

By the Committee on Education and Senator Cowin

304-2074A-98

1 A bill to be entitled
2 An act relating to education; amending s.
3 231.02, F.S., relating to qualifications of
4 district school system personnel; deleting
5 certain provisions relating to background
6 check; amending s. 231.096, F.S.; revising
7 provisions relating to teaching out-of-field;
8 amending s. 231.15, F.S.; providing State Board
9 of Education duties relating to teacher
10 certification; amending s. 231.17, F.S.;
11 revising provisions relating to qualification
12 for a temporary certificate; amending s.
13 231.1725, F.S.; deleting provisions relating to
14 employment of noncertificated teachers in
15 critical teacher shortage areas; providing for
16 protection of laws for students performing
17 clinical field experience; amending s. 231.261,
18 F.S.; providing rulemaking authority of the
19 Education Practices Commission; amending s.
20 231.263, F.S.; clarifying provisions relating
21 to the recovery network program for educators;
22 amending s. 231.47, F.S.; conforming a
23 cross-reference; amending s. 231.546, F.S.,
24 relating to the Education Standards Commission;
25 deleting duties relating to teacher education
26 centers; amending s. 231.600, F.S.; revising
27 requirements of the school district
28 professional development system; creating s.
29 231.6002, F.S.; requiring school districts to
30 develop professional development plans;
31 providing for stipends and funding; providing

1 for rules; amending s. 231.601, F.S.; deleting
2 provisions relating to teacher education center
3 purposes; amending s. 231.625, F.S.; deleting
4 provisions relating to a teacher referral and
5 recruitment center; requiring establishment of
6 a teacher recruitment and retention services
7 office; amending s. 231.6255, F.S.; revising
8 provisions relating to the Christa McAuliffe
9 Ambassador for Education Program; creating s.
10 231.63, F.S.; creating the Florida Educator
11 Hall of Fame; providing for nominations,
12 recommendations, and selection of members;
13 amending s. 20.15, F.S.; creating additional
14 divisions of the Department of Education;
15 amending s. 231.262, F.S.; providing a
16 show-cause process for violations of probation
17 imposed by the Education Practices Commission;
18 amending s. 231.28, F.S.; providing a
19 show-cause process for violation of an order of
20 the Education Practices Commission; providing
21 authority for additional penalties; repealing
22 s. 231.613, F.S., relating to inservice
23 training institutes; providing an effective
24 date.

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

27
28 Section 1. Subsection (2) of section 231.02, Florida
29 Statutes, is amended to read:

30 231.02 Qualifications of personnel.--
31

1 (2)(a) Instructional and noninstructional personnel
2 who are hired to fill positions requiring direct contact with
3 students in any district school system or laboratory school
4 shall, upon employment, file a complete set of fingerprints
5 taken by an authorized law enforcement officer or an employee
6 of the school or district who is trained to take fingerprints.
7 These fingerprints shall be submitted to the Department of Law
8 Enforcement for state processing and to the Federal Bureau of
9 Investigation for federal processing. ~~School districts which~~
10 ~~have authorized terminal access to the Florida Crimes~~
11 ~~Information Telecommunications Network or the National Crime~~
12 ~~Information Center may use this equipment for the background~~
13 ~~check required by this subsection.~~ Such new employees shall be
14 on probationary status pending fingerprint processing and
15 determination of compliance with standards of good moral
16 character. Employees found through fingerprint processing to
17 have been convicted of a crime involving moral turpitude shall
18 not be employed in any position requiring direct contact with
19 students. Probationary employees terminated because of their
20 criminal record shall have the right to appeal such decisions.
21 The cost of the fingerprint processing may be borne by the
22 school board or the employee.

23 ~~(b) Any provision of law notwithstanding, by January~~
24 ~~1, 1997, for personnel currently required to be certified~~
25 ~~under s. 231.17, and January 1, 1998, for all other personnel~~
26 ~~currently employed by any district school system or any other~~
27 ~~public school who have not been fingerprinted and screened in~~
28 ~~the same manner outlined in paragraph (a) shall submit a~~
29 ~~complete set of fingerprints taken by an authorized law~~
30 ~~enforcement officer or an employee of the school or district~~
31 ~~who is trained to take fingerprints. The fingerprints shall~~

