
357 history checks of each individual ~~of the personnel's or~~
358 ~~administrators' previous employers~~, screen the instructional
359 ~~personnel or school administrators~~ through use of the educator
360 screening tools described in s. 1001.10(5), and document the
361 findings. If unable to contact a previous employer, the charter
362 school must document efforts to contact the employer.

363 5. The sponsor of a charter school that knowingly fails to
364 comply with this paragraph shall terminate the charter under
365 subsection (8).

366 Section 5. Paragraphs (n) and (o) of subsection (1) and
367 subsection (3) of section 1002.421, Florida Statutes, are
368 amended, and paragraph (r) is added to subsection (1) of that
369 section, to read:

370 1002.421 State school choice scholarship program
371 accountability and oversight.—

372 (1) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—A private
373 school participating in an educational scholarship program
374 established pursuant to this chapter must be a private school as
375 defined in s. 1002.01(2) in this state, be registered, and be in

376 compliance with all requirements of this section in addition to
377 private school requirements outlined in s. 1002.42, specific
378 requirements identified within respective scholarship program
379 laws, and other provisions of Florida law that apply to private
380 schools, and must:

381 (n) Adopt policies establishing standards of ethical
382 conduct for educational support employees, instructional
383 personnel, and school administrators. The policies must require
384 all educational support employees, instructional personnel, and
385 school administrators, as defined in s. 1012.01, to complete
386 training on the standards; establish the duty of educational
387 support employees, instructional personnel, and school
388 administrators to report, and procedures for reporting, alleged
389 misconduct by other educational support employees, instructional
390 personnel, and school administrators which affects the health,
391 safety, or welfare of a student; and include an explanation of
392 the liability protections provided under ss. 39.203 and 768.095.
393 A private school, or any of its employees, may not enter into a
394 confidentiality agreement regarding terminated or dismissed
395 educational support employees, instructional personnel, or
396 school administrators, or employees, personnel, or
397 administrators who resign in lieu of termination, based in whole
398 or in part on misconduct that affects the health, safety, or
399 welfare of a student, and may not provide the employees,
400 ~~instructional personnel,~~ or ~~school~~ administrators with

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

410 (o) Before employing a person ~~instructional personnel or~~
411 ~~school administrators~~ in any position that requires direct
412 contact with students, conduct employment history checks of ~~each~~
413 ~~of the personnel's or administrators'~~ previous employers, screen
414 the person ~~personnel or administrators~~ through use of the
415 ~~educator~~ screening tools described in s. 1001.10(5), and
416 document the findings. If unable to contact a previous employer,
417 the private school must document efforts to contact the
418 employer. The private school may not employ a person whose
419 educator certificate is revoked, who is barred from reapplying
420 for an educator certificate, or who is on the disqualification
421 list maintained by the department pursuant to s. 1001.10(4)(b).

422 (r) Prohibit education support employees, instructional
423 personnel, and school administrators from employment in any
424 position that requires direct contact with students if the
425 personnel or administrators are ineligible for such employment

426 pursuant to this section or s. 1012.315, or have been terminated
427 or resigned in lieu of termination for sexual misconduct with a
428 student. If the prohibited conduct occurs subsequent to
429 employment, the private school must report the person and the
430 disqualifying circumstances to the department for inclusion on
431 the disqualification list maintained pursuant to s.
432 1001.10 (4) (b) .
433

434 The department shall suspend the payment of funds to a private
435 school that knowingly fails to comply with this subsection, and
436 shall prohibit the school from enrolling new scholarship
437 students, for 1 fiscal year and until the school complies. If a
438 private school fails to meet the requirements of this subsection
439 or has consecutive years of material exceptions listed in the
440 report required under paragraph (q), the commissioner may
441 determine that the private school is ineligible to participate
442 in a scholarship program.

443 (3) COMMISSIONER OF EDUCATION AUTHORITY AND OBLIGATIONS.—

444 The Commissioner of Education:

445 (a) Shall deny, suspend, or revoke a private school's
446 participation in a scholarship program if it is determined that
447 the private school has failed to comply with this section or
448 exhibits a previous pattern of failure to comply. However, if
449 the noncompliance is correctable within a reasonable amount of
450 time, not to exceed 45 days, and if the health, safety, or

451 welfare of the students is not threatened, the commissioner may
452 issue a notice of noncompliance which provides the private
453 school with a timeframe within which to provide evidence of
454 compliance before taking action to suspend or revoke the private
455 school's participation in the scholarship program.

