



## School Board of Brevard County EMPLOYMENT QUALIFICATION GUIDELINES

### 1012.315 - Disqualification from Employment

A person is ineligible for educator certification, and instructional personnel and school administrators, as defined in s. 1012.01, are ineligible for employment in any position that requires contact with students in a district school system, if the person, instructional personnel, or school administrator has been convicted of ANY felony offense prohibited under any of the following statutes:

**Convicted is defined as a judicial finding of guilt, a plea of guilty, a plea of nolo contendere or entering into a pre-trial intervention program, whether or not there is a formal adjudication of guilt or if the case has been dissolved or expunged.**

- (a) Sexual misconduct with certain developmentally disabled clients - 393.135 F.S.
- (b) Sexual misconduct with certain mental health patients - 394.4593 F.S.
- (c) Abuse, neglect, or exploitation of aged persons or disabled adults - 415.111 F.S.
- (d) Murder - 782.04 F.S.
- (e) Manslaughter - 782.07 F.S.
- (f) Aggravated assault - 784.021 F.S.
- (g) Aggravated battery - 784.045 F.S.
- (h) Battery on a detention or commitment facility staff member or a juvenile probation officer - 784.075 F.S.
- (i) Kidnapping - 787.01 F.S.
- (j) False imprisonment - 787.02 F.S.
- (k) Luring or enticing a child. 787.025 F.S.
- (l) Leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending custody proceedings - 787.04(2) F.S.
- (m) 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 - 787.04(3) F.S.
- (n) Exhibiting firearms or weapons at a school-sponsored event, on school property, or within 1,000 feet of a school - 790.115(1) F.S.
- (o) Possessing an electric weapon or device, destructive device, or other weapon at a school sponsored event or on school property. 790.115(2) (b) F.S.
- (p) Sexual battery - 794.011 F.S.
- (q) Sexual activity with or solicitation of a child by a person in familial or custodial authority - 794.041 F.S.
- (r) Sexual activity with certain minors - 794.05 F.S.
- (s) Female genital mutilation - 794.08 F.S.
- (t) Prostitution – 796 F.S.
- (u) Lewdness and indecent exposure - Chapter 800 F.S.

- (v) Arson – 806.01 F.S.
- (w) Voyeurism - 810.14 F.S.
- (x) Video voyeurism – 810.145 F.S.
- (y) Coordinating the commission of theft in excess of \$3,000 - 812.014(6) F.S.
- (z) Theft from persons 65 years of age or older – 812.0145 F.S.
- (aa) Dealing in stolen property – 812.019 F.S.
- (bb) Robbery – 812.13 F.S.
- (cc) Robbery by sudden snatching 812.131 F.S.
- (dd) Carjacking - 812.133 F.S.
- (ee) Home Invasion Robbery – 812.135 F.S.
- (ff) Fraudulent Sale of a Controlled Substance – 817.563 F.S.
- (gg) Abuse, aggravated abuse, or neglect of an elderly person or disabled adult – 825.102
- (hh) Exploitation of an elderly person or disabled adult – 825.103 F.S.
- (ii) Lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled person - 825.1025 F.S.
- (jj) Incest – 826.04 F.S.
- (kk) Child abuse, aggravated child abuse, or neglect of a child – 827.03 F.S.
- (ll) Contributing to the delinquency or dependency of a child - 827.04 F.S.
- (mm) Sexual performance by a child - 827.071 F.S.
- (nn) Extortion – 836.05
- (oo) Obscenity – 847 F.S.
- (pp) Causing, encouraging, soliciting, or recruiting another to join a criminal street gang – 874.05 F.S.
- (qq) Drug abuse prevention and control, if the offense was a felony of the second degree or greater – 893 F.S.
- (rr) Sexual misconduct with certain forensic clients and reporting of such sexual misconduct – 916.1075 F.S.  
Drug abuse prevention and control– 893 F.S.
- (ss) Introduction/removal/ possession of contraband at a correctional facility – 944.47 F.S.
- (tt) sexual misconduct in juvenile justice programs – 985.701
- (uu) Introduction/removal/ possession of contraband at a juvenile detention facility or commitment program - 985.711

Any Misdemeanor offense prohibited under the following statutes:

- a) Battery, if the victim of the offense was a minor – 784.03 F.S.
- b) Luring or Enticing a Child – 787.025 F.S.

**WILL NOT APPROVE** – If offense is less than 10 years old. Will consider and carefully review if the conviction date is older than 10 years.

Burglary

Felony Battery/Assault (on school board employee or law enforcement officer)

Felony Drug Use – Third Degree Felony only

Possession of a Concealed Weapon – Felony or Misdemeanor

Forgery

Grand Theft

**WILL NOT APPROVE** – If offense is less than 5 years old. Will consider and carefully review if the conviction date is older than 5 years.

Assault

Battery

Battery – Domestic Violence

Drug Use - Misdemeanor

Drug Possession – Misdemeanor

Paraphernalia Possession – Misdemeanor

Resisting or Opposing an Officer with Violence (RAOWV)

Sale of Alcohol or Tobacco to a Minor

## **CASE BY CASE REVIEW**

Resisting arrest without violence – 843 F.S.

Disorderly Conduct

Trespass

Petit Theft

Worthless Checks

DUI – 1<sup>st</sup> Offense Only

Multiple Arrests

Other Criminal Traffic Offenses

Other Crimes

## **PENDING CRIMINAL CHARGES**

Candidates with pending criminal charges will be placed in a suspended status until the criminal case has been judicially closed. Candidates with pending misdemeanor traffic offenses may be reviewed at the discretion of the District based upon the nature of the charge.

## **PROBATION**

Candidates currently on probation will be placed in a suspended status until all sanctions are complete and documentation from the courts stating probation has ended.