

Bill No. CS/HB 3389

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 Senator Horne moved the following amendment:

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13 **Senate Amendment (with title amendment)**

14 On page 1, between lines 26-27,

15
16 insert:

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

19 236.08106 Excellent Teaching Program.--

20 (1) The Legislature recognizes that teachers play a
21 critical role in preparing students to achieve the high levels
22 of academic performance expected by the Sunshine State
23 Standards. The Legislature further recognizes the importance
24 of identifying and rewarding teaching excellence and of
25 encouraging good teachers to become excellent teachers. The
26 Legislature finds that the National Board of Professional
27 Teaching Standards (NBPTS) has established high and rigorous
28 standards for accomplished teaching and has developed a
29 national voluntary system for assessing and certifying
30 teachers who demonstrate teaching excellence by meeting those
31 standards. It is therefore the Legislature's intent to provide

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1 incentives for teachers to seek NBPTS certification and to
2 reward teachers who demonstrate teaching excellence by
3 attaining NBPTS certification and sharing their expertise with
4 other teachers.

5 (2) The Excellent Teaching Program is created to
6 provide categorical funding for monetary incentives and
7 bonuses for teaching excellence. The Department of Education
8 shall allocate and distribute to each school district an
9 amount as prescribed annually by the Legislature for the
10 Excellent Teaching Program. Unless otherwise provided in the
11 General Appropriations Act, each school district's annual
12 allocation shall be the sum of the amounts earned for the
13 following incentives and bonuses:

14 (a) A fee subsidy to be paid by the school district to
15 the NBPTS on behalf of each individual who is an employee of
16 the district school board or a public school within that
17 school district, who is certified by the district to have
18 demonstrated satisfactory teaching performance pursuant to s.
19 231.29 and, beginning in the school fiscal year 1999-2000, to
20 have qualified for the district performance-based pay
21 incentive pursuant to s. 230.23, who satisfies the
22 prerequisites for participating in the NBPTS certification
23 program, and who agrees, in writing, to pay 10 percent of the
24 NBPTS participation fee and to participate in the NBPTS
25 certification program during the school year for which the fee
26 subsidy is provided. The fee subsidy for each eligible
27 participant shall be an amount equal to 90 percent of the fee
28 charged for participating in the NBPTS certification program,
29 but not more than \$1,800 per eligible participant. The fee
30 subsidy is a one-time award and may not be duplicated for any
31 individual.

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1 (b) A portfolio-preparation incentive of \$150 for each
 2 teacher employed by the district school board or a public
 3 school within the district who is participating in the NBPTS
 4 certification program. The portfolio-preparation incentive is
 5 a one-time award paid during the school year for which the
 6 NBPTS fee subsidy is provided.

7 (c) An annual bonus equal to 10 percent of the prior
 8 fiscal year's statewide average salary for classroom teachers
 9 to be paid to each individual who holds NBPTS certification
 10 and is employed by the district school board or by a public
 11 school within that school district. The district school board
 12 shall distribute the annual bonus to each individual who meets
 13 the requirements of this paragraph and who is certified
 14 annually by the district to have demonstrated satisfactory
 15 teaching performance pursuant to s. 231.29 and to have
 16 qualified for the performance-based pay incentive pursuant to
 17 s. 230.23. The annual bonus may be paid as a single payment or
 18 divided into not more than three payments.

19 (d) An annual bonus equal to 10 percent of the prior
 20 fiscal year's statewide average salary for classroom teachers
 21 to be paid to each individual who meets the requirements of
 22 paragraph (c) and agrees, in writing, to provide the
 23 equivalent of 12 workdays of mentoring and related services to
 24 public school teachers within the district who do not hold
 25 NBPTS certification. The district school board shall
 26 distribute the annual bonus in a single payment following the
 27 completion of all required mentoring and related services for
 28 the year. It is not the intent of the Legislature to remove
 29 excellent teachers from their assigned classrooms, therefore,
 30 credit may not be granted by a school district or public
 31 school for mentoring or related services provided during the

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1 regular school day or during the 196 days of required service
2 for the school year.

3 (e) The district shall receive an amount equal to 50
4 percent of the teacher bonuses provided under paragraph (c)
5 and (d), which shall be used by the district for professional
6 development of teachers. The district must give priority to
7 using all funds received pursuant to this paragraph for
8 professional development of teachers employed at schools
9 identified as performing at critically low levels.

