

Section 231.3605, F.S., defines “educational support personnel”, as persons employed by a school district as a teacher aide, teacher assistant, education paraprofessional, member of the transportation, operations, or maintenance departments, a food service worker, secretary, clerical worker, or other person who is not required to be certified pursuant to s. 231.1725, F.S. Educational support employees must be employed on a probationary status for a period to be determined via collective bargaining, or by school board rule if a collective bargaining agreement does not exist. After the probationary period, the employee’s status must continue unless terminated for reasons stated in the collective bargaining agreement or school board rule. In the event a superintendent seeks termination of an employee, the school board may suspend the employee with or without pay. The employee must receive written notice and have the opportunity to formally appeal the termination, also in accordance with a collective bargaining agreement or school board rule.

Section 231.40, F.S., establishes provisions regarding sick leave for members of the instructional staff and other employees of a school district.

Section 240.40685, F.S., creates the Certified Teacher-Aide Welfare Transition Program. This program is designed to provide education and employment for recipients of public assistance who are certified to work in schools that, because of the high proportion of economically disadvantaged children enrolled, are at risk of poor performance on traditional measures of achievement. The program is intended to increase the number of adults working with school children.

Section 121.091, F.S., specifies provisions regarding benefits payable under the Florida Retirement System.

According to the Florida Department of Education, teacher aide salaries are largely collectively bargained. Entry level requirements vary by district; for example, some require a high school diploma, while others require an additional two-year degree. Most school districts give credit for longevity and educational advancement. The current average salary of a full-time teacher aide in Florida is \$11,146 for an average 9.7 months of employment. There are presently 25,698 full-time teacher aides in the state.

III. Effect of Proposed Changes:

Section 1 amends s. 228.041, F.S, regarding definitions. Specifically, s. 228.041(9)(e), F.S., is amended to change the term “aide” to “paraprofessional” and s. 228.041(23), F.S., is amended to replace the term “teacher aide” with “education paraprofessional”.

Section 2 amends s. 228.056, F.S., regarding employees of charter schools to replace the term “teacher aide” with “education paraprofessional”.

Section 3 amends s. 231.141, F.S., regarding the appointment and duties of teacher aides to replace the term “teacher aides” with “education paraprofessional”.

Section 4 creates s. 231.143, F.S., establishing language regarding education paraprofessional development. Each school district may voluntarily adopt a career development program for education paraprofessionals, based on education and training advancement, designed to encourage excellence via economic incentives. The section provides that any such programs would be subject to Chapter 447, F.S., regarding labor organizations, specifically, s. 447.309, F.S., regarding collective bargaining.

Education paraprofessional career development programs would have to include voluntary participation in five career development levels, with the school board charged with developing a method of assuring competency. Qualifications are as follows:

Level I: the health and age requirements for certified personnel, and local school district employment requirements.

Level II: high school diploma or equivalent, possess a clear understanding of pertinent state and district rules, policies, and instructional practices, and maintained satisfactory job performance for one year.

Level III: completed 30 semester hours of college or equivalent in-service hours, possess a clear understanding of pertinent state and district rules, policies, and instructional practices, and maintained a satisfactory job performance for two years.

Level IV: completed 60 semester hours of college or equivalent in-service hours, possess a clear understanding of pertinent state and district rules, policies, and instructional practices, and maintained satisfactory job performance for two years.

Level V: completed course work sufficient for a bachelor or arts or science degree in accordance with s. 231.17(3)(c), F.S., possess a clear understanding of pertinent state and district rules, policies, and instructional practices, and maintained satisfactory job performance for two years.

Paraprofessionals would be prohibited from establishing instructional objectives, making decisions regarding the relevancy of certain activities or procedures or the appropriateness of certain teaching materials, and judgements regarding the attainment of instructional objectives unless such judgements are based on clear and objective criteria such as specific achievement on a true-false test.

Section 5 amends s. 231.15, F.S., regarding positions for which certification is required, to replace the term “teacher aides” with “education paraprofessionals”.

Section 6 amends s. 231.3605(1)(a), F.S., regarding educational support employees, to remove a reference to the term “teacher aide”. The phrase “education paraprofessionals” is already present in the paragraph.

Section 7 amends s. 231.40(1)(a), F.S., regarding definitions associated with sick leave, to remove a reference to the term “teacher aide”. The phrase “education paraprofessional” is already present in the paragraph.

Section 8 amends s. 240.40685, F.S., regarding the Certified Teacher Aide Welfare Transition Program”, to replace the terms “teacher aide” and “teacher aides” with “education paraprofessional” and “education paraprofessionals”, respectively. It also changes references from the Department of Health and Rehabilitative Services to the Department of Children and Family Services.

Section 9 amends s.121.091(9)(b), F.S., regarding benefits payable under the Florida Retirement System - limitations on employment after retirement, to replace the term “teacher aide” with “education paraprofessional”.

Section 10 specifies an effective date of July 1, 1998.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The costs of taking college credits necessary for the paraprofessional career development program would be borne by the employee.

C. Government Sector Impact:

The education paraprofessional program, if adopted, would be subject to the collective bargaining provisions of Chapter 447, F.S. The impact of this bill on individual school districts is expected to be negligible since teacher aide salaries are largely collectively bargained already. In addition, the career development provisions of the bill are voluntary.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

Amendment #1 by Education:

Technical amendment to change a cross-reference from s. 231.17(1)(c), F.S. to s. 231.17(3)(c), F.S.