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CS/CS/HB 433, Engrossed 2

2014 Legislature

1
2 An act relating to education; amending s. 1004.04,
3 F.S.; providing requirements for certain instructional
4 personnel who supervise or direct preservice field
5 experience; amending s. 1012.2315, F.S.; authorizing a
6 school district to assign to a school that has earned
7 failing grades certain newly hired instructional
8 personnel; amending s. 1012.56, F.S.; deleting an
9 obsolete provision; revising acceptable means of
10 demonstrating mastery of general knowledge, subject
11 area knowledge, and professional preparation and
12 education competence; requiring the State Board of
13 Education to adopt rules; revising components of a
14 competency-based professional development
15 certification and education competency program;
16 repealing s. 1012.56(17), F.S., relating to a study to
17 compare the performance of certain certificateholders;
18 amending s. 1012.585, F.S.; revising certain
19 requirements for the renewal or reinstatement of a
20 professional certificate; amending s. 1012.98, F.S.;
21 authorizing a consortium of certain charter schools to
22 develop a professional development system; providing
23 an effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:
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27 Section 1. Paragraph (b) of subsection (5) of section
28 1004.04, Florida Statutes, is amended to read:

29 1004.04 Public accountability and state approval for
30 teacher preparation programs.—

31 (5) PRESERVICE FIELD EXPERIENCE.—All postsecondary
32 instructors, school district personnel and instructional
33 personnel, and school sites preparing instructional personnel
34 through preservice field experience courses and internships
35 shall meet special requirements. District school boards may pay
36 student teachers during their internships.

37 (b)1. All school district personnel and instructional
38 personnel who supervise or direct teacher preparation students
39 during field experience courses or internships taking place in
40 this state in which candidates demonstrate an impact on student
41 learning growth must have evidence of "clinical educator"
42 training, a valid professional certificate issued pursuant to s.
43 1012.56, and at least 3 years of teaching experience in
44 prekindergarten through grade 12 and must have earned an
45 effective or highly effective rating on the prior year's
46 performance evaluation under s. 1012.34 or be a peer evaluator
47 under the district's evaluation system approved under s.
48 1012.34. The State Board of Education shall approve the training
49 requirements.

50 2. All instructional personnel who supervise or direct
51 teacher preparation students during field experience courses or
52 internships in another state, in which a candidate demonstrates



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53 his or her impact on student learning growth, through a Florida
54 online or distance program must have received "clinical
55 educator" training or its equivalent in that state, hold a valid
56 professional certificate issued by the state in which the field
57 experience takes place, and have at least 3 years of teaching
58 experience in prekindergarten through grade 12.

59 3. All instructional personnel who supervise or direct
60 teacher preparation students during field experience courses or
61 internships, in which a candidate demonstrates his or her impact
62 on student learning growth, on a United States military base in
63 another country through a Florida online or distance program
64 must have received "clinical educator" training or its
65 equivalent, hold a valid professional certificate issued by the
66 United States Department of Defense or a state or territory of
67 the United States, and have at least 3 years teaching experience
68 in prekindergarten through grade 12.

69 Section 2. Subsection (2) of section 1012.2315, Florida
70 Statutes, is amended to read:

71 1012.2315 Assignment of teachers.—

72 (2) ASSIGNMENT TO SCHOOLS GRADED "D" or "F".—

73 (a) A school district ~~districts~~ may not assign a higher
74 percentage than the school district average of temporarily
75 certified teachers, teachers in need of improvement, or out-of-
76 field teachers to schools graded "D" or "F" pursuant to s.
77 1008.34.