456 (b) May deny, suspend, or revoke a private school's
457 participation in a scholarship program if the commissioner
458 determines that an owner or operator of the private school is
459 operating or has operated an educational institution in this
460 state or in another state or jurisdiction in a manner contrary
461 to the health, safety, or welfare of the public or if the owner
462 or operator has exhibited a previous pattern of failure to
463 comply with this section or specific requirements identified
464 within respective scholarship program laws. For purposes of this
465 subsection, the term "owner or operator" has the same meaning as
466 provided in paragraph (1)(p).

467 (c) May permanently deny or revoke the authority of an
468 owner or operator to establish or operate a private school in
469 the state if the commissioner decides that the owner or operator
470 is operating or has operated an educational institution in the
471 state or another state or jurisdiction in a manner contrary to
472 the health, safety, or welfare of the public, and shall include
473 such individuals on the disqualification list maintained by the
474 department pursuant to s. 1001.10(4)(b).

475 (d)1.(e)1. In making such a determination, may consider

476 factors that include, but are not limited to, acts or omissions
477 by an owner or operator which led to a previous denial,
478 suspension, or revocation of participation in a state or federal
479 education scholarship program; an owner's or operator's failure
480 to reimburse the department or scholarship-funding organization
481 for scholarship funds improperly received or retained by a
482 school; the imposition of a prior criminal sanction related to
483 an owner's or operator's management or operation of an
484 educational institution; the imposition of a civil fine or
485 administrative fine, license revocation or suspension, or
486 program eligibility suspension, termination, or revocation
487 related to an owner's or operator's management or operation of
488 an educational institution; or other types of criminal
489 proceedings in which an owner or operator was found guilty of,
490 regardless of adjudication, or entered a plea of nolo contendere
491 or guilty to, any offense involving fraud, deceit, dishonesty,
492 or moral turpitude.

493 2. The commissioner's determination is subject to the
494 following:

495 a. If the commissioner intends to deny, suspend, or revoke
496 a private school's participation in the scholarship program, the
497 department shall notify the private school of such proposed
498 action in writing by certified mail and regular mail to the
499 private school's address of record with the department. The
500 notification shall include the reasons for the proposed action

501 and notice of the timelines and procedures set forth in this
502 paragraph.

503 b. The private school that is adversely affected by the
504 proposed action shall have 15 days after receipt of the notice
505 of proposed action to file with the department's agency clerk a
506 request for a proceeding pursuant to ss. 120.569 and 120.57. If
507 the private school is entitled to a hearing under s. 120.57(1),
508 the department shall forward the request to the Division of
509 Administrative Hearings.

510 c. Upon receipt of a request referred pursuant to this
511 subparagraph, the director of the Division of Administrative
512 Hearings shall expedite the hearing and assign an administrative
513 law judge who shall commence a hearing within 30 days after the
514 receipt of the formal written request by the division and enter
515 a recommended order within 30 days after the hearing or within
516 30 days after receipt of the hearing transcript, whichever is
517 later. Each party shall be allowed 10 days in which to submit
518 written exceptions to the recommended order. A final order shall
519 be entered by the agency within 30 days after the entry of a
520 recommended order. The provisions of this sub-subparagraph may
521 be waived upon stipulation by all parties.

522 (e) ~~(d)~~ May immediately suspend payment of scholarship
523 funds if it is determined that there is probable cause to
524 believe that there is:

525 1. An imminent threat to the health, safety, or welfare of

526 the students;

527 2. A previous pattern of failure to comply with this
528 section; or

529 3. Fraudulent activity on the part of the private school.
530 Notwithstanding s. 1002.22, in incidents of alleged fraudulent
531 activity pursuant to this section, the department's Office of
532 Inspector General is authorized to release personally
533 identifiable records or reports of students to the following
534 persons or organizations:

535 a. A court of competent jurisdiction in compliance with an
536 order of that court or the attorney of record in accordance with
537 a lawfully issued subpoena, consistent with the Family
538 Educational Rights and Privacy Act, 20 U.S.C. s. 1232g.

