

Permanent Personnel**CERTIFICATION--REVOCATION**

The laws and the regulations of the State of Florida provide the basis for revocation or suspension of Florida Educators= Certificates and set forth the procedures to be followed by The School Board of Miami-Dade County, Florida, and address the responsibility relative to certificate revocation or suspension by the Superintendent of Schools. Specific reference is to Florida Statute, 231.28.

The text of Florida Statute 231.28, Education Practices Commission; authority to discipline, follows:

“(1) The Education Practices Commission shall have authority to suspend the teaching certificate of any person as defined in s.228.041 (9) or (10) for a period of time not to exceed 3 years, thereby denying that person the right to teach for that period of time, after which the holder may return to teaching as provided in subsection (4); to revoke the teaching certificate of any person, thereby denying that person the right to teach for a period of time not to exceed 10 years, with reinstatement subject to the provisions of subsection (4); to revoke permanently the teaching certificate of any person; to suspend the teaching certificate, upon order of the court, of any person found to have a delinquent child support obligation; or to impose any other penalty provided by law, provided it can be shown that such person:

- (a) Obtained the teaching certificate by fraudulent means;
- (b) Has proved to be incompetent to teach or to perform duties as an employee of the public school system or to teach in or to operate a private school;
- (c) Has been guilty of gross immorality or an act involving moral turpitude;
- (d) Has had a teaching certificate revoked in another state;
- (e) Has been convicted of a misdemeanor, felony, or any other criminal charge, other than a minor traffic violation;
- (f) Upon investigation, has been found guilty of personal conduct which seriously reduces that person=s effectiveness as an employee of the school board;
- (g) Has breached a contract, as provided in s.231.36(2);
- (h) Has been the subject of a court order directing the Education

Practices Commission to suspend the certificate as a result of a delinquent child support obligation;

- (i) Has violated the Principles of Professional Conduct for the Education Profession prescribed by State Board of Education rules; or
- (j) Has otherwise violated the provisions of law, the penalty for which is the revocation of the teaching certificate.

(2) The plea of guilty in any court, the decision of guilty by any court, the forfeiture by the teaching certificateholder of a bond in any court of law, or the written acknowledgment, duly witnessed, of offenses listed in subsection (1) to the superintendent of a duly appointed representative or to the school board shall be prima facie proof of grounds for revocation of the certificate as listed in subsection (1) in the absence of proof by the certificateholder that the plea of guilty, forfeiture of bond, or admission of guilt was caused by threats, coercion, or fraudulent means.

(3) The revocation by the Education Practices Commission of a teaching certificate of any person automatically revokes any and all Florida teaching certificates held by that person.

(4) (a) A teaching certificate which has been suspended under this section is automatically reinstated at the end of the suspension period, provided such certificate did not expire during the period of suspension. If the certificate expired during the period of suspension, the holder of the former certificate may secure a new certificate by making application therefore and by meeting the certification requirements of the state board current at the time of the application for the new certificate. A teaching certificate suspended pursuant to a court order for a delinquent child support obligation may only be reinstated upon notice from the court that the party has complied with the terms of the court order.

(b) A person whose teaching certificate has been revoked under this section may apply for a new certificate at the expiration of that period of ineligibility fixed by the Education Practices Commission by making application therefore and by meeting the certification requirements of the state board current at the time of the application for the new certificate.

(5) Each district superintendent and the governing authority of each developmental research school, state-supported school, or nonpublic school shall report to the department the name of any person certified pursuant to this chapter or employed and qualified pursuant to s.231.1725:

- (a) Who has been convicted of, or who has pled nolo contendere to, a misdemeanor, felony, or any other criminal charge, other than a minor traffic infraction;
- (b) Who that official has reason to believe has committed or is found to have committed any act which would be a ground for revocation or suspension under subsection (1); or
- (c) Who has been dismissed or severed from employment because of conduct involving any immoral, unnatural, or lascivious act."

Specific Authority: 230.22(2) F.S.

Law Implemented, Interpreted, or Made Specific: 228.041; 231.28 F.S.

History: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

Repromulgated: 12-11-74

Amended: 1-14-98; 4-15-98