1 ~~be submitted to the Department of Law Enforcement for state~~
2 ~~processing and the Federal Bureau of Investigation for federal~~
3 ~~processing. School districts which have authorized terminal~~
4 ~~access to the Florida Crimes Telecommunications Network or the~~
5 ~~National Crime Information Center may use that equipment for~~
6 ~~the background check required by this paragraph. Employees~~
7 ~~found through fingerprint processing to have been convicted of~~
8 ~~a crime involving moral turpitude shall not be employed in any~~
9 ~~position requiring direct contact with students. The cost of~~
10 ~~the fingerprint processing may be borne by the school district~~
11 ~~or the individual employee at a cost not to exceed \$24.00.~~
12 ~~Any additional cost shall be borne by the Department of~~
13 ~~Education. Each local school board and laboratory school shall~~
14 ~~develop policies necessary for the implementation of this~~
15 ~~subsection. The Commissioner of Education shall provide~~
16 ~~guidelines regarding standards of good moral character for use~~
17 ~~in the development of these policies. Within these standards,~~
18 ~~the lack of good moral character shall be defined as having~~
19 ~~been convicted of a crime involving moral turpitude.~~

20 (b)(c) Personnel who have been fingerprinted or
21 screened pursuant to this subsection and who have not been
22 unemployed for more than 90 days shall not be required to be
23 refingerprinted or rescreened in order to comply with the
24 requirements of this subsection.

25 Section 2. Section 231.096, Florida Statutes, is
26 amended to read:

27 231.096 Teacher teaching out-of-field;
28 assistance.--Each school district shall have a plan to assist
29 any teacher teaching out-of-field, and priority consideration
30 in professional development activities shall be given to
31 teachers who are teaching out-of-field ~~in summer inservice~~

1 ~~institutes. A district may include in its annual summer~~
2 ~~inservice institute plan a section that provides for~~
3 ~~institutes in instructional areas identified as district~~
4 ~~critical teacher shortage areas and approved by the Department~~
5 ~~of Education.~~

6 Section 3. Section 231.15, Florida Statutes, is
7 amended to read:

8 231.15 Positions for which certificates required.--

9 (1) The State Board of Education shall have authority
10 to classify school services, designate the certification
11 subject areas, establish competencies and certification
12 requirements for all school-based personnel, and ~~to~~ prescribe
13 rules in accordance with which the professional, temporary,
14 and part-time certificates shall be issued by the Department
15 of Education to applicants ~~school employees~~ who meet the
16 standards prescribed by such rules for their class of service.
17 Each person employed or occupying a position as school
18 supervisor, principal, teacher, library media specialist,
19 school counselor, athletic coach, or other position in which
20 the employee serves in an instructional capacity, in any
21 public school of any district of this state shall hold the
22 certificate required by law and by rules of the state board in
23 fulfilling the requirements of the law for the type of service
24 rendered. However, the state board shall adopt rules
25 authorizing school boards to employ selected noncertificated
26 personnel to provide instructional services in the
27 individuals' fields of specialty or to assist instructional
28 staff members as teacher aides. Each person who is employed
29 and renders service as an athletic coach in any public school
30 in any district of this state shall hold a valid part-time,
31 temporary, or professional certificate. Each person employed

1 as a school nurse shall hold a license to practice nursing in
2 the state, and each person employed as a school physician
3 shall hold a license to practice medicine in the state. The
4 provisions of this subsection shall not apply to any athletic
5 coach who renders service in a voluntary capacity and who is
6 not employed by any public school of any district in this
7 state.

8 (2) A commissioned or noncommissioned military officer
9 who is an instructor of junior reserve officer training shall
10 be exempt from requirements for teacher certification, except
11 for the filing of fingerprints pursuant to s. 231.02 ~~231.1712~~,
12 if he or she meets the following qualifications:

13 (a) Is retired from active military duty with at least
14 20 years of service and draws retirement pay or is retired, or
15 transferred to retired reserve status, with at least 20 years
16 of active service and draws retirement pay or retainer pay.

17 (b) Satisfies criteria established by the appropriate
18 military service for certification by the service as a junior
19 reserve officer training instructor.

20 (c) Has an exemplary military record.

21
22 If such instructor is assigned instructional duties other than
23 junior reserve officer training, he or she shall hold the
24 certificate required by law and rules of the state board for
25 the type of service rendered.

26 Section 4. Paragraph (c) of subsection (3) of section
27 231.17, Florida Statutes, is amended to read:

28 231.17 Official statements of eligibility and
29 certificates granted on application to those meeting
30 prescribed requirements.--

31 (3) TEMPORARY CERTIFICATE.--

1 (c) To qualify for a temporary certificate, the
2 applicant must:

3 1. File a written statement under oath that the
4 applicant subscribes to and will uphold the principles
5 incorporated in the Constitutions of the United States and of
6 the State of Florida.

7 2. Be at least 18 years of age.

