

STATE BOARD OF EDUCATION

Action Item

September 23, 2020

SUBJECT: Approval of Amendment to Rule 6A-10.082, Mandatory Reporting of Offenses Affecting the Health, Safety and Welfare of Florida Students

PROPOSED BOARD ACTION

For Approval

AUTHORITY FOR STATE BOARD ACTION

Sections 1001.02(1), 1001.02(2)(n), and 1012.796, F.S.

EXECUTIVE SUMMARY

The purpose of this rule amendment is to expand the list of offenses that require reporting to the Department of Education within 24 hours, to promote expeditious investigation of mandatory reports of misconduct received by the department, and to provide a timely mechanism for the Commissioner of Education to exercise his authority to recommend removal of school district personnel from direct student contact.

The rule amendment adds the following offenses to the list of offenses that must be reported to the department within 24 hours of the matter coming to the attention of the school district, when it involves an instructional or administrative personnel member's arrest or conviction:

- Section 796.04, F.S., relating to forcing, compelling, or coercing another to become a prostitute (felony);
- Section 796.05, F.S., deriving support from the proceeds of prostitution (felony);
- Section 800.101, F.S., relating to offenses against students by authority figures (felony);
- Section 796.06, F.S., renting space to be used for lewdness, assignation, or prostitution (felony or misdemeanor); and
- Section 796.07, F.S., prohibiting prostitution and related acts (felony or misdemeanor).

The rule amendment requires the Department of Education's Office of Professional Practices Services to:

- within 24 hours, place an administrative notification on the educator's profile screen in the database maintained by the Bureau of Educator Certification and notify the Commissioner; and
- prioritize the case and immediately begin the investigation to expedite presentation of the case to the Commissioner for consideration of probable cause to sanction the educator's certificate.

Supporting Documentation Included: Proposed Rule 6A-10.082, F.A.C.

Facilitator/Presenter: Dr. Paul O. Burns, Deputy Chancellor for Educator Quality