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A bill to be entitled  
An act relating to education; creating s.  
236.08106, F.S., relating to the Excellent  
Teaching Program; providing legislative  
findings and intent; authorizing monetary  
incentives and bonuses for teaching excellence;  
providing for annual allocations to districts;  
providing fee subsidies and conditions for  
repayment of subsidies for participating in the  
certification program of the National Board of  
Professional Teaching Standards; requiring the  
distribution of certain monetary bonuses to  
teachers; providing eligibility criteria;  
requiring release time for certain activities;  
requiring certain district expenditures for  
professional development of teachers; amending  
s. 236.081, F.S.; authorizing categorical  
funding for the Excellent Teaching Program;  
amending s. 231.173, F.S., relating to  
certification of experienced out-of-state  
teachers and administrators; deleting a  
requirement for superintendents to request  
certification; providing for issuance of a  
professional certificate to individuals  
certified by the National Board of Professional  
Teaching Standards; conforming provisions;  
amending s. 231.24, F.S.; authorizing renewal  
of certificates through national certification;  
providing an effective date.

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

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

3           236.08106 Excellent Teaching Program.--

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

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

29           (a) A fee subsidy to be paid by the school district to  
30 the NBPTS on behalf of each individual who is an employee of  
31 the district school board or a public school within that

1 school district, who is certified by the district to have  
2 demonstrated satisfactory teaching performance pursuant to s.  
3 231.29 and, beginning in the school fiscal year 1999-2000, to  
4 have qualified for the district performance-based pay  
5 incentive pursuant to s. 230.23, who satisfies the  
6 prerequisites for participating in the NBPTS certification  
7 program, and who agrees, in writing, to pay 10 percent of the  
8 NBPTS participation fee and to participate in the NBPTS  
9 certification program during the school year for which the fee  
10 subsidy is provided. The fee subsidy for each eligible  
11 participant shall be an amount equal to 90 percent of the fee  
12 charged for participating in the NBPTS certification program,  
13 but not more than \$1,800 per eligible participant. The fee  
14 subsidy is a one-time award and may not be duplicated for any  
15 individual.

16 (b) A portfolio-preparation incentive of \$150 for each  
17 teacher employed by the district school board or a public  
18 school within the district who is participating in the NBPTS  
19 certification program. The portfolio-preparation incentive is  
20 a one-time award paid during the school year for which the  
21 NBPTS fee subsidy is provided.

22 (c) An annual bonus equal to 10 percent of the prior  
23 fiscal year's statewide average salary for classroom teachers  
24 to be paid to each individual who holds NBPTS certification  
25 and is employed by the district school board or by a public  
26 school within that school district. The district school board  
27 shall distribute the annual bonus to each individual who meets  
28 the requirements of this paragraph and who is certified  
29 annually by the district to have demonstrated satisfactory  
30 teaching performance pursuant to s. 231.29 and to have  
31 qualified for the performance-based pay incentive pursuant to

1 s. 230.23. The annual bonus may be paid as a single payment or  
2 divided into not more than three payments.

3 (d) An annual bonus 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 bonus in a single payment following the  
11 completion of all required mentoring and related services for  
12 the year. It is not the intent of the Legislature to remove  
13 excellent teachers from their assigned classrooms, therefore,  
14 credit may not be granted by a school district or public  
15 school for mentoring or related services provided during the  
16 regular school day or during the 196 days of required service  
17 for the school year.

18 (e) The district shall receive an amount equal to 50  
19 percent of the teacher bonuses provided under paragraph (c)  
20 and (d), which shall be used by the district for professional  
21 development of teachers. The district must give priority to  
22 using all funds received pursuant to this paragraph for  
23 professional development of teachers employed at schools  
24 identified as performing at critically low levels.

25  
26 A teacher for whom the state pays the certification fee and  
27 who does not complete the certification program or does not  
28 teach in a public school of this state for a least 1 year  
29 after completing the certification program must repay the  
30 amount of the certification fee to the state. However, a  
31 teacher who completes the certification program but fails to

1 be awarded NBPTS certification is not required to repay the  
2 amount of the certification fee if the teacher meets the  
3 1-year teaching requirement. Repayment is not required of a  
4 teacher who does not complete the certification program or  
5 fails to fulfill the teaching requirement because of the  
6 teacher's death or disability or because of other extenuating  
7 circumstances as determined by the State Board of Education.

8 Section 2. Paragraph (a) of subsection (5) of section  
9 236.081, Florida Statutes, as amended by chapter 97-380, Laws  
10 of Florida, is amended to read:

11 236.081 Funds for operation of schools.--If the annual  
12 allocation from the Florida Education Finance Program to each  
13 district for operation of schools is not determined in the  
14 annual appropriations act or the substantive bill implementing  
15 the annual appropriations act, it shall be determined as  
16 follows:

17 (5) CATEGORICAL PROGRAMS.--The Legislature hereby  
18 provides for the establishment of selected categorical  
19 programs to assist in the development and maintenance of  
20 activities giving indirect support to the programs previously  
21 funded. These categorical appropriations may be funded as  
22 general and transitional categorical programs. It is the  
23 intent of the Legislature that no transitional categorical  
24 program be funded for more than 4 fiscal years from the date  
25 of original authorization. Such programs are as follows:

26 (a) General.--

27 1. Comprehensive school construction and debt service  
28 as provided by law.