8 3. Document receipt of a bachelor's or higher degree
9 from an accredited institution of higher learning, as defined
10 by state board rule. Credits and degrees awarded by a newly
11 created Florida state institution that is part of the State
12 University System shall be considered as granted by an
13 accredited institution of higher learning during the first 2
14 years of course offerings while accreditation is gained.
15 Degrees from foreign institutions, or degrees from other
16 institutions of higher learning that are in the accreditation
17 process, may be validated by a process established in state
18 board rule. Once accreditation is gained, the institution
19 shall be considered as accredited beginning with the 2-year
20 period prior to the date of accreditation.The bachelor's or
21 higher degree may not be required in areas approved in rule by
22 the State Board of Education as nondegreed areas. Each
23 applicant seeking initial certification must have attained at
24 least a 2.5 overall grade point average on a 4.0 scale in the
25 applicant's major field of study. The applicant may document
26 the required education by submitting official transcripts from
27 institutions of higher education or by authorizing the direct
28 submission of such official transcripts through established
29 electronic network systems.

30 ~~4. Meet such academic and professional requirements~~
31 ~~based on credentials certified by standard institutions of~~

1 ~~higher learning, including any institutions of higher learning~~
2 ~~in this state accredited by an accrediting association that is~~
3 ~~a member of the Commission on Recognition of Postsecondary~~
4 ~~Accreditation, as prescribed by the state board.~~

5 ~~4.5.~~ Be competent and capable of performing the
6 duties, functions, and responsibilities of a teacher.

7 ~~5.6.~~ Be of good moral character.

8
9 Rules adopted pursuant to this section shall provide for the
10 review and acceptance of credentials from foreign institutions
11 of higher learning.

12 Section 5. Section 231.1725, Florida Statutes, is
13 amended to read:

14 231.1725 Employment of substitute teachers, teachers
15 of adult education, and nondegreed teachers of career
16 education; students performing clinical field experience, ~~and~~
17 ~~noncertificated teachers in critical teacher shortage areas.--~~

18 (1) Notwithstanding the provisions of ss. 231.02,
19 231.15, and 231.17, ~~and 231.172~~ or any other provision of law
20 or rule to the contrary, each school board shall establish the
21 minimal qualifications for:

22 (a) Substitute teachers to be employed pursuant to s.
23 231.47. The qualifications shall require the filing of a
24 complete set of fingerprints in the same manner as required by
25 s. 231.02.

26 (b) Part-time and full-time teachers in adult
27 education programs. The qualifications shall require the
28 filing of a complete set of fingerprints in the same manner as
29 required by s. 231.02. Faculty employed solely to conduct
30 postsecondary instruction may be exempted from this
31 requirement.

1 (c) Part-time and full-time nondegreed teachers of
2 vocational programs. Qualifications shall be established for
3 agriculture, business, health occupations, family and consumer
4 sciences, industrial, marketing, and public service education
5 teachers, based primarily on successful occupational
6 experience rather than academic training. The qualifications
7 for such teachers shall require:

8 1. The filing of a complete set of fingerprints in the
9 same manner as required by s. 231.02. Faculty employed solely
10 to conduct postsecondary instruction may be exempted from this
11 requirement.

12 2. Documentation of education and successful
13 occupational experience including documentation of:

14 a. A high school diploma or the equivalent.

15 b. Completion of 6 years of full-time successful
16 occupational experience or the equivalent of part-time
17 experience in the teaching specialization area. Alternate
18 means of determining successful occupational experience may be
19 established by the school board.

20 c. Completion of career education training conducted
21 through the local school district inservice master plan.

22 d. For full-time teachers, completion of professional
23 education training in teaching methods, course construction,
24 lesson planning and evaluation, and teaching special needs
25 students. This training may be completed through coursework
26 from a standard institution or an approved district teacher
27 education program.

28 e. Demonstration of successful teaching performance.

29 ~~(d) Part-time and full-time noncertificated teachers~~
30 ~~in critical teacher shortage areas. The qualifications shall~~
31 ~~require the filing of fingerprints in the same manner as~~

1 ~~required by s. 231.02 and shall be based on academic training~~
2 ~~in the essential generic and specialization competencies of~~
3 ~~the instructional assignment. The school board shall be~~
4 ~~responsible for determining critical teacher shortage areas~~
5 ~~within the school district. Each school board shall annually~~
6 ~~report the number, qualifications, and areas of assignment of~~
7 ~~all noncertificated teachers employed pursuant to this~~
8 ~~paragraph during each school year.~~

9 (2) Substitute, adult education, and nondegreed career
10 education teachers ~~and noncertificated teachers in critical~~
11 ~~teacher shortage areas~~ who are employed pursuant to this
12 section shall have the same rights and protection of laws as
13 certified teachers.

