

By the Committee on Education and Senators Horne and Dyer

304-1829A-98

1 A bill to be entitled
2 An act relating to education; creating s.
3 236.08106, F.S., relating to the Excellent
4 Teaching Program; providing legislative
5 findings and intent; authorizing monetary
6 incentives and rewards for teaching excellence;
7 providing for annual allocations to districts;
8 providing fee subsidies and conditions for
9 repayment of subsidies for participating in the
10 certification program of the National Board of
11 Professional Teaching Standards; requiring the
12 distribution of certain monetary rewards to
13 teachers; providing eligibility criteria;
14 requiring release time for certain activities;
15 providing for certain stipends; requiring
16 certain district expenditures for professional
17 development of teachers; amending s. 236.081,
18 F.S.; authorizing categorical funding for the
19 Excellent Teaching Program; amending s.
20 231.173, F.S., relating to certification of
21 experienced out-of-state teachers and
22 administrators; deleting a requirement for
23 superintendents to request certification;
24 providing for issuance of a professional
25 certificate to individuals certified by the
26 National Board of Professional Teaching
27 Standards; conforming provisions; amending s.
28 231.24, F.S.; authorizing renewal of
29 certificates through national certification;
30 providing an effective date.
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1 Be It Enacted by the Legislature of the State of Florida:

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3 Section 1. Section 236.08106, Florida Statutes, is
4 created to read:

5 236.08106 Excellent Teaching Program.--

6 (1) The Legislature recognizes that teachers play a
7 critical role in preparing students to achieve the high levels
8 of academic performance expected by the Sunshine State
9 Standards. The Legislature further recognizes the importance
10 of identifying and rewarding teaching excellence and of
11 encouraging good teachers to become excellent teachers. The
12 Legislature finds that the National Board of Professional
13 Teaching Standards (NBPTS) has established high and rigorous
14 standards for accomplished teaching and has developed a
15 national voluntary system for assessing and certifying
16 teachers who demonstrate teaching excellence by meeting those
17 standards. It is therefore the Legislature's intent to provide
18 incentives for teachers to seek NBPTS certification and to
19 reward teachers who demonstrate teaching excellence by
20 attaining NBPTS certification and sharing their expertise with
21 other teachers.

22 (2) The Excellent Teaching Program is created to
23 provide categorical funding for monetary incentives and
24 rewards for teaching excellence. The Department of Education
25 shall allocate and distribute to each school district an
26 amount as prescribed annually by the Legislature for the
27 Excellent Teaching Program. Unless otherwise provided in the
28 General Appropriations Act, each school district's annual
29 allocation shall be the sum of the amounts earned for the
30 following incentives and rewards:

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1 (a) A fee subsidy to be paid by the school district to
2 the NBPTS on behalf of each individual who is an employee of
3 the district school board or a public school within that
4 school district, who satisfies the prerequisites for
5 participating in the NBPTS certification program, and who
6 agrees, in writing, to pay 10 percent of the NBPTS
7 participation fee and to participate in the NBPTS
8 certification program during the school year for which the fee
9 subsidy is provided. The fee subsidy for each eligible
10 participant shall be an amount equal to 90 percent of the fee
11 charged for participating in the NBPTS certification program,
12 but not more than \$1,800 per eligible participant. The fee
13 subsidy is a one-time award and may not be duplicated for any
14 individual.

15 (b) Funding for substitute teachers' salaries to
16 provide 3 days of release time to each teacher participating
17 in the NBPTS certification program and 2 days of release time
18 to each teacher who holds NBPTS certification. The employing
19 school district or public school shall provide at least 3 days
20 of release time during the school year to allow each
21 participating teacher to prepare a portfolio and engage in
22 other activities for the NBPTS certification program and at
23 least 2 days of release time to allow each teacher with NBPTS
24 certification to mentor other teachers.

25 (c) An annual reward equal to 10 percent of the prior
26 fiscal year's statewide average salary for classroom teachers
27 to be paid to each individual who holds NBPTS certification
28 and is employed by the district school board or by a public
29 school within that school district. The district school board
30 shall distribute the annual reward to each individual who
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1 meets the requirements of this paragraph as a single payment
2 or divided into not more than three payments.

