

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:

12  
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, who satisfies the prerequisites for participating  
20 in the NBPTS certification program, and who agrees, in  
21 writing, to pay 10 percent of the NBPTS participation fee and  
22 to participate in the NBPTS certification program during the  
23 school year for which the fee subsidy is provided. The fee  
24 subsidy for each eligible participant shall be an amount equal  
25 to 90 percent of the fee charged for participating in the  
26 NBPTS certification program, but not more than \$1,800 per  
27 eligible participant. The fee subsidy is a one-time award and  
28 may not be duplicated for any individual.

29 (b) A portfolio-preparation incentive of \$150 for each  
30 teacher employed by the district school board or a public  
31 school within the district who is participating in the NBPTS

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1 certification program. The portfolio-preparation incentive is  
2 a one-time award paid during the school year for which the  
3 NBPTS fee subsidy is provided.

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

15 (d) An annual bonus equal to 10 percent of the prior  
16 fiscal year's statewide average salary for classroom teachers  
17 to be paid to each individual who meets the requirements of  
18 paragraph (c) and agrees, in writing, to provide the  
19 equivalent of 12 workdays of mentoring and related services to  
20 public school teachers within the district who do not hold  
21 NBPTS certification. The district school board shall  
22 distribute the annual bonus in a single payment following the  
23 completion of all required mentoring and related services for  
24 the year. It is not the intent of the Legislature to remove  
25 excellent teachers from their assigned classrooms, therefore,  
26 credit may not be granted by a school district or public  
27 school for mentoring or related services provided during the  
28 regular school day or during the 196 days of required service  
29 for the school year.

30 (e) The district shall receive an amount equal to 50  
31 percent of the teacher bonuses provided under paragraph (c)

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1 and (d), which shall be used by the district for professional  
2 development of teachers. The district must give priority to  
3 using all funds received pursuant to this paragraph for  
4 professional development of teachers employed at schools  
5 identified as performing at critically low levels.

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

20 Section 2. Paragraph (a) of subsection (5) of section  
21 236.081, Florida Statutes, as amended by chapter 97-380, Laws  
22 of Florida, is amended to read:

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

29 (5) CATEGORICAL PROGRAMS.--The Legislature hereby  
30 provides for the establishment of selected categorical  
31 programs to assist in the development and maintenance of

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1 activities giving indirect support to the programs previously  
 2 funded. These categorical appropriations may be funded as  
 3 general and transitional categorical programs. It is the  
 4 intent of the Legislature that no transitional categorical  
 5 program be funded for more than 4 fiscal years from the date  
 6 of original authorization. Such programs are as follows:

- 7 (a) General.--
- 8 1. Comprehensive school construction and debt service
  - 9 as provided by law.
  - 10 2. Community schools as provided by law.
  - 11 3. School lunch programs as provided by law.
  - 12 4. Instructional material funds as provided by law.
  - 13 5. Student transportation as provided by law.
  - 14 6. Student development services as provided by law.
  - 15 7. Diagnostic and learning resource centers as
  - 16 provided by law.
  - 17 8. Comprehensive health education as provided by law.
  - 18 9. Excellent Teaching Program as provided by law.

- 19 (b) Transitional.--
- 20 1. Bilingual program as provided by law.

21 Section 3. Section 231.173, Florida Statutes, is  
 22 amended to read:

23 231.173 Successful experienced out-of-state teachers  
 24 and administrators.--

25 (1) Notwithstanding the provisions of ss. 231.02,  
 26 231.15, and 231.17, ~~and 231.172~~ or any other provision of law  
 27 or rule to the contrary, a successful, experienced, ~~and~~  
 28 ~~certified~~ out-of-state teacher or administrator qualifies  
 29 ~~employed in a public school or nonpublic school in this state~~  
 30 ~~may qualify~~ for a professional certificate if the applicant:

- 31 (a)~~(1)~~ Completes the application process, including

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1 the filing of a complete set of fingerprints as required by s.  
2 231.02.

3 ~~(b)(2)~~ Holds a valid standard certificate issued by  
4 the state where the applicant most recently taught, which  
5 standard certificate is equivalent to the professional  
6 certificate issued by this state and for which specialization  
7 coverage is based on a level of training comparable to that  
8 required in this state for the specialization coverage sought  
9 by the applicant ~~applicant's area of assignment.~~

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

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

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

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

29 (a) Teachers.--~~An applicant~~ A teacher appointed to an  
30 ~~academic assignment~~ shall be eligible for the academic  
31 coverage in an area in which the teacher is assigned to teach

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1 in a public school or nonpublic school in this state or in the  
2 area of the applicant's certification by the National Board of  
3 Professional Teaching Standards.

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

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

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

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

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

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

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

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

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

27 Section 5. Subsection (1) of section 110.1099, Florida  
 28 Statutes, is amended to read:

29 110.1099 Education and training opportunities for  
 30 state employees.--

31 (1) Education and training are an integral component



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

9  
 10 (Redesignate subsequent sections.)

11  
 12  
 13 ===== T I T L E A M E N D M E N T =====

14 And the title is amended as follows:

15 On page 1,  
 16 Delete everything before the enacting clause

17  
 18 and insert:

19 An act relating to education; creating s.  
 20 236.08106, F.S., relating to the Excellent  
 21 Teaching Program; providing legislative  
 22 findings and intent; authorizing monetary  
 23 incentives and bonuses for teaching excellence;  
 24 providing for annual allocations to districts;  
 25 providing fee subsidies and conditions for  
 26 repayment of subsidies for participating in the  
 27 certification program of the National Board of  
 28 Professional Teaching Standards; requiring the  
 29 distribution of certain monetary bonuses to  
 30 teachers; providing eligibility criteria;  
 31 requiring release time for certain activities;

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1 requiring certain district expenditures for  
2 professional development of teachers; amending  
3 s. 236.081, F.S.; authorizing categorical  
4 funding for the Excellent Teaching Program;  
5 amending s. 231.173, F.S., relating to  
6 certification of experienced out-of-state  
7 teachers and administrators; deleting a  
8 requirement for superintendents to request  
9 certification; providing for issuance of a  
10 professional certificate to individuals  
11 certified by the National Board of Professional  
12 Teaching Standards; conforming provisions;  
13 amending s. 231.24, F.S.; authorizing renewal  
14 of certificates through national certification;  
15 amending s. 110.1099, F.S.; clarifying  
16 description of tuition waivers; amending s.  
17 246.021, F.S.; clarifying the definition of the  
18 term "college"; amending s. 246.031, F.S.;  
19 revising requirements relating to members of  
20 the State Board of Independent Colleges and  
21 Universities; amending s. 246.041, F.S.;  
22 revising powers and duties of the board;  
23 deleting or correcting obsolete references;  
24 amending s. 246.084, F.S., relating to colleges  
25 receiving an authorization; revising certain  
26 requirements; providing for exemption from  
27 certain requirements; revising provisions  
28 relating to oversight of the review and  
29 collection of data for purposes of determining  
30 compliance; amending s. 246.085, F.S.; revising  
31 provisions relating to issuance of a

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1 certificate of exemption; amending s. 246.101,  
2 F.S., to conform; amending 246.121, F.S.;  
3 correcting obsolete references; amending s.  
4 246.31, F.S., relating to the Institutional  
5 Assessment Trust Fund; conforming provisions;  
6 providing an effective date.  
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