14 (3) A student who is enrolled in a state-approved
15 teacher preparation program in an institution of higher
16 education approved by rules of the State Board of Education
17 and who is jointly assigned by such institution of higher
18 education and a school board to perform a clinical field
19 experience under the direction of a regularly employed and
20 certified educator shall be accorded the same protection of
21 laws as that accorded the certified educator while serving
22 such supervised clinical field experience, except for the
23 right to bargain collectively with employees of the school
24 board.

25 Section 6. Paragraph (d) of subsection (7) of section
26 231.261, Florida Statutes, is amended to read:

27 231.261 Education Practices Commission;
28 organization.--

29 (7) The duties and responsibilities of the commission
30 are to:

31

1 (d) Have rulemaking authority pursuant to chapter 120
2 to establish procedures for operations and administration,
3 disciplinary proceedings, indexing, implementation of orders,
4 and retention of records, and to establish disciplinary
5 guidelines.

6 Section 7. Subsections (9) and (12) of section
7 231.263, Florida Statutes, are amended to read:

8 231.263 Recovery network program for educators.--

9 (9) An approved treatment provider must disclose to
10 the recovery network program all information in its possession
11 which relates to a person's impairment and participation in
12 the treatment program. Information obtained under this
13 subsection is confidential and exempt from s. 119.07(1) and s.
14 24(a), Art. I of the State Constitution. This exemption is
15 necessary to promote the rehabilitation of impaired educators
16 ~~teachers~~ and to protect the privacy of treatment program
17 participants. The failure to provide such information to the
18 program is grounds for withdrawal of approval of a treatment
19 provider. Medical records provided to the program may not be
20 disclosed to any other person, except as authorized by law.

21 (12) The State Board of Education shall include in the
22 fees established pursuant to s. 231.30 ~~s. 231.15(3)~~ an amount
23 sufficient to implement the provisions of this section. The
24 state board shall by rule establish procedures and additional
25 standards for:

26 (a) Approving treatment providers, including
27 appropriate qualifications and experience, amount of
28 reasonable fees and charges, and quality and effectiveness of
29 treatment programs provided.

30 (b) Admitting eligible persons to the program.

31

1 (c) Evaluating impaired persons by the recovery
2 network program.

3 Section 8. Section 231.47, Florida Statutes, is
4 amended to read:

5 231.47 Substitute teachers.--Each school board shall
6 adopt rules prescribing the compensation of, and the procedure
7 for employment of, substitute teachers. Such procedure for
8 employment shall include, but not be limited to, the filing of
9 a complete set of fingerprints as required in s. 231.02
10 ~~231.1712~~.

11 Section 9. Subsection (1) of section 231.546, Florida
12 Statutes, is amended to read:

13 231.546 Education Standards Commission; powers and
14 duties.--

15 (1) The Education Standards Commission shall have the
16 duty to:

17 (a) Recommend to the state board desirable standards
18 relating to programs and policies for the development,
19 certification and certification extension, improvement, and
20 maintenance of competencies of educational personnel,
21 including teacher interns.

22 (b) Recommend to the state board standards for
23 approval of preservice teacher education programs.

24 (c) Plan and conduct an annual review of human
25 resources studies regarding teaching personnel and report the
26 findings to the state board.

27 (d) Recommend to the state board objective,
28 independently verifiable standards of measurement and
29 evaluation of teaching competence.

30 (e) Recommend to the state board alternative ways to
31 demonstrate qualifications for certification which assure

1 fairness and flexibility while protecting against
2 incompetence.

3 ~~(f) Recommend to the state board the most feasible~~
4 ~~locations for teacher education centers from proposals~~
5 ~~submitted by school districts and universities.~~

6 ~~(g) Recommend to the state board guidelines for the~~
7 ~~expenditure of funds for teacher education centers and~~
8 ~~approval of teacher education center programs.~~

9 (f)~~(h)~~ Recommend critical state priorities for
10 preservice and inservice teacher training such as
11 understanding diverse student populations, working in a
12 changing workplace, and understanding subject matter and
13 instruction. The commission shall recommend standards for
14 measuring evidence of training in these priorities for
15 continuing program approval for preservice teacher education,
16 initial teacher certification and certificate renewal, and
17 staff development activities.

18 (g)~~(i)~~ Evaluate the progress of school community
19 professional development systems as provided in s. 231.600.

20 (h)~~(j)~~ Perform such other duties as may be required to
21 achieve the purposes of this section and s. 231.545.