10
11 A teacher for whom the state pays the certification fee and
12 who does not complete the certification program or does not
13 teach in a public school of this state for a least 1 year
14 after completing the certification program must repay the
15 amount of the certification fee to the state. However, a
16 teacher who completes the certification program but fails to
17 be awarded NBPTS certification is not required to repay the
18 amount of the certification fee if the teacher meets the
19 1-year teaching requirement. Repayment is not required of a
20 teacher who does not complete the certification program or
21 fails to fulfill the teaching requirement because of the
22 teacher's death or disability or because of other extenuating
23 circumstances as determined by the State Board of Education.

24 Section 2. Paragraph (a) of subsection (5) of section
25 236.081, Florida Statutes, as amended by chapter 97-380, Laws
26 of Florida, is amended to read:

27 236.081 Funds for operation of schools.--If the annual
28 allocation from the Florida Education Finance Program to each
29 district for operation of schools is not determined in the
30 annual appropriations act or the substantive bill implementing
31 the annual appropriations act, it shall be determined as

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1 follows:

2 (5) CATEGORICAL PROGRAMS.--The Legislature hereby
3 provides for the establishment of selected categorical
4 programs to assist in the development and maintenance of
5 activities giving indirect support to the programs previously
6 funded. These categorical appropriations may be funded as
7 general and transitional categorical programs. It is the
8 intent of the Legislature that no transitional categorical
9 program be funded for more than 4 fiscal years from the date
10 of original authorization. Such programs are as follows:

11 (a) General.--

12 1. Comprehensive school construction and debt service
13 as provided by law.

14 2. Community schools as provided by law.

15 3. School lunch programs as provided by law.

16 4. Instructional material funds as provided by law.

17 5. Student transportation as provided by law.

18 6. Student development services as provided by law.

19 7. Diagnostic and learning resource centers as
20 provided by law.

21 8. Comprehensive health education as provided by law.

22 9. Excellent Teaching Program as provided by law.

23 (b) Transitional.--

24 1. Bilingual program as provided by law.

25 Section 3. Section 231.173, Florida Statutes, is
26 amended to read:

27 231.173 Successful experienced out-of-state teachers
28 and administrators.--

29 (1) Notwithstanding the provisions of ss. 231.02,
30 231.15, and 231.17, ~~and 231.172~~ or any other provision of law
31 or rule to the contrary, a successful, experienced, ~~and~~

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1 ~~certified out-of-state teacher or administrator qualifies~~
2 ~~employed in a public school or nonpublic school in this state~~
3 ~~may qualify~~ for a professional certificate if the applicant:
4 (a)~~(1)~~ Completes the application process, including
5 the filing of a complete set of fingerprints as required by s.
6 231.02.
7 (b)~~(2)~~ Holds a valid standard certificate issued by
8 the state where the applicant most recently taught, which
9 standard certificate is equivalent to the professional
10 certificate issued by this state and for which specialization
11 coverage is based on a level of training comparable to that
12 required in this state for the specialization coverage sought
13 by the applicant ~~applicant's area of assignment.~~
14 (c)~~(3)~~ Documents 5 years of appropriate successful
15 full-time teaching or administrative experience in another
16 state, including 2 continuous years during the 5-year period
17 immediately preceding the date of application for
18 certification.
19 (2) An out-of-state applicant qualifies for a
20 professional certificate if the applicant meets the
21 requirements of paragraphs (1)(a) and (b) and holds a valid
22 certificate issued by the National Board of Professional
23 Teaching Standards.
24 ~~(4)~~ ~~Submits a request for issuance of the professional~~
25 ~~certificate from the superintendent of the employing school~~
26 ~~district or governing authority of the employing developmental~~
27 ~~research school, state-supported school, or nonpublic school~~
28 ~~within the first 120 days of assignment with validation of~~
29 ~~awareness of the standards of professional practice.~~
30 (3)~~(5)~~ The professional certificate issued in
31 accordance with subsection (1) ~~these provisions~~ shall reflect

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1 specialization coverages as follows:

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

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

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

16 (d) Directors of career education.--An individual
 17 appointed as a director of career education at a public or
 18 nonpublic school in this state shall be eligible for the
 19 director of career education coverage.