539 b. A person or entity authorized by a court of competent
540 jurisdiction in compliance with an order of that court or the
541 attorney of record pursuant to a lawfully issued subpoena,
542 consistent with the Family Educational Rights and Privacy Act,
543 20 U.S.C. s. 1232g.

544 c. Any person, entity, or authority issuing a subpoena for
545 law enforcement purposes when the court or other issuing agency
546 has ordered that the existence or the contents of the subpoena
547 or the information furnished in response to the subpoena not be
548 disclosed, consistent with the Family Educational Rights and
549 Privacy Act, 20 U.S.C. s. 1232g, and 34 C.F.R. s. 99.31.

550

551 The commissioner's order suspending payment pursuant to this
552 paragraph may be appealed pursuant to the same procedures and
553 timelines as the notice of proposed action set forth in
554 subparagraph (d)2 ~~(e)2~~.

555 Section 6. Subsection (2) and paragraph (a) of subsection
556 (4) of section 1006.061, Florida Statutes, are amended to read:

557 1006.061 Child abuse, abandonment, and neglect policy.—
558 Each district school board, charter school, and private school
559 that accepts scholarship students who participate in a state
560 scholarship program under chapter 1002 shall:

561 (2) Post in a prominent place at each school site and on
562 each school's ~~Internet~~ website, if available, the policies and
563 procedures for reporting alleged misconduct by educational
564 support employees, instructional personnel, or school
565 administrators which affects the health, safety, or welfare of a
566 student; the contact person to whom the report is made; and the
567 penalties imposed on educational support employees,
568 instructional personnel, or school administrators who fail to
569 report suspected or actual child abuse or alleged misconduct by
570 other educational support employees, instructional personnel, or
571 school administrators.

572 (4) (a) Post in a prominent place in a clearly visible
573 location and public area of the school which is readily
574 accessible to and widely used by students a sign in English and
575 Spanish that contains:

576 1. The statewide toll-free telephone number of the central
 577 abuse hotline as provided in chapter 39.~~7~~

578 2. Instructions to call 911 for emergencies.~~7~~ ~~and~~

579 3. Directions for accessing the Department of Children and
 580 Families Internet website for more information on reporting
 581 abuse, neglect, and exploitation.

582 4. Directions for accessing the Department of Education's
 583 website for more information on reporting acts that violate s.
 584 800.101.

585
 586 The Department of Education shall develop, and publish on the
 587 department's Internet website, sample notices suitable for
 588 posting in accordance with subsections (1), (2), and (4).

589 Section 7. Subsection (6) of section 1012.27, Florida
 590 Statutes, is amended to read:

591 1012.27 Public school personnel; powers and duties of
 592 district school superintendent.—The district school
 593 superintendent is responsible for directing the work of the
 594 personnel, subject to the requirements of this chapter, and in
 595 addition the district school superintendent shall perform the
 596 following:

597 (6) EMPLOYMENT HISTORY CHECKS.—Before employing a person
 598 in any position that requires direct contact with students,
 599 conduct employment history checks of each of the person's
 600 previous employers, review each affidavit of separation from

601 previous employers pursuant to s. 1012.31, screen instructional
602 personnel and school administrators, as defined in s. 1012.01,
603 through use of the educator screening tools described in s.
604 1001.10(5), and document the findings. If unable to contact a
605 previous employer, the district school superintendent shall
606 document efforts to contact the employer.

607 Section 8. Paragraph (a) of subsection (2) of section
608 1012.31, Florida Statutes, is amended to read:

609 1012.31 Personnel files.—Public school system employee
610 personnel files shall be maintained according to the following
611 provisions:

612 (2) (a) Materials relating to work performance, discipline,
613 suspension, or dismissal must be reduced to writing and signed
614 by a person competent to know the facts or make the judgment. In
615 cases of separation due to termination or resignation in lieu of
616 termination, the person shall execute and maintain an affidavit
617 of separation, on the form adopted by the Department of
618 Education, setting forth in detail the facts and reasons for
619 such separation. The affidavit must expressly disclose when
620 separation is due to a report of sexual misconduct with a
621 student. The affidavit of separation must be executed under oath
622 and constitutes an official statement within the purview of s.
623 837.06. The affidavit of separation must include conspicuous
624 language that intentional false execution of the affidavit
625 constitutes a misdemeanor of the second degree ~~The resignation~~