22 Section 10. Paragraph (b) of subsection (4) and
23 subsection (6) of section 231.600, Florida Statutes, are
24 amended to read:

25 231.600 School Community Professional Development
26 Act.--

27 (4) The Department of Education, school districts,
28 schools, and public colleges and universities share the
29 responsibilities described in this section. These
30 responsibilities include the following:

31

1 (b) Each district school board shall consult with
2 teachers and representatives of college and university
3 faculty, community agencies, and other interested citizen
4 groups to establish policy and procedures to guide the
5 operation of the district professional development program.

6 The professional development system must:

7 1. Require that schools identify student needs that
8 can be met by improved professional performance, and assist
9 schools in making these identifications;

10 2. Provide training activities coupled with followup
11 support that is ~~and other professional development~~ appropriate
12 to accomplish district-level and school-level improvement
13 goals and standards; and

14 3. Provide for systematic consultation with regional
15 and state personnel designated to provide technical assistance
16 and evaluation of local professional development programs.

17 (6) The Department of Education shall design methods
18 by which the state and district school boards may evaluate and
19 improve the professional development system. The evaluation
20 must include an annual assessment of data that indicate
21 progress or lack of progress of all students ~~whose needs were~~
22 ~~identified as most critical to improved professional~~
23 ~~development, including needs of students with disabilities,~~
24 ~~students having limited proficiency in English, and~~
25 ~~low-achieving student populations.~~ If the review of data
26 indicates an achievement level that is unusual, the department
27 may investigate the causes of the success or lack of success,
28 may provide technical assistance, and may require the school
29 district to employ a different approach to professional
30 development. The department shall report annually to the
31 State Board of Education and the Legislature any school

1 district that, in the determination of the department, has
2 failed to provide an adequate professional development system.
3 This report must include the results of the department's
4 investigation and of any intervention provided.

5 Section 11. Section 231.6002, Florida Statutes, is
6 created to read:

7 231.6002 Teacher professional development; plans;
8 stipends.--

9 (1) The Legislature finds that there is a need for
10 more time for teachers in the public schools in this state to
11 support continuing professional growth that is directly
12 connected to student learning. School improvement that is
13 dedicated to growth in student achievement requires ongoing
14 training with essential followup support for teachers. It is
15 the intent of the Legislature to establish regularly scheduled
16 professional development for teachers outside of the
17 instructional day that is focused on the improvement of
18 student learning, and to provide funds for stipends for
19 teachers who participate in these extended professional
20 development offerings.

21 (2) The Department of Education shall create a program
22 to distribute funds for teacher stipend dollars to school
23 districts that provide matching professional growth time and
24 that, at a minimum, meet the following criteria:

25 (a) Submit a professional development plan to the
26 Department of Education that meets the guidelines to be
27 established by the department, including, but not limited to:

28 1. A description of the specific activities that will
29 be provided during regularly scheduled stipended and matching
30 professional development time.

31

1 2. A demonstrated focus on instruction and improved
2 student learning for each professional development activity
3 delivered during stipended and matching professional
4 development time.

5 3. Procedures to evaluate the effectiveness of the
6 professional development activities on increased student
7 achievement.

8 4. Plans for providing on-site followup support to the
9 professional development activities.

10 (b) Pay a stipend for each day, or for designated
11 professional development time in increments equivalent to a
12 day, per teacher, not to exceed the equivalent of two stipend
13 days annually.

14 (c) Establish matching professional development time
15 equal to the designated paid professional development time
16 that is outside the required 180 student instructional days
17 and that is focused on instructional practices and increased
18 student learning.

19 (d) Require each teacher who is paid a stipend to have
20 fully participated in the designated professional development
21 activities.

22 (3) Funding for the professional development stipend
23 dollars pursuant to this section shall be provided annually in
24 the General Appropriations Act.

25 (4) This section shall be implemented only to the
26 extent specifically funded and authorized by law.

27 (5) The State Board of Education shall adopt rules
28 pursuant to chapter 120 to review and approve teacher
29 professional development programs.