3 (d) An annual reward equal to 10 percent of the prior
4 fiscal year's statewide average salary for classroom teachers
5 to be paid to each individual who meets the requirements of
6 paragraph (c) and agrees, in writing, to provide the
7 equivalent of 12 workdays of mentoring and related services to
8 public school teachers within the district who do not hold
9 NBPTS certification. The district school board shall
10 distribute the annual reward in a single payment or in not
11 more than three payments to each individual who meets the
12 requirements of this paragraph. It is not the intent of the
13 Legislature to remove excellent teachers from their assigned
14 classrooms, therefore, credit may not be granted by a school
15 district or public school for mentoring or related services
16 provided during the regular school day or during the 196 days
17 of required service for the school year.

18 (e) An amount equal to 12 days' pay at the prior
19 year's statewide average salary for classroom teachers shall
20 be provided to the district school board or public school for
21 each NBPTS-certified teacher who provides mentoring or related
22 services to the other teachers at times other than the regular
23 school day or the 196 days of required service for the school
24 year as provided in paragraph (d). The district school board
25 or public school must use funds received under this paragraph
26 to pay stipends to the teachers who receive such mentoring or
27 related services.

28 (f) An amount equal to 50 percent of the teacher
29 rewards provided under paragraph (c) and (d), which shall be
30 used by the district for professional development of teachers.
31 The district must use all funds received pursuant to this

1 paragraph for professional development of teachers employed at
2 schools identified as performing at critically low levels.

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4 A teacher for whom the state pays the certification fee and
5 who does not complete the certification program or does not
6 teach in a public school of this state for a least 1 year
7 after completing the certification program must repay the
8 amount of the certification fee to the state. However, a
9 teacher who completes the certification program but fails to
10 be awarded NBPTS certification is not required to repay the
11 amount of the certification fee if the teacher meets the
12 1-year teaching requirement. Repayment is not required of a
13 teacher who does not complete the certification program or
14 fails to fulfill the teaching requirement because of the
15 teacher's death or disability or because of other extenuating
16 circumstances as determined by the State Board of Education.

17 Section 2. Paragraph (a) of subsection (5) of section
18 236.081, Florida Statutes, as amended by chapter 97-380, Laws
19 of Florida, is amended to read:

20 236.081 Funds for operation of schools.--If the annual
21 allocation from the Florida Education Finance Program to each
22 district for operation of schools is not determined in the
23 annual appropriations act or the substantive bill implementing
24 the annual appropriations act, it shall be determined as
25 follows:

26 (5) CATEGORICAL PROGRAMS.--The Legislature hereby
27 provides for the establishment of selected categorical
28 programs to assist in the development and maintenance of
29 activities giving indirect support to the programs previously
30 funded. These categorical appropriations may be funded as
31 general and transitional categorical programs. It is the

1 intent of the Legislature that no transitional categorical
2 program be funded for more than 4 fiscal years from the date
3 of original authorization. Such programs are as follows:
4 (a) General.--
5 1. Comprehensive school construction and debt service
6 as provided by law.
7 2. Community schools as provided by law.
8 3. School lunch programs as provided by law.
9 4. Instructional material funds as provided by law.
10 5. Student transportation as provided by law.
11 6. Student development services as provided by law.
12 7. Diagnostic and learning resource centers as
13 provided by law.
14 8. Comprehensive health education as provided by law.
15 9. Excellent Teaching Program as provided by law.
16 (b) Transitional.--
17 1. Bilingual program as provided by law.
18 Section 3. Section 231.173, Florida Statutes, is
19 amended to read:
20 231.173 Successful experienced out-of-state teachers
21 and administrators.--
22 (1) Notwithstanding the provisions of ss. 231.02,
23 231.15, and 231.17, ~~and 231.172~~ or any other provision of law
24 or rule to the contrary, a successful, experienced, ~~and~~
25 ~~certified~~ out-of-state teacher or administrator qualifies
26 ~~employed in a public school or nonpublic school in this state~~
27 ~~may qualify~~ for a professional certificate if the applicant:
28 (a)(1) Completes the application process, including
29 the filing of a complete set of fingerprints as required by s.
30 231.02.
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1 ~~(b)(2)~~ Holds a valid standard certificate issued by
2 the state where the applicant most recently taught, which
3 standard certificate is equivalent to the professional
4 certificate issued by this state and for which specialization
5 coverage is based on a level of training comparable to that
6 required in this state for the specialization coverage sought
7 by the applicant ~~applicant's area of assignment.~~

8 ~~(c)(3)~~ Documents 5 years of appropriate successful
9 full-time teaching or administrative experience in another
10 state, including 2 continuous years during the 5-year period
11 immediately preceding the date of application for
12 certification.

