

By the Committee on Rules; and Senator Yarborough

595-03362-25

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A bill to be entitled

An act relating to school district reporting requirements; amending s. 435.12, F.S.; authorizing specified entities to conduct a background screening on a volunteer; amending s. 1012.22, F.S.; requiring district school boards to adopt a policy temporarily removing instructional personnel under specified circumstances; amending s. 1012.797, F.S.; revising requirements for law enforcement to notify specified entities when an employee is arrested for certain offenses; amending s. 1012.799, F.S.; requiring instructional personnel and administrative personnel to self-report certain arrests or judgments within specified timeframes; requiring school districts to comply with confidentiality provisions; providing an effective date.

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

Section 1. Paragraph (c) is added to subsection (3) of section 435.12, Florida Statutes, to read:

435.12 Care Provider Background Screening Clearinghouse.—  
(3)

(c) An individual who volunteers for an entity listed in paragraph (a) may be screened at the discretion of such entity. If such entity elects to conduct a background screening, the screening may be conducted pursuant to this section or s. 943.0542.

Section 2. Paragraph (j) is added to subsection (1) of

595-03362-25

20251374c1

section 1012.22, Florida Statutes, to read:

1012.22 Public school personnel; powers and duties of the district school board.—The district school board shall:

(1) Designate positions to be filled, prescribe qualifications for those positions, and provide for the appointment, compensation, promotion, suspension, and dismissal of employees as follows, subject to the requirements of this chapter:

(j) Temporary removal from the classroom.—The district school board shall adopt a policy temporarily removing instructional personnel from the classroom within 24 hours after a notification by law enforcement or a self-reporting employee of his or her arrest for a felony offense or for a misdemeanor offense listed in s. 435.04(2).

Section 3. Section 1012.797, Florida Statutes, is amended to read:

1012.797 Notification of certain charges against employees.—Notwithstanding ~~the provisions of~~ s. 985.04(7) or any other law to the contrary, a law enforcement agency shall, within 48 hours, notify the appropriate district school superintendent, charter school governing board, private school owner or administrator, president of the Florida School for the Deaf and the Blind, or university lab schools director or principal, as applicable, when its employee is arrested for a felony or a misdemeanor involving an offense listed in s. 435.04(2), the abuse of a minor child, or the sale or possession of a controlled substance. The notification must ~~shall~~ include the specific charge for which the employee of the school district was arrested. Notwithstanding ss. 1012.31(3)(a)1. and

595-03362-25

20251374c1

1012.796(4), within 24 hours after such notification, the school principal or designee shall notify parents of enrolled students who had direct contact with the employee and include, at a minimum, the name and specific charges against the employee.

Section 4. Section 1012.799, Florida Statutes, is amended to read:

1012.799 Reporting certain offenses.—

(1) Instructional personnel or administrative personnel having knowledge that a sexual battery has been committed by a student upon another student must report the offense to a law enforcement agency having jurisdiction over the school plant or over the place where the sexual battery occurred if not on the grounds of the school plant.

(2) Instructional personnel and administrative personnel shall self-report within 48 hours to a school district authority, as determined by the district superintendent, any arrest for a felony offense or for a misdemeanor offense listed in s. 435.04(2). Such self-report is not considered an admission of guilt and is not admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, instructional personnel and administrative personnel shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty or nolo contendere for any criminal offense other than a minor traffic violation within 48 hours after the final judgment. When handling sealed and expunged records disclosed under this rule, school districts must comply with the confidentiality provisions of ss. 943.0585(4)(c) and

595-03362-25

20251374c1

88 943.059(4)(c).

89 Section 5. This act shall take effect July 1, 2025.