

IDEA FL Disqualification List Policy

1. **General Policy Overview.** Pursuant to Section 1012.31, Florida Statutes, the Disqualification List serves as an employment screening resources for all public schools, along with the Florida Department of Education’s (“Department”) Teacher Certification Database. An individual may not be employed as an employee or contract personnel of a charter school or serve as a member of a charter school governing board if the individual is on the disqualification list maintained by the department pursuant to s. 1001.10(4)(b).
2. **Checking Potential/Renewal Hires Against the Disqualification List.** Prior to making a formal offer of employment or executing a contract for services with an individual, IDEA Florida shall ensure that the individual is not included in the Department’s Disqualification List.
 - (a) The list may be accessed using the single sign-on at: <http://fldoe.org/disqualificationlist>.
To search the Disqualification List:
 - a. Click “Search Records” on the Main Menu
 - b. Complete the applicable search fields
 - c. Click “Search”
 - (b) This screening applies to both directly employed individuals and contracted individuals working on campus, so certification by vendors for vendors’ employees subject to background screening, and certification by all existing and potential employees, that they are not on the disqualifying list should be sought, and the names should be checked with the database.
3. **Submitting an Individual for Inclusion on the Disqualification List.** All public charter schools are considered reporting entities and must ensure that only persons subject to the Disqualification List are submitted to the Department for inclusion on the list.
 - a. IDEA may submit an individual for inclusion on the list based upon the following criteria:
 - i. A determination that the individual is ineligible for employment based upon a finding, supported by clear and convincing evidence or material that the person committed either sexual misconduct with a student, as defined by Rule 6A-10.084, Florida Administrative Code, or has been convicted of one of the crimes listed in Section 1012.315, Florida Statutes; and
 - ii. The sexual misconduct or crime occurred on or after June 1, 2022, while the person was employed by IDEA or IPS Enterprises and working in an IDEA school in Florida.
 - b. In order to ensure that any person submitted for inclusion on the Disqualification List receives necessary and required due process, prior to submission, Human Resources shall:
 - i. Provide notice to the individual that the school intends to submit the person for inclusion on the Disqualification List;
 - ii. Provide notice of the opportunity to contest the intended action and the procedures for doing so;

- iii. Provide the opportunity for a determination by a neutral person where the intended action is contested;
 - iv. Issue of a written report that includes the information and findings which caused the person to be included on the Disqualification List, as described in paragraph 3(a) of this rule;
 - v. Provide notice to any individual submitted for inclusion on the Disqualification List of the consequences of inclusion on the list, as found in the capitalized language set forth in subparagraph 3(c) of this rule; and
 - vi. Implement a process for permanently maintaining records related to the determination to submit a person for inclusion on the Disqualification List.
- c. Pursuant to the above requirements, written notice shall be provided to any individual that IDEA intends to submit for disqualification, which notice shall generally describe the basis for inclusion on the list. The individual shall have ten (10) days from receipt of the written notice to notify in writing the Director of IPS Florida of their contest of the potential disqualification. If such notice is timely provided, IDEA will refer such contest to DOAH for an ALJ to be assigned, and a hearing to be held within sixty (60) days of referral, after which a final written report shall be issued by the ALJ. An individual may be represented at DOAH by an attorney at their own expense. The notice shall also state in all caps that: ANY PERSON ON THE DISQUALIFICATION LIST MAINTAINED BY THE FLORIDA DEPARTMENT OF EDUCATION UNDER S. 1001.10(4), F.S., MAY NOT SERVE OR APPLY TO SERVE AS AN EMPLOYEE OR CONTRACTED PERSONNEL AT A PUBLIC SCHOOL OR PRIVATE SCHOOL THAT PARTICIPATES IN A STATE SCHOLARSHIP PROGRAM UNDER CHAPTER 1002, F.S. A PERSON WHO KNOWINGLY VIOLATES THIS PROVISION COMMITS A FELONY OF THE THIRD DEGREE, PUNISHABLE AS PROVIDED IN S. 775.082, F.S., OR S. 775.083, F.S.
- d. If no contest is timely filed, IDEA shall direct a report to be written that includes the information and findings which caused the person to be included on the Disqualification List.
- e. In order to submit a person for the Disqualification List, all reporting entities must utilize the online reporting tool accessible at <http://fldoe.org/disqualificationlist> and provide the following information:
- i. The name, date of birth and last four numbers of the social security number of the person to be included on the list;
 - ii. The date and number of the final order or report;
 - iii. The information that must be included in the final order or report, as set forth in paragraph 3(a), of this rule; and
 - iv. Confirmation that the person was provided written notice of the consequence of placement on the Disqualification List, as set forth in the capitalized language found in subparagraph 3(c). of this rule.

- f. The Charter School Certification of Final Determination of Eligibility for the Disqualification List, Form No. DQ-3, effective June 1, 2022, will be used to report.
4. IDEA hereby designates Director of IPS Human Resources to be responsible for providing information and responding to Department inquiries related to the Disqualification List.