626 ~~or termination of an employee before an investigation of alleged~~
627 ~~misconduct by the employee affecting the health, safety, or~~
628 ~~welfare of a student is concluded must be clearly indicated in~~
629 ~~the employee's personnel file.~~

630 Section 9. Section 1012.315, Florida Statutes, is amended
631 to read:

632 1012.315 Screening standards ~~Disqualification from~~
633 ~~employment.~~—A person is ineligible for educator certification or
634 employment in any position that requires direct contact with
635 students in a district school system, charter school, or a
636 private school that participates ~~accepts scholarship students~~
637 ~~who participate~~ in a state scholarship program under chapter
638 1002 if the person is on the disqualification list maintained by
639 the department pursuant to s. 1001.10(4)(b), is registered as a
640 sex offender as described in 42 U.S.C. s. 9858f(c)(1)(C), or has
641 been convicted or found guilty of, has had adjudication withheld
642 for, or has pled guilty or nolo contendere to ~~of~~:

643 (1) Any felony offense prohibited under any of the
644 following statutes:

645 (a) Section 393.135, relating to sexual misconduct with
646 certain developmentally disabled clients and reporting of such
647 sexual misconduct.

648 (b) Section 394.4593, relating to sexual misconduct with
649 certain mental health patients and reporting of such sexual
650 misconduct.

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

653 (d) Section 782.04, relating to murder.

654 (e) Section 782.07, relating to manslaughter, aggravated
 655 manslaughter of an elderly person or disabled adult, aggravated
 656 manslaughter of a child, or aggravated manslaughter of an
 657 officer, a firefighter, an emergency medical technician, or a
 658 paramedic.

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

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

661 (h) Section 784.075, relating to battery on a detention or
 662 commitment facility staff member or a juvenile probation
 663 officer.

664 (i) Section 787.01, relating to kidnapping.

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

666 (k) Section 787.025, relating to luring or enticing a
 667 child.

668 (l) Section 787.04(2), relating to leading, taking,
 669 enticing, or removing a minor beyond the state limits, or
 670 concealing the location of a minor, with criminal intent pending
 671 custody proceedings.

672 (m) Section 787.04(3), relating to leading, taking,
 673 enticing, or removing a minor beyond the state limits, or
 674 concealing the location of a minor, with criminal intent pending
 675 dependency proceedings or proceedings concerning alleged abuse

676 or neglect of a minor.

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

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

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

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

687 (r) Section 794.05, relating to unlawful sexual activity
 688 with certain minors.

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

690 (t) Chapter 796, relating to prostitution.

691 (u) Chapter 800, relating to lewdness and indecent
 692 exposure.

693 (v) Section 800.101, relating to offenses against students
 694 by authority figures.

695 (w) Section 806.01, relating to arson.

696 (x) Section 810.14, relating to voyeurism.

697 (y) Section 810.145, relating to video voyeurism.

698 (z) Section 812.014(6), relating to coordinating the
 699 commission of theft in excess of \$3,000.

700 (aa) Section 812.0145, relating to theft from persons 65

701 years of age or older.

702 (bb) Section 812.019, relating to dealing in stolen
703 property.

704 (cc) Section 812.13, relating to robbery.

705 (dd) Section 812.131, relating to robbery by sudden
706 snatching.

707 (ee) Section 812.133, relating to carjacking.

708 (ff) Section 812.135, relating to home-invasion robbery.

709 (gg) Section 817.563, relating to fraudulent sale of
710 controlled substances.

711 (hh) Section 825.102, relating to abuse, aggravated abuse,
712 or neglect of an elderly person or disabled adult.

713 (ii) Section 825.103, relating to exploitation of an
714 elderly person or disabled adult.

715 (jj) Section 825.1025, relating to lewd or lascivious
716 offenses committed upon or in the presence of an elderly person
717 or disabled person.

718 (kk) Section 826.04, relating to incest.

719 (ll) Section 827.03, relating to child abuse, aggravated
720 child abuse, or neglect of a child.