29 2. Community schools as provided by law.

30 3. School lunch programs as provided by law.

31 4. Instructional material funds as provided by law.

- 1           5. Student transportation as provided by law.  
2           6. Student development services as provided by law.  
3           7. Diagnostic and learning resource centers as  
4 provided by law.  
5           8. Comprehensive health education as provided by law.  
6           9. Excellent Teaching Program as provided by law.  
7           (b) Transitional.--  
8           1. Bilingual program as provided by law.  
9           Section 3. Section 231.173, Florida Statutes, is  
10 amended to read:  
11           231.173 Successful experienced out-of-state teachers  
12 and administrators.--  
13           (1) Notwithstanding the provisions of ss. 231.02,  
14 231.15, and 231.17, ~~and 231.172~~ or any other provision of law  
15 or rule to the contrary, a successful, experienced, ~~and~~  
16 ~~certified~~ out-of-state teacher or administrator qualifies  
17 ~~employed in a public school or nonpublic school in this state~~  
18 ~~may qualify~~ for a professional certificate if the applicant:  
19           (a)~~(1)~~ Completes the application process, including  
20 the filing of a complete set of fingerprints as required by s.  
21 231.02.  
22           (b)~~(2)~~ Holds a valid standard certificate issued by  
23 the state where the applicant most recently taught, which  
24 standard certificate is equivalent to the professional  
25 certificate issued by this state and for which specialization  
26 coverage is based on a level of training comparable to that  
27 required in this state for the specialization coverage sought  
28 by the applicant ~~applicant's area of assignment.~~  
29           (c)~~(3)~~ Documents 5 years of appropriate successful  
30 full-time teaching or administrative experience in another  
31 state, including 2 continuous years during the 5-year period

1 immediately preceding the date of application for  
2 certification.

3       (2) An out-of-state applicant qualifies for a  
4 professional certificate if the applicant meets the  
5 requirements of paragraphs (1)(a) and (b) and holds a valid  
6 certificate issued by the National Board of Professional  
7 Teaching Standards.

8       ~~(4) Submits a request for issuance of the professional~~  
9 ~~certificate from the superintendent of the employing school~~  
10 ~~district or governing authority of the employing developmental~~  
11 ~~research school, state-supported school, or nonpublic school~~  
12 ~~within the first 120 days of assignment with validation of~~  
13 ~~awareness of the standards of professional practice.~~

14       ~~(3)(5)~~ The professional certificate issued in  
15 accordance with subsection (1)~~these provisions~~ shall reflect  
16 specialization coverages as follows:

17       (a) Teachers.--An applicant ~~A teacher appointed to an~~  
18 ~~academic assignment~~ shall be eligible for the academic  
19 coverage in an area in which the teacher is assigned to teach  
20 in a public school or nonpublic school in this state or in the  
21 area of the applicant's certification by the National Board of  
22 Professional Teaching Standards.

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

27       (c) Administrators of adult education.--An individual  
28 appointed as an administrator of an adult education program at  
29 a public or nonpublic school in this state shall be eligible  
30 for the administration of adult education coverage.  
31

1 (d) Directors of career education.--An individual  
2 appointed as a director of career education at a public or  
3 nonpublic school in this state shall be eligible for the  
4 director of career education coverage.

5 Section 4. Subsection (2) and paragraph (b) of  
6 subsection (3) of section 231.24, Florida Statutes, are  
7 amended to read:

8 231.24 Process for renewal of professional  
9 certificates.--

10 (2) All professional certificates, except a  
11 nonrenewable professional certificate, shall be renewable for  
12 successive periods not to exceed 5 years after the date of  
13 submission of documentation of completion of the requirements  
14 for renewal provided in subsection (3). Only one renewal may  
15 be granted during each 5-year validity period of a  
16 professional certificate, except that a teacher with national  
17 certification from the National Board for Professional  
18 Teaching Standards is deemed to meet state renewal  
19 requirements for the life of the teacher's national  
20 certificate. However, if the renewal application form is not  
21 received by the department or by the employing school district  
22 before the expiration of the professional certificate, the  
23 application form, application fee, and a late fee must be  
24 submitted before July 1 of the year following expiration of  
25 the certificate in order to renew the professional  
26 certificate. The state board shall adopt rules to allow a  
27 1-year extension of the validity period of a professional  
28 certificate in the event of serious illness, injury, or other  
29 extraordinary extenuating circumstances of the applicant. The  
30 department shall grant such 1-year extension upon written  
31 request by the applicant or by the superintendent of the local



1 school district or the governing authority of a developmental  
2 research school, state-supported school, or nonpublic school  
3 that employs the applicant.

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

6 (b) In lieu of college course credit or inservice  
7 points, the applicant may renew a specialization area by  
8 passage of a state board approved subject area test, by  
9 completion of the national certification from the National  
10 Board for Professional Teaching Standards in that  
11 specialization area, or by completion of a department approved  
12 summer work program in a business or industry directly related  
13 to an area of specialization listed on the certificate. The  
14 state board shall adopt rules providing for the approval  
15 procedure.

16 Section 5. This act shall take effect July 1, 1998.  
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