78 (b)1. Beginning July 1, 2014, a school district may assign



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79 an individual newly hired as instructional personnel to a school
80 that has earned a grade of "F" in the previous year or any
81 combination of three consecutive grades of "D" or "F" in the
82 previous 3 years pursuant to s. 1008.34 if the individual:

83 a. Has received an effective rating or highly effective
84 rating in the immediate prior year's performance evaluation
85 pursuant s. 1012.34;

86 b. Has successfully completed or is enrolled in a teacher
87 preparation program pursuant to s. 1004.04, s. 1004.85, or s.
88 1012.56, or a teacher preparation program specified in State
89 Board of Education rule, is provided with high quality mentoring
90 during the first 2 years of employment, holds a certificate
91 issued pursuant to s. 1012.56, and holds a probationary contract
92 pursuant to s. 1012.335(2) (a); or

93 c. Holds a probationary contract pursuant to s.
94 1012.335(2) (a), holds a certificate issued pursuant to s.
95 1012.56, and has successful teaching experience, and if, in the
96 judgment of the school principal, students would benefit from
97 the placement of that individual.

98 2. As used in this paragraph, the term "mentoring"
99 includes the use of student achievement data combined with at
100 least monthly observations to improve the educator's
101 effectiveness in improving student outcomes. Mentoring may be
102 provided by a school district, a teacher preparation program
103 approved pursuant to s. 1004.04, s. 1004.85, or s. 1012.56, or a
104 teacher preparation program specified in State Board of



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105 Education rule.

106 3. The State Board of Education shall adopt rules under
107 ss. 120.536(1) and 120.54 to implement this paragraph.

108

109 Each school district shall annually certify to the Commissioner
110 of Education that the requirements in this subsection have
111 ~~requirement has~~ been met. If the commissioner determines that a
112 school district is not in compliance with this subsection, the
113 State Board of Education shall be notified and shall take action
114 pursuant to s. 1008.32 in the next regularly scheduled meeting
115 to require compliance.

116 Section 3. Subsections (3), (5), and (6) and paragraphs
117 (a) and (b) of subsection (8) of section 1012.56, Florida
118 Statutes, are amended to read:

119 1012.56 Educator certification requirements.—

120 (3) MASTERY OF GENERAL KNOWLEDGE.—Acceptable means of
121 demonstrating mastery of general knowledge are:

122 (a) Achievement of passing scores on the general knowledge
123 ~~basic skills~~ examination required by state board rule;

124 ~~(b) Achievement of passing scores on the College Level~~
125 ~~Academic Skills Test earned prior to July 1, 2002;~~

126 (b)(e) Documentation of a valid professional standard
127 teaching certificate issued by another state;

128 (c)(d) Documentation of a valid certificate issued by the
129 National Board for Professional Teaching Standards or a national
130 educator credentialing board approved by the State Board of



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131 Education; ~~or~~

132 (d)~~(e)~~ Documentation of two semesters of successful, full-
133 time or part-time teaching in a Florida College System
134 institution, state university, or private college or university
135 that awards an associate or higher degree and is an accredited
136 institution or an institution of higher education identified by
137 the Department of Education as having a quality program; or

138 (e) Effective July 1, 2015, achievement of passing scores,
139 identified in state board rule, on national or international
140 examinations that test comparable content and relevant standards
141 in verbal, analytical writing, and quantitative reasoning
142 skills, including, but not limited to, the verbal, analytical
143 writing, and quantitative reasoning portions of the Graduate
144 Record Examination. Passing scores identified in state board
145 rule must be at approximately the same level of rigor as is
146 required to pass the general knowledge examinations.

147 (5) MASTERY OF SUBJECT AREA KNOWLEDGE.—Acceptable means of
148 demonstrating mastery of subject area knowledge are:

149 (a) For a subject requiring only a baccalaureate degree
150 for which a Florida subject area examination has been developed,
151 achievement of a passing score ~~scores~~ on the Florida-developed
152 subject area examination specified in examinations required by
153 state board rule, which may include, but need not be limited to,
154 world languages in Arabic, Chinese, Farsi, French, German,
155 Greek, Haitian Creole, Hebrew, Hindi, Italian, Japanese,
156 Portuguese, Russian, and Spanish;



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157 (b) For a subject for which a Florida subject area
158 examination has not been developed, achievement of a passing
159 score on a standardized examination specified in state board
160 rule, including, but not limited to, passing scores on both the
161 oral proficiency and written proficiency examinations ~~Completion~~
162 ~~of a bachelor's degree or higher and verification of the~~
163 ~~attainment of an oral proficiency interview score above the~~
164 ~~intermediate level and a written proficiency score above the~~
165 ~~intermediate level on a test administered by the American~~
166 ~~Council on the Teaching of Foreign Languages for which there is~~
167 ~~no Florida-developed examination;~~

