

Bill No. HB 4259, 1st Eng.

Amendment No. \_\_\_\_

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 Senator Horne moved the following amendment to amendment  
 12 (294026):

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

15 On page 44, between lines 24 & 25,

16  
 17 insert:

18 Section 39. Section 236.08106, Florida Statutes, is  
 19 created to read:

20 236.08106 Excellent Teaching Program.--

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

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1 standards. It is therefore the Legislature's intent to provide  
2 incentives for teachers to seek NBPTS certification and to  
3 reward teachers who demonstrate teaching excellence by  
4 attaining NBPTS certification and sharing their expertise with  
5 other teachers.

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

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

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1 individual.

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

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

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

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1 school for mentoring or related services provided during the  
2 regular school day or during the 196 days of required service  
3 for the school year.

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

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

25 Section 40. Paragraph (a) of subsection (5) of section  
26 236.081, Florida Statutes, as amended by chapter 97-380, Laws  
27 of Florida, is amended to read:

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

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1 the annual appropriations act, it shall be determined as  
2 follows:

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

12 (a) General.--

- 13 1. Comprehensive school construction and debt service
- 14 as provided by law.
- 15 2. Community schools as provided by law.
- 16 3. School lunch programs as provided by law.
- 17 4. Instructional material funds as provided by law.
- 18 5. Student transportation as provided by law.
- 19 6. Student development services as provided by law.
- 20 7. Diagnostic and learning resource centers as
- 21 provided by law.

22 8. Comprehensive health education as provided by law.

23 9. Excellent Teaching Program as provided by law.

24 (b) Transitional.--

25 1. Bilingual program as provided by law.

26 Section 41. Section 231.173, Florida Statutes, is  
27 amended to read:

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

30 (1) Notwithstanding the provisions of ss. 231.02,  
31 231.15, and 231.17, ~~and 231.172~~ or any other provision of law

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1 or rule to the contrary, a successful, experienced, ~~and~~  
2 ~~certified~~ out-of-state teacher or administrator qualifies  
3 ~~employed in a public school or nonpublic school in this state~~  
4 ~~may qualify~~ for a professional certificate if the applicant:

5       (a)(1) Completes the application process, including  
6 the filing of a complete set of fingerprints as required by s.  
7 231.02.

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

15       (c)(3) Documents 5 years of appropriate successful  
16 full-time teaching or administrative experience in another  
17 state, including 2 continuous years during the 5-year period  
18 immediately preceding the date of application for  
19 certification.

20       (2) An out-of-state applicant qualifies for a  
21 professional certificate if the applicant meets the  
22 requirements of paragraphs (1)(a) and (b) and holds a valid  
23 certificate issued by the National Board of Professional  
24 Teaching Standards.

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

31       (3)(5) The professional certificate issued in

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1 accordance with subsection (1)~~these provisions~~ shall reflect  
 2 specialization coverages as follows:

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

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

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

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

21 Section 42. Subsection (2) and paragraph (b) of  
 22 subsection (3) of section 231.24, Florida Statutes, are  
 23 amended to read:

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

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

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

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

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





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1 certificate to individuals certified by the  
2 National Board of Professional Teaching  
3 Standards; conforming provisions; amending s.  
4 231.24, F.S.; authorizing renewal of  
5 certificates through national certification;  
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