13 ~~(2)~~ An out-of-state applicant qualifies for a
14 professional certificate if the applicant meets the
15 requirements of paragraphs (1)(a) and (b) and holds a valid
16 certificate issued by the National Board of Professional
17 Teaching Standards.

18 ~~(4)~~ ~~Submits a request for issuance of the professional~~
19 ~~certificate from the superintendent of the employing school~~
20 ~~district or governing authority of the employing developmental~~
21 ~~research school, state-supported school, or nonpublic school~~
22 ~~within the first 120 days of assignment with validation of~~
23 ~~awareness of the standards of professional practice.~~

24 ~~(3)(5)~~ The professional certificate issued in
25 accordance with subsection (1) ~~these provisions~~ shall reflect
26 specialization coverages as follows:

27 (a) Teachers.--An applicant ~~A teacher appointed to an~~
28 ~~academic assignment~~ shall be eligible for the academic
29 coverage in an area in which the teacher is assigned to teach
30 in a public school or nonpublic school in this state or in the
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1 area of the applicant's certification by the National Board of
2 Professional Teaching Standards.

3 (b) Principals.--An individual appointed as an intern
4 or interim principal of a public or nonpublic K-12 school in
5 this state shall be eligible for the educational leadership
6 coverage.

7 (c) Administrators of adult education.--An individual
8 appointed as an administrator of an adult education program at
9 a public or nonpublic school in this state shall be eligible
10 for the administration of adult education coverage.

11 (d) Directors of career education.--An individual
12 appointed as a director of career education at a public or
13 nonpublic school in this state shall be eligible for the
14 director of career education coverage.

15 Section 4. Subsection (2) and paragraph (b) of
16 subsection (3) of section 231.24, Florida Statutes, are
17 amended to read:

18 231.24 Process for renewal of professional
19 certificates.--

20 (2) All professional certificates, except a
21 nonrenewable professional certificate, shall be renewable for
22 successive periods not to exceed 5 years after the date of
23 submission of documentation of completion of the requirements
24 for renewal provided in subsection (3). Only one renewal may
25 be granted during each 5-year validity period of a
26 professional certificate, except that a teacher with national
27 certification from the National Board for Professional
28 Teaching Standards is deemed to meet state renewal
29 requirements for the life of the teacher's national
30 certificate. However, if the renewal application form is not
31 received by the department or by the employing school district

1 before the expiration of the professional certificate, the
2 application form, application fee, and a late fee must be
3 submitted before July 1 of the year following expiration of
4 the certificate in order to renew the professional
5 certificate. The state board shall adopt rules to allow a
6 1-year extension of the validity period of a professional
7 certificate in the event of serious illness, injury, or other
8 extraordinary extenuating circumstances of the applicant. The
9 department shall grant such 1-year extension upon written
10 request by the applicant or by the superintendent of the local
11 school district or the governing authority of a developmental
12 research school, state-supported school, or nonpublic school
13 that employs the applicant.

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

16 (b) In lieu of college course credit or inservice
17 points, the applicant may renew a specialization area by
18 passage of a state board approved subject area test, by
19 completion of the national certification from the National
20 Board for Professional Teaching Standards in that
21 specialization area, or by completion of a department approved
22 summer work program in a business or industry directly related
23 to an area of specialization listed on the certificate. The
24 state board shall adopt rules providing for the approval
25 procedure.

26 Section 5. This act shall take effect July 1, 1998.
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1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 SB's 2156 & 1910

4 The Committee Substitute for Senate Bills 2156 and 1910
5 contains all of the provisions of Senate Bill 2156 with the
6 exception that teachers with National Board of Professional
7 Teaching Standards (NBPTS) certification would not be required
8 to have a teaching assignment in their area of national
9 certification to receive salary subsidies, and includes the
10 following provisions from Senate Bill 1910:

11 Teachers for whom the state paid the applications fee for
12 NBPTS certification who did not complete the
13 certification process or failed to teach in a Florida
14 public school after receiving national certification,
15 would be required to reimburse the state for the
16 application fee. Teachers who completed the program but
17 did not gain national certification, and teachers who did
18 not complete the program due to extenuating circumstances
19 would not be subject to this requirement.

20 Teachers with NBPTS certification would be exempt from Florida
21 professional certificate renewal requirements as long as
22 their national certification was valid.
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