168 (c) For a subject for which a Florida subject area
169 examination has not been developed or a standardized examination
170 has not been specified in state board rule, completion of the
171 subject area specialization requirements specified in state
172 board rule and verification of the attainment of the essential
173 subject matter competencies by the district school
174 superintendent of the employing school district or chief
175 administrative officer of the employing state-supported or
176 private school ~~for a subject area for which a subject area~~
177 ~~examination has not been developed and required by state board~~
178 ~~rule;~~

179 (d) For a subject requiring a master's or higher degree,
180 completion of the subject area specialization requirements
181 specified in state board rule ~~for a subject coverage requiring a~~
182 ~~master's or higher degree~~ and achievement of a passing score on



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183 the Florida-developed subject area examination or a standardized
 184 examination specified in state board rule;

185 (e) Documentation of a valid professional standard
 186 teaching certificate issued by another state; or

187 (f) Documentation of a valid certificate issued by the
 188 National Board for Professional Teaching Standards or a national
 189 educator credentialing board approved by the State Board of
 190 Education.

191
 192 School districts are encouraged to provide mechanisms for ~~those~~
 193 middle grades ~~school~~ teachers holding only a K-6 teaching
 194 certificate to obtain a subject area coverage for middle grades
 195 through postsecondary coursework or district add-on
 196 certification.

197 (6) MASTERY OF PROFESSIONAL PREPARATION AND EDUCATION
 198 COMPETENCE.—Acceptable means of demonstrating mastery of
 199 professional preparation and education competence are:

200 (a) Successful completion of an approved teacher
 201 preparation program at a postsecondary educational institution
 202 within this state and achievement of a passing score on the
 203 professional education competency examination required by state
 204 board rule;

205 (b) Successful completion of a teacher preparation program
 206 at a postsecondary educational institution outside Florida and
 207 achievement of a passing score on the professional education
 208 competency examination required by state board rule;



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- 209 (c) Documentation of a valid professional standard
 210 teaching certificate issued by another state;
- 211 (d) Documentation of a valid certificate issued by the
 212 National Board for Professional Teaching Standards or a national
 213 educator credentialing board approved by the State Board of
 214 Education;
- 215 (e) Documentation of two semesters of successful, full-
 216 time or part-time teaching in a Florida College System
 217 institution, state university, or private college or university
 218 that awards an associate or higher degree and is an accredited
 219 institution or an institution of higher education identified by
 220 the Department of Education as having a quality program and
 221 achievement of a passing score on the professional education
 222 competency examination required by state board rule;
- 223 (f) Successful completion of professional preparation
 224 courses as specified in state board rule, successful completion
 225 of a professional preparation and education competence
 226 ~~demonstration~~ program pursuant to paragraph (8) (b), and
 227 achievement of a passing score on the professional education
 228 competency examination required by state board rule;
- 229 (g) Successful completion of a professional development
 230 ~~preparation alternative~~ certification and education competency
 231 program, outlined in paragraph (8) (a); or
- 232 (h) Successful completion of a competency-based ~~an~~
 233 ~~alternative~~ certification program pursuant to s. 1004.85 and
 234 achievement of a passing score on the professional education



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235 competency examination required by rule of the State Board of
 236 Education.

237
 238 The State Board of Education shall adopt rules to implement this
 239 subsection by December 31, 2014, including rules to approve
 240 specific teacher preparation programs that are not identified in
 241 this subsection which may be used to meet requirements for
 242 mastery of professional preparation and education competence.

