

BURNS SCIENCE AND TECHNOLOGY CHARTER SCHOOL, INC.
POLICY ON STAFF ARREST REPORTING

Adopted and Effective: August 19, 2025

- I. Purpose.** This is the Policy on Staff Arrest Reporting of Burns Science and Technology Charter School, Inc. (the "School"). In compliance with §1012.22 F.S., Chapter 435 F.S., Rule 6A-10.081 F.A.C. and other applicable laws and administrative rules. This policy establishes a procedure for staff who have been arrested.
- II. Self-Reporting Required by Florida Law.** In compliance with Senate Bill 1374 (2025) and §1012.799, F.S., instructional personnel and administrative personnel shall self-report within 48 hours to the charter school, any arrest for a felony offense or for a misdemeanor offense listed in §435.04(2) (see Appendix A). Such self-report is not considered an admission of guilt and is not admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory and adjudicatory. In addition, instructional personnel and administrative personnel shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty of nolo contendere for any criminal offense other than a minor traffic violation within 48 hours after the final judgment. When handling sealed and expunged records disclosed under this rule, the charter school shall comply with the confidentiality provisions of §§943.0585(4)(c) and 943.059(4)(c), F.S.
- III. Additional Self-Reporting Requirements.** In addition to the above-stated legal obligation of instructional and administrative employees, the School requires all employees to notify the Principal (or, in the case of a Principal, to the Board Chair) in writing of any arrest or charge for any reason within 48 hours, whether or not such offense is related to the offenses listed in Appendix A.
- IV. Mandatory Removal.** Pursuant to §1012.22 F.S. the School, upon notice of an instructional staff member having been arrested or charged with any felony offense or for a misdemeanor offense listed in §435.04(2) F.S. must remove such staff member from the classroom within 24 hours of notification by the staff member or law enforcement of the arrest or charge..

Removal may be accomplished by allowing an employee to perform non-instructional work away from the student population, allowing the employee to take an unpaid leave of absence during the pendency of the related investigation by law enforcement, or termination of employment. The School retains sole and absolute discretion to determine the removal option that is appropriate in each circumstance.

- V. **Discretionary Removal.** In addition to the grounds for removal set forth in section IV, the School may, in its own discretion, remove an instructional staff member from the classroom based on any other offense reported to the School. Such removal may be accomplished by any of the methods described in section IV.
- VI. **Violations.** Failure to report any arrest or charge to the Principal (or Board Chair, as appropriate) within 48 hours of such arrest shall result in discipline up to and including termination.
- VII. Administration will review this policy and work with legal counsel to determine if Legislative updates require amendments to this policy.

Board Secretary Certificate

I hereby certify that the foregoing Policy on Staff Arrest Reporting was adopted by a majority vote of a quorum of the Governing Board of Directors at a duly noticed meeting held on 08-19-2025.



Board Secretary

Richard Paczkowski

Printed Name

APPENDIX A.