30 Section 12. Subsection (4) of section 231.601, Florida
31 Statutes, is amended to read:

1 231.601 Purposes, intent.--

2 (4) The responsibility for operating programs for
3 preservice and inservice teacher education is assigned jointly
4 to the colleges and universities, to the district school
5 boards, and to practicing educators. Effective collaboration
6 among school districts, postsecondary institutions, and
7 practicing educators is essential to improving teaching in
8 Florida's ~~elementary and secondary~~ schools. ~~Among the~~
9 ~~purposes of the teacher education centers shall be:~~

10 ~~(a) To facilitate school district inservice teacher~~
11 ~~education programs for instructional personnel.~~

12 ~~(b) To respond to state, national, and district policy~~
13 ~~and program priorities.~~

14 ~~(c) To provide opportunities for district school~~
15 ~~educators to interact with faculty and staff of the colleges~~
16 ~~and universities in order to enhance the preservice and~~
17 ~~continuing education of instructional personnel.~~

18 Section 13. Section 231.625, Florida Statutes, is
19 amended to read:

20 231.625 Teacher ~~shortage~~ recruitment and retention
21 referral.--

22 (1) The Department of Education, ~~through the Center~~
23 ~~for Career Development Services~~, in cooperation with teacher
24 organizations, and district personnel offices, and colleges of
25 education directors, shall ~~expand its career information~~
26 ~~system to~~ concentrate on the recruitment of qualified teachers
27 ~~in teacher shortage areas.~~

28 (2) The Department of Education, ~~through the Center~~
29 ~~for Career Development Services~~, shall establish a teacher
30 ~~referral and recruitment~~ and retention services office center
31 which shall:

- 1 (a) Advertise teacher positions in targeted states
2 ~~with declining student enrollments.~~
- 3 (b) Advertise in major newspapers, national
4 professional publications, and other professional publications
5 and in ~~graduate~~ schools of education.
- 6 (c) Utilize state and ~~a~~ nationwide toll-free numbers
7 ~~number and a central post office box.~~
- 8 (d) Develop standardized resumes for teacher applicant
9 data.
- 10 (e) Conduct periodic communications with district
11 ~~superintendents and~~ personnel directors regarding ~~new~~
12 applicants.
- 13 (f) Provide district access to the applicant database
14 by computer or telephone.
- 15 (g) Develop and distribute promotional materials
16 related to teaching as a career.
- 17 (h) Publish and distribute information pertaining to
18 employment opportunities, application procedures, teacher
19 certification, and teacher salaries ~~and benefits for beginning~~
20 ~~and continuing teachers.~~
- 21 (i) Provide ~~Publish~~ information related to alternative
22 certification procedures.
- 23 (j) Develop and sponsor the Florida Future Educator of
24 America Program ~~clubs~~ throughout the state.
- 25 (k) Review and recommend to the Legislature and school
26 districts incentives for attracting teachers to this state.
- 27 (3) The Office of Teacher Recruitment and Retention
28 Services ~~teacher referral and recruitment center~~, in
29 cooperation with ~~teacher organizations and~~ district personnel
30 offices ~~directors~~, shall sponsor a ~~an annual~~ job fair in a
31 central part of the state to match in-state educators and

1 out-of-state educators with teaching opportunities in this
2 state.

3 Section 14. Section 231.6255, Florida Statutes, is
4 amended to read:

5 231.6255 Christa McAuliffe Ambassador for Education
6 Program.--

7 (1) The Legislature recognizes that Florida continues
8 to face teacher shortages ~~faces a severe shortage of teachers~~
9 and that fewer young people consider teaching as a career. It
10 is the intent of the Legislature to promote the positive and
11 rewarding aspects of being a teacher, to encourage more
12 individuals to become teachers, and to provide annual
13 sabbatical support for outstanding Florida teachers to serve
14 as goodwill ambassadors for education. The Legislature
15 further wishes to honor the memory of Christa McAuliffe, who
16 epitomized the challenge and inspiration that teaching can be.

17 (2) There is established the Christa McAuliffe
18 Ambassador for Education Program to provide salary, travel,
19 and other related expenses annually for an outstanding Florida
20 teacher to promote the positive aspects of teaching as a
21 career. The goals of the program are to:

22 (a) Enhance the stature of teachers and the teaching
23 profession.

24 (b) Promote the importance of quality education and
25 teaching for our future.

26 (c) Inspire and attract talented ~~young~~ people to
27 become teachers.

28 (d) Provide information regarding Florida's
29 scholarship and loan programs related to teaching.

30 (e) Promote the teaching profession within community
31 and business groups.

1 (f) Provide information ~~regarding Florida's~~
2 ~~alternative certification program~~ to retired military
3 personnel and other individuals who might consider teaching as
4 a second career.

5 (g) Work with and represent the Office of Teacher
6 Recruitment and Retention Services ~~teacher referral and~~
7 ~~recruitment center~~, as needed.

8 (h) Work with and encourage the efforts of school and
9 district teachers of the year.

10 (i) Support the activities of the Florida Future
11 Educator ~~Teacher~~ of America Program ~~clubs~~.

12 (j) Represent Florida teachers at business, trade,
13 education, and other conferences and meetings.