721 (mm) Section 827.04, relating to contributing to the
722 delinquency or dependency of a child.

723 (nn) Section 827.071, relating to sexual performance by a
724 child.

725 (oo) Section 843.01, relating to resisting arrest with

726 | violence.

727 | (pp) Chapter 847, relating to obscenity.

728 | (qq) Section 874.05, relating to causing, encouraging,

729 | soliciting, or recruiting another to join a criminal street

730 | gang.

731 | (rr) Chapter 893, relating to drug abuse prevention and

732 | control, if the offense was a felony of the second degree or

733 | greater severity.

734 | (ss) Section 916.1075, relating to sexual misconduct with

735 | certain forensic clients and reporting of such sexual

736 | misconduct.

737 | (tt) Section 944.47, relating to introduction, removal, or

738 | possession of contraband at a correctional facility.

739 | (uu) Section 985.701, relating to sexual misconduct in

740 | juvenile justice programs.

741 | (vv) Section 985.711, relating to introduction, removal,

742 | or possession of contraband at a juvenile detention facility or

743 | commitment program.

744 | (2) Any misdemeanor offense prohibited under any of the

745 | following statutes:

746 | (a) Section 784.03, relating to battery, if the victim of

747 | the offense was a minor.

748 | (b) Section 787.025, relating to luring or enticing a

749 | child.

750 | (3) Any criminal act committed in another state or under

751 federal law which, if committed in this state, constitutes an
 752 offense prohibited under any statute listed in subsection (1) or
 753 subsection (2).

754 (4) Any delinquent act committed in this state or any
 755 delinquent or criminal act committed in another state or under
 756 federal law which, if committed in this state, qualifies an
 757 individual for inclusion on the Registered Juvenile Sex Offender
 758 List under s. 943.0435(1)(h)1.d.

759 Section 10. Subsection (1) of section 1012.795, Florida
 760 Statutes, is amended to read:

761 1012.795 Education Practices Commission; authority to
 762 discipline.—

763 (1) The Education Practices Commission may suspend the
 764 educator certificate of any instructional personnel or school
 765 administrator, as defined in s. 1012.01(2) or (3), for up to 5
 766 years, thereby denying that person the right to teach or
 767 otherwise be employed by a district school board or public
 768 school in any capacity requiring direct contact with students
 769 for that period of time, after which the person may return to
 770 teaching as provided in subsection (4); may revoke the educator
 771 certificate of any person, thereby denying that person the right
 772 to teach or otherwise be employed by a district school board or
 773 public school in any capacity requiring direct contact with
 774 students for up to 10 years, with reinstatement subject to
 775 subsection (4); may permanently revoke the educator certificate

776 of any person thereby denying that person the right to teach or
777 otherwise be employed by a district school board or public
778 school in any capacity requiring direct contact with students;
779 may suspend a person's educator certificate, upon an order of
780 the court or notice by the Department of Revenue relating to the
781 payment of child support; may direct the department to place a
782 certificateholder employed by a public school, charter school,
783 charter school governing board, or private school that
784 participates in a state scholarship program under chapter 1002
785 on the disqualification list maintained by the department
786 pursuant to s. 1001.10(4)(b) for misconduct that would render
787 the person ineligible pursuant to s. 1012.315 or sexual
788 misconduct with a student; or may impose any other penalty
789 provided by law, if the person:

790 (a) Obtained or attempted to obtain an educator
791 certificate by fraudulent means.

792 (b) Knowingly failed to report actual or suspected child
793 abuse as required in s. 1006.061 or report alleged misconduct by
794 instructional personnel or school administrators which affects
795 the health, safety, or welfare of a student as required in s.
796 1012.796.

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

800 (d) Has been guilty of gross immorality or an act

801 involving moral turpitude as defined by rule of the State Board
802 of Education, including engaging in or soliciting sexual,
803 romantic, or lewd conduct with a student or minor.

804 (e) Has had an educator certificate or other professional
805 license sanctioned by this or any other state or has had the
806 authority to practice the regulated profession revoked,
807 suspended, or otherwise acted against, including a denial of
808 certification or licensure, by the licensing or certifying
809 authority of any jurisdiction, including its agencies and
810 subdivisions. The licensing or certifying authority's acceptance
811 of a relinquishment, stipulation, consent order, or other
812 settlement offered in response to or in anticipation of the
813 filing of charges against the licensee or certificateholder
814 shall be construed as action against the license or certificate.
815 For purposes of this section, a sanction or action against a
816 professional license, a certificate, or an authority to practice
817 a regulated profession must relate to being an educator or the
818 fitness of or ability to be an educator.