- a) Section [39.205](#), relating to the failure to report child abuse, abandonment, or neglect.
- b) Section [393.135](#), relating to sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct.
- c) Section [394.4593](#), relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.
- d) Section [414.39](#), relating to fraud, if the offense was a felony.
- e) Section [415.111](#), relating to adult abuse, neglect, or exploitation of aged persons or disabled adults.
- f) Section [777.04](#), relating to attempts, solicitation, and conspiracy to commit an offense listed in this subsection.
- g) Section [782.04](#), relating to murder.
- h) Section [782.07](#), relating to manslaughter, aggravated manslaughter of an elderly person or disabled adult, or aggravated manslaughter of a child.
- i) Section [782.071](#), relating to vehicular homicide.
- j) Section [782.09](#), relating to killing of an unborn child by injury to the mother.
- k) Chapter 784, relating to assault, battery, and culpable negligence, if the offense was a felony.
- l) Section [784.011](#), relating to assault, if the victim of the offense was a minor.
- m) Section [784.021](#), relating to aggravated assault.
- n) Section [784.03](#), relating to battery, if the victim of the offense was a minor.
- o) Section [784.045](#), relating to aggravated battery.
- p) Section [784.075](#), relating to battery on staff of a detention or commitment facility or on a juvenile probation officer.
- q) Section [787.01](#), relating to kidnapping.
- r) Section [787.02](#), relating to false imprisonment.
- s) Section [787.025](#), relating to luring or enticing a child.
- t) Section [787.04](#)(2), relating to taking, enticing, or removing a child beyond the state limits with criminal intent pending custody proceedings.
- u) Section [787.04](#)(3), relating to carrying a child beyond the state lines with criminal intent to avoid producing a child at a custody hearing or delivering the child to the designated person.
- v) Section [787.06](#), relating to human trafficking.
- w) Section [787.07](#), relating to human smuggling.
- x) Section [790.115](#)(1), relating to exhibiting firearms or weapons within 1,000 feet of a school.
- y) Section [790.115](#)(2)(b), relating to possessing an electric weapon or device, destructive device, or other weapon on school property.
- z) Section [794.011](#), relating to sexual battery.
- aa) Former s. [794.041](#), relating to prohibited acts of persons in familial or custodial authority.
- bb) Section [794.05](#), relating to unlawful sexual activity with certain minors.
- cc) Section [794.08](#), relating to female genital mutilation.
- dd) Chapter 796, relating to prostitution.
- ee) Section [798.02](#), relating to lewd and lascivious behavior.

- ff) Chapter 800, relating to lewdness and indecent exposure and offenses against students by authority figures.
- gg) Section [806.01](#), relating to arson.
- hh) Section [810.02](#), relating to burglary.
- ii) Section [810.14](#), relating to voyeurism, if the offense is a felony.
- jj) Section [810.145](#), relating to digital voyeurism, if the offense is a felony.
- kk) Chapter 812, relating to theft, robbery, and related crimes, if the offense is a felony.
- ll) Section [817.563](#), relating to fraudulent sale of controlled substances, only if the offense was a felony.
- mm) Section [825.102](#), relating to abuse, aggravated abuse, or neglect of an elderly person or disabled adult.
- nn) Section [825.1025](#), relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled adult.
- oo) Section [825.103](#), relating to exploitation of an elderly person or disabled adult, if the offense was a felony.
- pp) Section [826.04](#), relating to incest.
- qq) Section [827.03](#), relating to child abuse, aggravated child abuse, or neglect of a child.
- rr) Section [827.04](#), relating to contributing to the delinquency or dependency of a child.
- ss) Former s. [827.05](#), relating to negligent treatment of children.
- tt) Section [827.071](#), relating to sexual performance by a child.
- uu) Section [831.311](#), relating to the unlawful sale, manufacture, alteration, delivery, uttering, or possession of counterfeit-resistant prescription blanks for controlled substances.
- vv) Section [836.10](#), relating to written or electronic threats to kill, do bodily injury, or conduct a mass shooting or an act of terrorism.
- ww) Section [843.01](#), relating to resisting arrest with violence.
- xx) Section [843.025](#), relating to depriving a law enforcement, correctional, or correctional probation officer means of protection or communication.
- yy) Section [843.12](#), relating to aiding in an escape.
- zz) Section [843.13](#), relating to aiding in the escape of juvenile inmates in correctional institutions.
- aaa) Chapter 847, relating to obscene literature.
- bbb) Section [859.01](#), relating to poisoning food or water.
- ccc) Section [873.01](#), relating to the prohibition on the purchase or sale of human organs and tissue.
- ddd) Section [874.05](#), relating to encouraging or recruiting another to join a criminal gang.
- eee) Chapter 893, relating to drug abuse prevention and control, only if the offense was a felony or if any other person involved in the offense was a minor.
- fff) Section [916.1075](#), relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.
- ggg) Section [944.35](#)(3), relating to inflicting cruel or inhuman treatment on an inmate resulting in great bodily harm.
- hhh) Section [944.40](#), relating to escape.

- iii) Section [944.46](#), relating to harboring, concealing, or aiding an escaped prisoner.
- jjj) Section [944.47](#), relating to introduction of contraband into a correctional facility.
- kkk) Section [985.701](#), relating to sexual misconduct in juvenile justice programs.
- lll) Section [985.711](#), relating to contraband introduced into detention facilities.