243 (8) PROFESSIONAL DEVELOPMENT CERTIFICATION AND EDUCATION
 244 COMPETENCY PROGRAM.—

245 (a) The Department of Education shall develop and each
 246 school district may provide a cohesive competency-based
 247 professional development certification and education competency
 248 program by which members of a school district's instructional
 249 staff may satisfy the mastery of professional preparation and
 250 education competence requirements specified in ~~this~~ subsection
 251 (6) and rules of the State Board of Education. Participants must
 252 hold a state-issued temporary certificate. A school district
 253 that implements the program shall provide a competency-based
 254 certification program developed by the Department of Education
 255 or developed by the district and approved by the Department of
 256 Education. The program shall include the following ~~components~~:

- 257 1. A minimum period of initial preparation before assuming
 258 duties as the teacher of record.
- 259 2. An option for collaboration between school districts
 260 and other supporting agencies or educational entities for



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261 implementation.

262 3. An experienced peer-mentor component ~~peer mentors~~. Each
263 individual selected by the district as a peer mentor must hold a
264 valid professional certificate issued pursuant to this section,
265 must have earned at least 3 years of teaching experience in
266 prekindergarten through grade 12, and must have earned an
267 effective or highly effective rating on the prior year's
268 performance evaluation under s. 1012.34 or be a peer evaluator
269 under the district's evaluation system approved under s.
270 1012.34.

271 4. An assessment of teaching performance aligned to the
272 district's system for personnel evaluation under s. 1012.34
273 which provides for:

274 a. An initial evaluation of each educator's competencies
275 to determine an appropriate individualized professional
276 development plan.

277 b. A summative evaluation to assure successful completion
278 of the program.

279 5. Professional education preparation content knowledge
280 that includes, but is not limited to, the following:

281 a. The state ~~state-adopted student content~~ standards
282 provided under s. 1003.41, including scientifically based
283 reading instruction, content literacy, and mathematical
284 practices, for each subject identified on the temporary
285 certificate.

286 b. The educator-accomplished practices approved by the



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287 state board.

288 c. A variety of data indicators for monitoring student
289 progress.

290 d. Methodologies for teaching students with disabilities.

291 e. Methodologies for teaching students of limited English
292 proficiency ~~English language learners~~ appropriate for each
293 subject area identified on the temporary certificate.

294 f. Techniques and strategies for operationalizing the role
295 of the teacher in assuring a safe learning environment for
296 students.

297 6. Required achievement of passing scores on the subject
298 area and professional education competency examination required
299 by State Board of Education rule. Mastery of general knowledge
300 must be demonstrated as described in subsection (3).

301 (b)1. Each school district must and a state supported
302 public school or a private school may develop and maintain a
303 system by which members of the instructional staff may
304 demonstrate mastery of professional preparation and education
305 competence as required by law. Each program must be based on
306 classroom application of the Florida Educator Accomplished
307 Practices and instructional performance and, for public schools,
308 must be aligned with the district's evaluation system approved
309 under s. 1012.34.

310 2. The Commissioner of Education shall determine the
311 continued approval of programs implemented under this paragraph,
312 based upon the department's review of performance data. The



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313 department shall review the performance data as a part of the
314 periodic review of each school district's professional
315 development system required under s. 1012.98.

316 Section 4. Subsection (17) of section 1012.56, Florida
317 Statutes, is repealed.

318 Section 5. Subsections (3) and (5) of section 1012.585,
319 Florida Statutes, are amended to read:

320 1012.585 Process for renewal of professional
321 certificates.—

322 (3) For the renewal of a professional certificate, the
323 following requirements must be met:

324 (a) The applicant must earn a minimum of 6 college credits
325 or 120 inservice points or a combination thereof. For each area
326 of specialization to be retained on a certificate, the applicant
327 must earn at least 3 of the required credit hours or equivalent
328 inservice points in the specialization area. Education in
329 "clinical educator" training pursuant to s. 1004.04(5)(b) and
330 credits or points that provide training in the area of
331 scientifically researched, knowledge-based reading literacy and
332 computational skills acquisition, exceptional student education,
333 normal child development, and the disorders of development may
334 be applied toward any specialization area. Credits or points
335 that provide training in the areas of drug abuse, child abuse
336 and neglect, strategies in teaching students having limited
337 proficiency in English, or dropout prevention, or training in
338 areas identified in the educational goals and performance



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339 standards adopted pursuant to ss. 1000.03(5) and 1008.345 may be
340 applied toward any specialization area. Credits or points earned
341 through approved summer institutes may be applied toward the
342 fulfillment of these requirements. Inservice points may also be
343 earned by participation in professional growth components
344 approved by the State Board of Education and specified pursuant
345 to s. 1012.98 in the district's approved master plan for
346 inservice educational training, including, but not limited to,
347 serving as a trainer in an approved teacher training activity,
348 serving on an instructional materials committee or a state board
349 or commission that deals with educational issues, or serving on
350 an advisory council created pursuant to s. 1001.452.