819 (f) Has been convicted or found guilty of, has had
820 adjudication withheld for, or has pled guilty or nolo contendere
821 to a misdemeanor, felony, or any other criminal charge, other
822 than a minor traffic violation.

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

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

828 (i) Has been the subject of a court order or notice by the
829 Department of Revenue pursuant to s. 409.2598 directing the
830 Education Practices Commission to suspend the certificate as a
831 result of noncompliance with a child support order, a subpoena,
832 an order to show cause, or a written agreement with the
833 Department of Revenue.

834 (j) Has violated the Principles of Professional Conduct
835 for the Education Profession prescribed by State Board of
836 Education rules.

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

839 (l) Has violated any order of the Education Practices
840 Commission.

841 (m) Has been the subject of a court order or plea
842 agreement in any jurisdiction which requires the
843 certificateholder to surrender or otherwise relinquish his or
844 her educator's certificate. A surrender or relinquishment shall
845 be for permanent revocation of the certificate. A person may not
846 surrender or otherwise relinquish his or her certificate prior
847 to a finding of probable cause by the commissioner as provided
848 in s. 1012.796.

849 (n) Has been disqualified from educator certification
850 under s. 1012.315.

851 (o) Has committed a third recruiting offense as determined
852 by the Florida High School Athletic Association (FHSA) pursuant
853 to s. 1006.20(2)(b).

854 (p) Has violated test security as provided in s. 1008.24.
855 Section 11. Paragraphs (a), (b), (d), and (e) of
856 subsection (1) and subsection (5) of section 1012.796, Florida
857 Statutes, are amended, paragraph (i) is added to subsection (7),
858 and subsection (10) is added to that section, to read:

859 1012.796 Complaints against teachers and administrators;
860 procedure; penalties.—

861 (1)(a) The Department of Education shall cause to be
862 investigated expeditiously any complaint filed before it or
863 otherwise called to its attention which, if legally sufficient,
864 contains grounds for the revocation or suspension of a
865 certificate or any other appropriate penalty as set forth in
866 subsection (7). The complaint is legally sufficient if it
867 contains the ultimate facts which show a violation has occurred
868 as provided in s. 1012.795 and defined by rule of the State
869 Board of Education. The department shall investigate or continue
870 to investigate and take appropriate action on a complaint even
871 though the original complainant withdraws the complaint or
872 otherwise indicates a desire not to cause it to be investigated
873 or prosecuted to completion. The department may investigate or
874 continue to investigate and take action on a complaint filed
875 against a person whose educator certificate has expired if the

876 act or acts that are the basis for the complaint were allegedly
877 committed while that person possessed an educator certificate
878 and may not issue a certificate to such a person unless an
879 investigation has been completed.

880 (b) The department shall immediately investigate any
881 legally sufficient complaint that involves misconduct by any
882 certificated personnel which affects the health, safety, or
883 welfare of a student, giving the complaint priority over other
884 pending complaints. The department must investigate or continue
885 to investigate and take action on such a complaint filed against
886 a person whose educator certificate has expired if the act or
887 acts that are the basis for the complaint were allegedly
888 committed while that person possessed an educator certificate.
889 The Commissioner of Education shall make a determination of
890 probable cause within 90 days after receipt of any complaint
891 involving sexual misconduct with a student. Upon the written
892 request of a state attorney, this deadline may be held in
893 abeyance during criminal proceedings related to the sexual
894 misconduct with a student.

895 (d)1. Each school district shall file in writing with the
896 department all legally sufficient complaints within 30 days
897 after the date on which subject matter of the complaint comes to
898 the attention of the school district, regardless of whether the
899 subject of the complaint is still an employee of the school
900 district. A complaint is legally sufficient if it contains

901 ultimate facts that show a violation has occurred as provided in
902 s. 1012.795 and defined by rule of the State Board of Education.
903 The school district shall include all information relating to
904 the complaint which is known to the school district at the time
905 of filing.