14 (k) Promote the teaching profession in other ways
15 related to the teaching responsibilities, background
16 experiences, and aspirations of the Ambassador for Education.

17 (3) The Teacher of the Year shall serve as the
18 Ambassador for Education, ~~except that for the first 2 years,~~
19 ~~Florida's NASA Teachers in Space shall also serve as~~
20 ~~Ambassadors for Education.~~ If the Teacher of the Year is
21 unable to serve as the Ambassador for Education, the first
22 runner-up shall serve in his or her place. The Department of
23 Education ~~Each district school board~~ shall establish
24 application and selection procedures for determining an annual
25 teacher of the year. Applications and selection criteria shall
26 be developed and distributed annually by the Department of
27 Education to all school districts.The Commissioner of
28 Education shall establish a selection committee which assures
29 representation from teacher organizations, administrators, and
30 parents to select the Teacher of the Year and Ambassador for
31 Education from among the district teachers of the year.

1 ~~Selection criteria shall be developed and distributed annually~~
2 ~~to all school districts.~~

3 (4)(a) The Department of Education and the Office of
4 Teacher Recruitment and Retention Services, ~~through the Center~~
5 ~~for Career Development Services and in conjunction with the~~
6 ~~teacher referral and recruitment center~~, shall administer the
7 program.

8 (b) The Commissioner of Education shall pay an annual
9 salary, fringe benefits, travel costs, and other costs
10 associated with administering the program.

11 (c) The Ambassador for Education shall serve for 1
12 year, from July 1 to June 30, and shall be assured of
13 returning to his or her teaching position upon completion of
14 the program. The ambassador will not have a break in
15 creditable or continuous service or employment for the period
16 of time in which he or she participates in the program.

17 Section 15. Section 231.63, Florida Statutes, is
18 created to read:

19 231.63 Florida Educator Hall of Fame.--

20 (1) It is the intent of the Legislature to recognize
21 and honor those persons, living or dead, who have made
22 significant contributions to education in this state.

23 (2)(a) There is hereby established the Florida
24 Educator Hall of Fame. The Florida Educator Hall of Fame shall
25 be located in an area on the Plaza Level of the Capitol
26 Building.

27 (b) The Florida Education Foundation shall make a
28 recommendation for the design and theme for the Florida
29 Educator Hall of Fame. The Commissioner of Education, in
30 consultation with the Secretary of Management Services, shall
31 approve the foundation's recommendation.

1 (c) Each person who is selected as a member shall have
2 a plaque placed in the Florida Educator Hall of Fame. The
3 plaque shall designate the member's particular discipline or
4 contribution and shall set forth vital information relating to
5 the member. Each member shall also receive a standardized
6 memento of the member's selection.

7 (3) The Florida Education Foundation shall accept
8 nominations annually for persons to be recommended as members
9 of the Florida Educator Hall of Fame. Floridians who have made
10 a significant contribution to education in this state, as
11 determined and documented by the Florida Education Foundation,
12 shall be eligible for membership. The foundation shall
13 recommend to the Commissioner of Education persons to be named
14 as members of the Florida Educator Hall of Fame.

15 (4) In the first year, the Commissioner of Education
16 shall name no more than 10 members to the Florida Educator
17 Hall of Fame. Thereafter, the commissioner shall name no more
18 than four members to the Florida Educator Hall of Fame in any
19 1 year.

20 (5) The Commissioner of Education and the Florida
21 Education Foundation shall develop and adopt written policies
22 to carry out the purposes of this section, including
23 procedures to accept nominations, make recommendations for
24 selection of members, provide recipient's travel expenses, and
25 provide funding for the Florida Educator Hall of Fame.

26 (6) The Commissioner of Education may annually request
27 an appropriation from the Legislature sufficient to carry out
28 the purposes of this section. The Florida Education Foundation
29 may also provide funds to cover any or all expenses related to
30 the Florida Educator Hall of Fame.

31

1 Section 16. Subsection (3) of section 20.15, Florida
2 Statutes, is amended to read:

3 20.15 Department of Education.--There is created a
4 Department of Education.

5 (3) DIVISIONS.--

6 ~~(a)~~ The following divisions of the Department of
7 Education are established:

8 ~~(a)1.~~ Division of Community Colleges.

9 ~~(b)2.~~ Division of Public Schools and Community
10 Education.

11 ~~(c)3.~~ Division of Universities.

12 ~~(d)4.~~ Division of Workforce Development.

13 ~~(e)5.~~ Division of Human Resource Development.

14 (f) Division of Administration.

15 (g) Division of Financial Services.

16 (h) Division of Support Services.