351 (b) In lieu of college course credit or inservice points,
352 the applicant may renew a subject area specialization ~~area~~ by
353 passage of a state board approved Florida-developed subject area
354 examination or, if a Florida subject area examination has not
355 been developed, a standardized examination specified in state
356 board rule ~~test~~.

357 (c) If an applicant wishes to retain more than two
358 specialization areas on the certificate, the applicant shall be
359 permitted two successive validity periods for renewal of all
360 specialization areas, but must earn no fewer than 6 college
361 course credit hours or the equivalent in any one validity
362 period.

363 (d) The State Board of Education shall adopt rules for the
364 expanded use of training for renewal of the professional



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365 certificate for educators who are required to complete training
366 in teaching students of limited English proficiency or students
367 with disabilities and training in the teaching of reading as
368 follows:

369 1. A teacher who holds a professional certificate may use
370 college credits or inservice points earned through training in
371 teaching students of limited English proficiency or students
372 with disabilities ~~completed in English for Speakers of Other~~
373 ~~Languages training~~ and training in the teaching of reading in
374 excess of 6 semester hours during one certificate-validity
375 period toward renewal of the professional certificate during the
376 subsequent validity periods.

377 2. A teacher who holds a temporary certificate may use
378 college credits or inservice points earned through training in
379 teaching students of limited English proficiency or students
380 with disabilities ~~completed in English for Speakers of Other~~
381 ~~Languages training~~ and training in the teaching of reading
382 toward renewal of the teacher's first professional certificate.
383 Such training must not have been included within the degree
384 program, and the teacher's temporary and professional
385 certificates must be issued for consecutive school years.

386 (e) Beginning July 1, 2014, an applicant for renewal of a
387 professional certificate must earn a minimum of one college
388 credit or the equivalent inservice points in the area of
389 instruction for teaching students with disabilities. The
390 requirement in this paragraph may not add to the total hours



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391 required by the department for continuing education or inservice
392 training.

393 (5) The State Board of Education shall adopt rules to
394 allow the reinstatement of expired professional certificates.
395 The department may reinstate an expired professional certificate
396 if the certificateholder:

397 (a) Submits an application for reinstatement of the
398 expired certificate.

399 (b) Documents completion of 6 college credits during the 5
400 years immediately preceding reinstatement of the expired
401 certificate, completion of 120 inservice points, or a
402 combination thereof, in an area specified in paragraph (3)(a) to
403 include the credit required under paragraph (3)(e).

404 (c) During the 5 years immediately preceding reinstatement
405 of the certificate, achieves a passing score on the Florida-
406 developed subject area examination or, if a Florida subject area
407 examination has not been developed, a standardized examination
408 specified in state board rule ~~test~~ for each subject to be shown
409 on the reinstated certificate.

410
411 The requirements of this subsection may not be satisfied by
412 subject area examinations ~~tests~~ or college credits completed for
413 issuance of the certificate that has expired.

414 Section 6. Subsection (6) of section 1012.98, Florida
415 Statutes, is amended to read:

416 1012.98 School Community Professional Development Act.—



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417 (6) An organization of private schools or consortium of
418 charter schools which has no fewer than 10 member schools in
419 this state, which publishes and files with the Department of
420 Education copies of its standards, and the member schools of
421 which comply with the provisions of part II of chapter 1003,
422 relating to compulsory school attendance, may also develop a
423 professional development system that includes a master plan for
424 inservice activities. The system and inservice plan must be
425 submitted to the commissioner for approval pursuant to state
426 board rules ~~of the State Board of Education.~~

427 Section 7. This act shall take effect July 1, 2014.