906 2. A school district shall immediately notify the
907 department if the subject of a legally sufficient complaint of
908 misconduct affecting the health, safety, or welfare of a student
909 resigns or is terminated before the conclusion of the school
910 district's investigation. Upon receipt of the notification, the
911 department shall place an alert on the person's certification
912 file indicating that he or she resigned or was terminated before
913 an investigation involving allegations of misconduct affecting
914 the health, safety, or welfare of a student was concluded. In
915 such circumstances, the database may not include specific
916 information relating to the alleged misconduct until permitted
917 by subsection (4). This subparagraph does not limit or restrict
918 the duty of the district school board to investigate the
919 complaint and report the findings and conclusion to the
920 department.

921 3. Each district school board shall develop and adopt
922 policies and procedures to comply with this reporting
923 requirement. School board policies and procedures must include
924 standards for screening, hiring, and terminating instructional
925 personnel and school administrators, as defined in s. 1012.01;

926 standards of ethical conduct for instructional personnel and
927 school administrators; the duties of instructional personnel and
928 school administrators for upholding the standards; detailed
929 procedures for reporting alleged misconduct by instructional
930 personnel and school administrators which affects the health,
931 safety, or welfare of a student; requirements for the
932 reassignment of instructional personnel and ~~or~~ school
933 administrators pending the outcome of a misconduct
934 investigation; and penalties for failing to comply with s.
935 1001.51 or s. 1012.795. The district school board policies and
936 procedures must ~~shall~~ include appropriate penalties for all
937 personnel of the district school board for nonreporting and
938 procedures for promptly informing the district school
939 superintendent of each legally sufficient complaint. The
940 district school superintendent is charged with knowledge of
941 these policies and procedures and is accountable for the
942 training of all instructional personnel and school
943 administrators of the school district on the standards of
944 ethical conduct, policies, and procedures.

945 4. If the district school superintendent has knowledge of
946 a legally sufficient complaint and does not report the
947 complaint, or fails to enforce the policies and procedures of
948 the district school board, and fails to comply with the
949 requirements of this subsection, in addition to other actions
950 against certificateholders authorized by law, the district

951 school superintendent is subject to penalties as specified in s.
952 1001.51(12).

953 5. If the superintendent determines that misconduct by
954 instructional personnel or school administrators who hold an
955 educator certificate affects the health, safety, or welfare of a
956 student and the misconduct warrants termination, the
957 instructional personnel or school administrators may resign or
958 be terminated, and the superintendent must report the misconduct
959 to the department in the format prescribed by the department.
960 The department shall maintain each report of misconduct as a
961 public record in the instructional personnel's or school
962 administrators' certification files. This paragraph does not
963 limit or restrict the power and duty of the department to
964 investigate complaints regarding certificateholders, regardless
965 of the school district's untimely filing, or failure to file,
966 complaints and followup reports. This subparagraph does not
967 create a duty for the department to investigate complaints
968 regarding noncertificateholders.

969 (e) If allegations arise against an employee who is
970 certified under s. 1012.56 and employed in an educator-
971 certificated position in any public school, charter school or
972 governing board thereof, or private school that accepts
973 scholarship students who participate in a state scholarship
974 program under chapter 1002, the school shall file in writing
975 with the department a legally sufficient complaint within 30

976 | days after the date on which the subject matter of the complaint
977 | came to the attention of the school, regardless of whether the
978 | subject of the allegations is still an employee of the school. A
979 | complaint is legally sufficient if it contains ultimate facts
980 | that show a violation has occurred as provided in s. 1012.795
981 | and defined by rule of the State Board of Education. The school
982 | shall include all known information relating to the complaint
983 | with the filing of the complaint. This paragraph does not limit
984 | or restrict the power and duty of the department to investigate
985 | complaints, regardless of the school's untimely filing, or
986 | failure to file, complaints and followup reports. A school
987 | described in this paragraph shall immediately notify the
988 | department if the subject of a legally sufficient complaint of
989 | misconduct affecting the health, safety, or welfare of a student
990 | resigns or is terminated before the conclusion of the school's
991 | investigation. Upon receipt of the notification, the department
992 | shall place an alert on the person's certification file
993 | indicating that he or she resigned or was terminated before an
994 | investigation involving allegations of misconduct affecting the
995 | health, safety, or welfare of a student was concluded and place
996 | the person on the disqualification list maintained by the
997 | department pursuant to s. 1001.10(4)(b). In such circumstances,
998 | the database may not include specific information relating to
999 | the alleged misconduct until permitted by subsection (4).

