

Bill No. HB 755, 3rd Eng.

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	
5			
6			
7			
8			
9			
10			
11	Senator Horne moved the following amendment to amendment		
12	(664658):		
13			
14	Senate Amendment (with title amendment)		
15	On page 26, between lines 11 & 12,		
16			
17	insert:		
18	Section 16. Section 236.08106, Florida Statutes, is		
19	created to read:		
20	<u>236.08106 Excellent Teaching Program.--</u>		
21	<u>(1) The Legislature recognizes that teachers play a</u>		
22	<u>critical role in preparing students to achieve the high levels</u>		
23	<u>of academic performance expected by the Sunshine State</u>		
24	<u>Standards. The Legislature further recognizes the importance</u>		
25	<u>of identifying and rewarding teaching excellence and of</u>		
26	<u>encouraging good teachers to become excellent teachers. The</u>		
27	<u>Legislature finds that the National Board of Professional</u>		
28	<u>Teaching Standards (NBPTS) has established high and rigorous</u>		
29	<u>standards for accomplished teaching and has developed a</u>		
30	<u>national voluntary system for assessing and certifying</u>		
31	<u>teachers who demonstrate teaching excellence by meeting those</u>		

Bill No. HB 755, 3rd Eng.

Amendment No. ____

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

Bill No. HB 755, 3rd Eng.

Amendment No.

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

Bill No. HB 755, 3rd Eng.

Amendment No. ____

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 17. 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

Bill No. HB 755, 3rd Eng.

Amendment No. ____

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 18. 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

Bill No. HB 755, 3rd Eng.

Amendment No. ____

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

Bill No. HB 755, 3rd Eng.

Amendment No. ____

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 19. 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

Bill No. HB 755, 3rd Eng.

Amendment No. ____

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.

Bill No. HB 755, 3rd Eng.

Amendment No. ____

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

(Redesignate subsequent sections.)

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

And the title is amended as follows:

On page 3, line 7, after the semicolon

insert:

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

Bill No. HB 755, 3rd Eng.

Amendment No. ____

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;
6 providing an effective date
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31