

By the Committee on Education and Senator Lee

304-2095A-98

1                                   A bill to be entitled  
2           An act relating to rulemaking authority for  
3           matters pertaining to education (RAB); amending  
4           s. 231.17, F.S.; authorizing the Commissioner  
5           of Education to make decisions about granting  
6           certification to an applicant in extenuating  
7           circumstances not otherwise provided for in  
8           statute or by rule; amending s. 231.24, F.S.;  
9           allowing the state board to approve rules for  
10          the expanded use of training in teaching  
11          students having limited proficiency in English  
12          toward renewing a professional certificate;  
13          amending s. 231.29, F.S., relating to  
14          assessment procedures and criteria for  
15          personnel assessment; authorizing the state  
16          board to adopt necessary rules; amending s.  
17          240.116, F.S.; allowing the state board to  
18          adopt rules for certain dual-enrollment  
19          programs; amending s. 240.233, F.S.; allowing  
20          the state board to adopt rules for the  
21          articulation of foreign-language competency and  
22          equivalency between secondary and postsecondary  
23          institutions; providing an effective date.

24  
25 Be It Enacted by the Legislature of the State of Florida:

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27           Section 1. Subsection (14) is added to section 231.17,  
28 Florida Statutes, to read:

29           231.17 Official statements of eligibility and  
30 certificates granted on application to those meeting  
31 prescribed requirements.--

1           (14) AUTHORITY OF COMMISSIONER.--The Commissioner of  
2 Education is authorized to make decisions regarding an  
3 applicant's certification under extenuating circumstances not  
4 otherwise provided for in statute or by rule. However, an  
5 applicant for certification approved by the commissioner must  
6 possess the credentials, knowledge, and skills necessary to  
7 provide quality education in the public schools.

8           Section 2. Paragraph (d) is added to subsection (3) of  
9 section 231.24, Florida Statutes, to read:

10           231.24 Process for renewal of professional  
11 certificates.--

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

14           (d) The state board shall approve rules for the  
15 expanded use of training for renewal of the professional  
16 certificate for educators who are required to complete  
17 training in teaching students of limited English proficiency  
18 as follows:

19           1. A teacher who holds a professional certificate may  
20 use college credits or inservice points completed in  
21 English-for-Speakers-of-Other-Languages training in excess of  
22 6 semester hours during one certificate-validity period toward  
23 renewal of the professional certificate during the next  
24 validity period.

25           2. A teacher who holds a temporary certificate may use  
26 college credits or inservice points completed in  
27 English-for-Speakers-of-Other-Languages training toward  
28 renewal of the teacher's first professional certificate. Such  
29 training must not have been included within the degree  
30 program, and the teacher's temporary and professional  
31 certificates must be issued for consecutive school years.

1           Section 3. Subsection (8) is added to section 231.29,  
2 Florida Statutes, to read:

3           231.29 Assessment procedures and criteria.--

4           (8) The State Board of Education shall adopt rules  
5 that establish uniform guidelines for the submission, review,  
6 and approval of district procedures for the annual assessment  
7 of instructional personnel and that include criteria for  
8 evaluating professional performance.

9           Section 4. Subsection (1) of section 240.116, Florida  
10 Statutes, is amended to read:

11           240.116 Articulated acceleration.--

12           (1) It is the intent of the Legislature that a variety  
13 of articulated acceleration mechanisms be available for  
14 secondary and postsecondary students attending public  
15 educational institutions. It is intended that articulated  
16 acceleration serve to shorten the time necessary for a student  
17 to complete the requirements associated with the conference of  
18 a degree, broaden the scope of curricular options available to  
19 students, or increase the depth of study available for a  
20 particular subject. Articulated acceleration mechanisms shall  
21 include, but not be limited to, dual enrollment, early  
22 admission, advanced placement, credit by examination, and the  
23 International Baccalaureate Program. The State Board of  
24 Education shall adopt rules for any dual-enrollment programs  
25 involving requirements for high school graduation.

26           Section 5. Subsection (1) of section 240.233, Florida  
27 Statutes, is amended to read:

28           240.233 Universities; admissions of students.--Each  
29 university shall govern admissions of students, subject to  
30 this section and rules of the Board of Regents.

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1           (1) Minimum academic standards for undergraduate  
2 admission to a university must ~~shall~~ include the requirements  
3 that:

4           (a) Each student have received a high school diploma  
5 pursuant to s. 232.246, or its equivalent, except as provided  
6 in s. 240.116(2) and (3).

7           (b) Each student have earned two credits of sequential  
8 foreign language at the secondary level or the equivalent of  
9 such instruction at the postsecondary level. A student whose  
10 native language is not English is exempt from this admissions  
11 requirement, provided that the student demonstrates  
12 proficiency in the native language. If a standardized test is  
13 not available in the student's native language for the  
14 demonstration of proficiency, the university may provide an  
15 alternative method of assessment. The State Board of  
16 Education shall adopt rules for the articulation of  
17 foreign-language competency and equivalency between secondary  
18 and postsecondary institutions.A student who received an  
19 associate in arts degree prior to September 1, 1989, or who  
20 enrolled in a program of studies leading to an associate  
21 degree from a Florida community college prior to August 1,  
22 1989, and maintains continuous enrollment shall be exempt from  
23 this admissions requirement.

24           Section 6. This act shall take effect upon becoming a  
25 law.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
COMMITTEE SUBSTITUTE FOR  
SB 2000

The committee substitute deletes from the bill changes that do not pertain to rules re-authorization issues, including:

- Changes to s. 231.17, Florida Statutes, that would define standard institution of higher learning as used in the teacher certification process.
- Proposed removal of portions of s. 231.1725, Florida Statutes, that allow district school boards to employ noncertificated teachers in board designated areas of critical teacher shortage.