20 Section 4. Subsection (2) and paragraph (b) of
 21 subsection (3) of section 231.24, Florida Statutes, are
 22 amended to read:

23 231.24 Process for renewal of professional
 24 certificates.--

25 (2) All professional certificates, except a
 26 nonrenewable professional certificate, shall be renewable for
 27 successive periods not to exceed 5 years after the date of
 28 submission of documentation of completion of the requirements
 29 for renewal provided in subsection (3). Only one renewal may
 30 be granted during each 5-year validity period of a
 31 professional certificate, except that a teacher with national

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1 certification from the National Board for Professional
2 Teaching Standards is deemed to meet state renewal
3 requirements for the life of the teacher's national
4 certificate. However, if the renewal application form is not
5 received by the department or by the employing school district
6 before the expiration of the professional certificate, the
7 application form, application fee, and a late fee must be
8 submitted before July 1 of the year following expiration of
9 the certificate in order to renew the professional
10 certificate. The state board shall adopt rules to allow a
11 1-year extension of the validity period of a professional
12 certificate in the event of serious illness, injury, or other
13 extraordinary extenuating circumstances of the applicant. The
14 department shall grant such 1-year extension upon written
15 request by the applicant or by the superintendent of the local
16 school district or the governing authority of a developmental
17 research school, state-supported school, or nonpublic school
18 that employs the applicant.

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

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

31 Section 5. Subsection (1) of section 110.1099, Florida

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1 Statutes, is amended to read:

2 110.1099 Education and training opportunities for
3 state employees.--

4 (1) Education and training are an integral component
5 in improving the delivery of services to the public.

6 Recognizing that the application of productivity-enhancing
7 technology and practice demand continuous educational and
8 training opportunities, state employees may be authorized to
9 receive fundable tuition waivers on a space-available basis or
10 vouchers to attend work-related courses at public
11 universities. Student credit hours generated by state employee
12 fee waivers shall be fundable credit hours.

13
14 (Redesignate subsequent sections.)

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16

17 ===== T I T L E A M E N D M E N T =====

18 And the title is amended as follows:

19 On page 1,
20 Delete everything before the enacting clause

21
22

and insert:

23 An act relating to education; creating s.
24 236.08106, F.S., relating to the Excellent
25 Teaching Program; providing legislative
26 findings and intent; authorizing monetary
27 incentives and bonuses for teaching excellence;
28 providing for annual allocations to districts;
29 providing fee subsidies and conditions for
30 repayment of subsidies for participating in the
31 certification program of the National Board of

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1 Professional Teaching Standards; requiring the
2 distribution of certain monetary bonuses to
3 teachers; providing eligibility criteria;
4 requiring release time for certain activities;
5 requiring certain district expenditures for
6 professional development of teachers; amending
7 s. 236.081, F.S.; authorizing categorical
8 funding for the Excellent Teaching Program;
9 amending s. 231.173, F.S., relating to
10 certification of experienced out-of-state
11 teachers and administrators; deleting a
12 requirement for superintendents to request
13 certification; providing for issuance of a
14 professional certificate to individuals
15 certified by the National Board of Professional
16 Teaching Standards; conforming provisions;
17 amending s. 231.24, F.S.; authorizing renewal
18 of certificates through national certification;
19 amending s. 110.1099, F.S.; clarifying
20 description of tuition waivers; amending s.
21 246.021, F.S.; clarifying the definition of the
22 term "college"; amending s. 246.031, F.S.;
23 revising requirements relating to members of
24 the State Board of Independent Colleges and
25 Universities; amending s. 246.041, F.S.;
26 revising powers and duties of the board;
27 deleting or correcting obsolete references;
28 amending s. 246.084, F.S., relating to colleges
29 receiving an authorization; revising certain
30 requirements; providing for exemption from
31 certain requirements; revising provisions

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1 relating to oversight of the review and
2 collection of data for purposes of determining
3 compliance; amending s. 246.085, F.S.; revising
4 provisions relating to issuance of a
5 certificate of exemption; amending s. 246.101,
6 F.S., to conform; amending 246.121, F.S.;
7 correcting obsolete references; amending s.
8 246.31, F.S., relating to the Institutional
9 Assessment Trust Fund; conforming provisions;
10 providing an effective date;

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