1000 | (5) When an allegation of misconduct by instructional

1001 personnel or school administrators, as defined in s. 1012.01, is
 1002 received, if the alleged misconduct affects the health, safety,
 1003 or welfare of a student, the district school superintendent in
 1004 consultation with the school principal, or upon the request of
 1005 the Commissioner of Education, must, at a minimum, immediately
 1006 suspend the instructional personnel or school administrators
 1007 from regularly assigned duties, with pay, and remove ~~reassign~~
 1008 the suspended personnel or administrators from ~~to~~ positions that
 1009 may ~~do not~~ require direct contact with students in the district
 1010 school system. Such suspension shall continue until submission
 1011 of a legally sufficient complaint. The proceedings and
 1012 determination of sanctions shall be completed by a school
 1013 district within 1 year after submission of the legally
 1014 sufficient complaint ~~the completion of the proceedings and the~~
 1015 ~~determination of sanctions, if any, pursuant to this section and~~
 1016 ~~s. 1012.795.~~

1017 (7) A panel of the commission shall enter a final order
 1018 either dismissing the complaint or imposing one or more of the
 1019 following penalties:

1020 (i) Direct the department to place instructional personnel
 1021 or school administrators on the disqualification list maintained
 1022 by the department pursuant to s. 1001.10(4)(b) for conduct that
 1023 would render the person ineligible pursuant to s. 1012.315 or
 1024 sexual misconduct with a student.

1026 The penalties imposed under this subsection are in addition to,
 1027 and not in lieu of, the penalties required for a third
 1028 recruiting offense pursuant to s. 1006.20(2)(b).

1029 (10) A person on the disqualification list maintained by
 1030 the department pursuant to s. 1001.10(4)(b) shall be notified
 1031 that he or she may not serve or apply to serve as an employee or
 1032 contracted personnel at a public school or private school that
 1033 participates in a state scholarship program under chapter 1002.
 1034 A person who knowingly violates this provision commits a felony
 1035 of the third degree, punishable as provided in s. 775.082 or s.
 1036 775.083.

1037 Section 12. Section 1012.797, Florida Statutes, is amended
 1038 to read:

1039 1012.797 Notification of ~~district school superintendent of~~
 1040 certain charges against ~~or convictions of~~ employees.-

1041 ~~(1)~~ Notwithstanding the provisions of s. 985.04(7) or any
 1042 other ~~provision of~~ law to the contrary, a law enforcement agency
 1043 shall, within 48 hours, notify the appropriate district school
 1044 superintendent, charter school governing board, private school
 1045 owner or administrator, president of the Florida School for the
 1046 Deaf and the Blind, or university lab schools director or
 1047 principal, as applicable, when its ~~of the name and address of~~
 1048 any employee ~~of the school district who~~ is arrested for charged
 1049 ~~with~~ a felony or ~~with~~ a misdemeanor involving the abuse of a
 1050 minor child or the sale or possession of a controlled substance.

1051 The notification shall include the specific charge for which the
1052 employee of the school district was arrested. Notwithstanding
1053 ss. 1012.31(3)(a)1. and 1012.796(4), within 24 hours after such
1054 notification, the school principal or designee shall notify
1055 parents of enrolled students who had direct contact with the
1056 employee and include, at a minimum, the name and specific
1057 charges against the employee. ~~Such notification shall include~~
1058 ~~other education providers such as the Florida School for the~~
1059 ~~Deaf and the Blind, university lab schools, and private~~
1060 ~~elementary and secondary schools.~~

1061 ~~(2) Except to the extent necessary to protect the health,~~
1062 ~~safety, and welfare of other students, the information obtained~~
1063 ~~by the district school superintendent pursuant to this section~~
1064 ~~may be released only to appropriate school personnel or as~~
1065 ~~otherwise provided by law.~~

1066 Section 13. This act shall take effect July 1, 2021.