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1
2 An act relating to school district reporting
3 requirements; amending s. 435.12, F.S.; authorizing
4 specified entities to conduct a background screening
5 on a volunteer; amending s. 1012.22, F.S.; requiring
6 district school boards to adopt a policy temporarily
7 removing instructional personnel under specified
8 circumstances; amending s. 1012.797, F.S.; revising
9 requirements for law enforcement to notify specified
10 entities when an employee is arrested for certain
11 offenses; amending s. 1012.799, F.S.; requiring
12 instructional personnel and administrative personnel
13 to self-report certain arrests or judgments within
14 specified timeframes; requiring school districts to
15 comply with confidentiality provisions; providing an
16 effective date.

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

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

22 435.12 Care Provider Background Screening Clearinghouse.—
23 (3)

24 (c) An individual who volunteers for an entity listed in
25 paragraph (a) may be screened at the discretion of such entity.
26 If such entity elects to conduct a background screening, the
27 screening may be conducted pursuant to this section or s.
28 943.0542.

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

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30 section 1012.22, Florida Statutes, to read:

31 1012.22 Public school personnel; powers and duties of the
32 district school board.—The district school board shall:

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

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

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

46 1012.797 Notification of certain charges against
47 employees.—Notwithstanding ~~the provisions of~~ s. 985.04(7) or any
48 other law to the contrary, a law enforcement agency shall,
49 within 48 hours, notify the appropriate district school
50 superintendent, charter school governing board, private school
51 owner or administrator, president of the Florida School for the
52 Deaf and the Blind, or university lab schools director or
53 principal, as applicable, when its employee is arrested for a
54 felony or a misdemeanor involving an offense listed in s.
55 435.04(2), the abuse of a minor child, or the sale or possession
56 of a controlled substance. The notification must ~~shall~~ include
57 the specific charge for which the employee of the school
58 district was arrested. Notwithstanding ss. 1012.31(3)(a)1. and

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59 1012.796(4), within 24 hours after such notification, the school
60 principal or designee shall notify parents of enrolled students
61 who had direct contact with the employee and include, at a
62 minimum, the name and specific charges against the employee.

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

65 1012.799 Reporting certain offenses.—

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

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

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88 943.059(4)(c).

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