

DISQUALIFYING OFFENSES

I. DISQUALIFICATION

A person is ineligible for employment, student teaching, and/or continued employment, with the School Board of Broward County, Florida if the person has been convicted of; has been found guilty of, regardless of adjudication; entered a plea of nolo contendere or guilty to; has been adjudicated delinquent and the record has not been sealed or expunged; or a court imposes a sanction as a result of any offense prohibited under any of the following provisions of state law or similar law of another jurisdiction:

A. Felony Offenses. Any felony offense prohibited under any of the following Florida Statutes:

1. Section 393.135, relating to sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct.
2. Section 394.4593, relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.
3. Section 415.111, relating to adult abuse, neglect, or exploitation of aged persons or disabled adults.
4. Section 782.04, relating to murder.
5. Section 782.07, relating to manslaughter, aggravated manslaughter of an elderly person or disabled adult, aggravated manslaughter of a child, or aggravated manslaughter of an officer, a firefighter, an emergency medical technician, or a paramedic.
6. Section 784.021, relating to aggravated assault.
7. Section 784.045, relating to aggravated battery.
8. Section 784.075, relating to battery on a detention or commitment facility staff member or a juvenile probation officer.
9. Section 787.01, relating to kidnapping.
10. Section 787.02, relating to false imprisonment.
11. Section 787.025, relating to luring or enticing a child.
12. Section 787.04(2), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending custody proceedings.
13. Section 787.04(3), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending dependency proceedings or proceedings

concerning alleged abuse or neglect of a minor.

14. Section 790.115(1), relating to exhibiting firearms or weapons at a school-sponsored event, on school property, or within 1,000 feet of a school.
15. Section 790.115(2)(b), relating to possessing an electric weapon or device, destructive device, or other weapon at a school-sponsored event or on school property.
16. Section 794.011, relating to sexual battery.
17. Former s. 794.041, relating to sexual activity with or solicitation of a child by a person in familial or custodial authority.
18. Section 794.05, relating to unlawful sexual activity with certain minors.
19. Section 794.08, relating to female genital mutilation.
20. Chapter 796, relating to prostitution.
21. Chapter 800, relating to lewdness and indecent exposure.
22. Section 800.101, relating to offenses against students by authority figures.
23. Section 806.01, relating to arson.
24. Section 810.14, relating to voyeurism.
25. Section 810.145, relating to video voyeurism.
26. Section 812.014(6), relating to coordinating the commission of theft in excess of \$3,000.
27. Section 812.0145, relating to theft from persons 65 years of age or older.
28. Section 812.019, relating to dealing in stolen property.
29. Section 812.13, relating to robbery.
30. Section 812.131, relating to robbery by sudden snatching.
31. Section 812.133, relating to carjacking.
32. Section 812.135, relating to home-invasion robbery.
33. Section 817.563, relating to fraudulent sale of controlled substances.
34. Section 825.102, relating to abuse, aggravated abuse, or neglect of an elderly person or disabled adult.
35. Section 825.103, relating to exploitation of an elderly person or disabled adult.
36. Section 825.1025, relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled person.
37. Section 826.04, relating to incest.

38. Section 827.03, relating to child abuse, aggravated child abuse, or neglect of a child.
39. Section 827.04, relating to contributing to the delinquency or dependency of a child.
40. Section 827.071, relating to sexual performance by a child.
41. Section 843.01, relating to resisting arrest with violence.
42. Chapter 847, relating to obscenity.
43. Section 874.05, relating to causing, encouraging, soliciting, or recruiting another to join a criminal street gang.
44. Chapter 893, relating to drug abuse prevention and control, if the offense was a felony of the second degree or greater severity.
45. Section 916.1075, relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.
46. Section 944.47, relating to introduction, removal, or possession of contraband at a correctional facility.
47. Section 985.701, relating to sexual misconduct in juvenile justice programs.
48. Section 985.711, relating to introduction, removal, or possession of contraband at a juvenile detention facility or commitment program.

B. Misdemeanor Offenses. Any misdemeanor offense prohibited under any of the following statutes:

1. Section 784.03, relating to battery, if the victim of the offense was a minor.
2. Section 787.025, relating to luring or enticing a child.

C. Crimes Involving Moral Turpitude. Any other crime not listed above involving moral turpitude which shall include, but not be limited to, any crime involving the abuse of a child, the sale and/or possession of a controlled substance, sexual misconduct, sexual battery, possession (includes e-mail transmissions) or sale of pornography involving minors, or sexual relations with students, or lewd and lascivious behavior in the presence of a minor.

D. Crimes in Other Jurisdictions. Any criminal act committed in another state, country or under federal law, including those punishable by a military tribunal, including courts-martial conducted by the Armed Forces of the United States of America, which, if committed in this state, constitutes an offense prohibited under any statute listed in sections A, B, or C.

E. Delinquent Acts. Any delinquent act committed in this state or any delinquent or criminal act committed in another state or under federal law which, if committed in this state, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under § 943.0435(1)(h)1.d., Fla. Stat.

II. DEFINITIONS

A. “Convicted” means that there has been a determination of guilt as a result of a trial or the entry of a plea of guilty or nolo contendere, regardless of whether adjudication is withheld, and includes an adjudication of delinquency of a juvenile. Conviction of a similar offense includes, but is not limited to, a conviction by a federal or military tribunal, including courts-martial conducted by the Armed Forces of the United States, and includes a conviction or entry of a plea of guilty or nolo contendere resulting in a sanction in any state of the United States or other jurisdiction.

B. A “sanction” includes, but is not limited to, a fine, probation, community control, parole, conditional release, control release, or incarceration in a state prison, federal prison, private correctional facility, or local detention facility.

III. RE-SCREENING

Every five (5) years following employment, the District shall re-screen each person who remains employed to ensure that the employee remains in compliance with the requirements of this policy.

IV. PROCEDURES

The Chief Safety and Security Officer shall establish and maintain administrative procedures for implementing this policy.

Authority: §§ 1001.32(2), 1012.315, 1012.32, 1012.321, 1012.33, 1012.335, 1012.465 and 1012.56, Fla. Stat.; Rule 6A-10.081, Florida Administrative Code

Adopted: 12/15/2020