



April 21, 2022

Explanation of the liability protections under Section 39.203 and Section 768.095

Employees/instructional personnel/administrators have immunity from liability if they report abuse, abandonment, or neglect. They will have a duty to comply with child protective investigations.

Liability protections provided under law in the Florida Statutes Section 39.203:

1. Any instructional personnel or school administrator that reports in good faith any situations of child abuse, neglect or abandonment to a law enforcement agency or the Department of Education shall be immune from any criminal or civil liability.
2. Any person suspected of having abused, abandoned, or neglected a child or done any illegal acts upon a child shall not be deemed to grant immunity.
3. No instructional employee, administrator or anyone that reports abuse, abandonment or neglect under this section can be subject to discharge.
4. Any negative changes made in the employment status of an employee at Franklin Academy, as a result of an unfavorable report shall establish a presumption that such action was retaliatory. Any person making the report under this section shall have a civil cause of action for compensation and punitive damages against any person at Franklin Academy who causes an adverse effect on the employment status of the reporting person.

In the Florida Statutes Section 768.095

A current employer is immune from civil liability for disclosing information about a former or current employee, unless it is shown by clear evidence that the information disclosed by the former or current employer was in violation of any civil rights or was knowingly false.