17 ~~(b) The Commissioner of Education is authorized to~~
18 ~~establish within the Department of Education a Division of~~
19 ~~Administration.~~

20 Section 17. Present subsection (7) of section 231.262,
21 Florida Statutes, is redesignated as subsection (8) and a new
22 subsection (7) is added to that section to read:

23 231.262 Complaints against teachers and
24 administrators; procedure; penalties.--

25 (7) Violations of the provisions of probation shall
26 result in an order to show cause issued by the Clerk of the
27 Education Practices Commission. Upon failure of the
28 probationer, at the time and place stated in the order, to
29 show cause satisfactorily to the Education Practices
30 Commission why a penalty for violating probation should not be
31 imposed, the Education Practices Commission shall impose

1 whatever penalty is appropriate as established in s.
2 231.28(6). Any probation period will be tolled when an order
3 to show cause has been issued until the issue is resolved by
4 the Education Practices Commission.

5 Section 18. Subsection (1) of section 231.28, Florida
6 Statutes, is amended and subsection (6) is added to that
7 section to read:

8 231.28 Education Practices Commission; authority to
9 discipline.--

10 (1) The Education Practices Commission shall have
11 authority to suspend the teaching certificate of any person as
12 defined in s. 228.041(9) or (10) for a period of time not to
13 exceed 3 years, thereby denying that person the right to teach
14 for that period of time, after which the holder may return to
15 teaching as provided in subsection (4); to revoke the teaching
16 certificate of any person, thereby denying that person the
17 right to teach for a period of time not to exceed 10 years,
18 with reinstatement subject to the provisions of subsection
19 (4); to revoke permanently the teaching certificate of any
20 person; to suspend the teaching certificate, upon order of the
21 court, of any person found to have a delinquent child support
22 obligation; or to impose any other penalty provided by law,
23 provided it can be shown that such person:

24 (a) Obtained the teaching certificate by fraudulent
25 means;

26 (b) Has proved to be incompetent to teach or to
27 perform duties as an employee of the public school system or
28 to teach in or to operate a private school;

29 (c) Has been guilty of gross immorality or an act
30 involving moral turpitude;

31

1 (d) Has had a teaching certificate revoked in another
2 state;

3 (e) Has been convicted of a misdemeanor, felony, or
4 any other criminal charge, other than a minor traffic
5 violation;

6 (f) Upon investigation, has been found guilty of
7 personal conduct which seriously reduces that person's
8 effectiveness as an employee of the school board;

9 (g) Has breached a contract, as provided in s.
10 231.36(2);

11 (h) Has been the subject of a court order directing
12 the Education Practices Commission to suspend the certificate
13 as a result of a delinquent child support obligation;

14 (i) Has violated the Principles of Professional
15 Conduct for the Education Profession prescribed by State Board
16 of Education rules; ~~or~~

17 (j) Has otherwise violated the provisions of law, the
18 penalty for which is the revocation of the teaching
19 certificate; or-

20 (k) Has violated any order of the Education Practices
21 Commission.

22 (6) When an individual violates the provisions of a
23 settlement agreement enforced by a final order of the
24 Education Practices Commission an order to show cause may be
25 issued by the Clerk of the Commission. The order shall require
26 the individual to appear before the commission to show cause
27 why further penalties should not be levied against the
28 individual's certificate pursuant to the authority provided to
29 the Education Practices Commission in subsection (1). The
30 Education Practices Commission shall have the authority to
31 fashion further penalties under the authority of subsection

1 (1) as deemed appropriate when the show cause order is
2 responded to by the individual.

3 Section 19. Section 231.613, Florida Statutes, is
4 repealed.

5 Section 20. This act shall take effect upon becoming a
6 law.

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8 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
9 COMMITTEE SUBSTITUTE FOR
10 SB 2258

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11 Proposed statutory changes that would authorize the "banking"
12 of ESOL training hours for purposes of renewing teaching
13 certificates, and the requirement that the State Board of
14 Education adopt rules for reviewing and approving school
15 districts' instructional personnel assessment systems have
16 been deleted from the committee substitute. These two changes
17 are considered rule reauthorization initiatives and will be
18 included in a RAB bill.

15

16 The specific amount of \$50 per day for teacher stipends is
17 removed from the newly created section of law regarding
18 teacher professional development.

17

18 Three new divisions would be added to the Department of
19 Education; the Division of Administration, the Division of
20 Financial Services, and the Division of Support Services.

19

20 The Clerk of the Education Practices Commission would be given
21 authority to issue a show cause order when an educator
22 violated conditions of his or her probation or settlement
23 agreement enforced by a final order of the commission.

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