

By Senator Sullivan

22-600B-99

1 A bill to be entitled
2 An act relating to education; creating s.
3 231.6015, F.S.; authorizing a mathematics and
4 science teacher education program; requiring
5 demonstration of certain uses of funds;
6 providing a program purpose, required
7 components, and resource allocation; requiring
8 collaborative planning and implementation;
9 authorizing incentives and certification;
10 creating s. 240.149, F.S.; creating a
11 nongovernmental organization to plan and
12 implement a program for mathematics and science
13 teacher education; requiring a board of
14 directors, a chief executive officer, other
15 staff, and an advisory council; providing for
16 membership, terms of office, and an
17 appointments process; providing responsibility
18 and authority to conduct certain activities;
19 requiring a budget request; amending s. 229.57,
20 F.S.; adding a science component to the
21 statewide assessment program; amending s.
22 229.592, F.S.; requiring a report; amending s.
23 231.600, F.S.; requiring certain additions to
24 professional development programs; amending s.
25 232.245, F.S.; adding a science component to
26 the requirements for pupil progression;
27 amending s. 236.08106, F.S.; authorizing a
28 salary bonus for teachers who complete certain
29 training programs; amending s. 236.685, F.S.;
30 requiring a report to include certain
31 information; providing an effective date.

1 Be It Enacted by the Legislature of the State of Florida:

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3 Section 1. Section 231.6015, Florida Statutes, is
4 created to read:

5 231.6015 Mathematics and science teacher education
6 program.--

7 (1) The Legislature intends to establish an inservice
8 professional development program to improve the teaching of
9 mathematics and science in Florida's public schools, with an
10 initial emphasis on students in kindergarten through grade 8.
11 The program may be conducted separately or in conjunction with
12 other inservice professional development programs provided by
13 a school district. The funds are directed to supplement but
14 not to supplant current professional development in
15 mathematics and science education. If a school district wishes
16 to substitute funds provided by the program for other state or
17 local professional development funds, the district must
18 demonstrate significant modifications designed to implement
19 the program.

20 (2) As used in this section, the term "teacher" has
21 the meaning ascribed to "instructional personnel" in s.
22 236.685.

23 (3) The purpose of the program is to improve the
24 ability of teachers to deliver instruction that:

25 (a) Concentrates learning on the Sunshine State
26 Standards and the subject matter content standards adopted by
27 the Education Standards Commission;

28 (b) Includes content in sequences designed to prepare
29 students for the state assessments of progress; and

30 (c) Demonstrates its quality by improvement in
31 students' classroom achievement.

1 (4) The program must be designed to improve a
2 teacher's command of content knowledge and teaching skills. If
3 resources are insufficient to provide adequate instruction for
4 all teachers, the program design should allocate those
5 resources so as to produce a measurable, systemic change in
6 student learning, rather than only to reach as many teachers
7 as possible.

8 (5) The program must:

9 (a) Employ strategies that have proved effective;

10 (b) Exploit current knowledge and research on
11 professional staff development and standards;

12 (c) Include a component for school board members and
13 administrators at the school level, school district
14 administration level, and state level;

15 (d) Involve the expertise of public and independent
16 universities, colleges, and community colleges in planning and
17 implementation;

18 (e) Provide for an incentive plan as authorized in s.
19 236.08106; and

20 (f) Include an evaluation of effectiveness as
21 determined by the Alliance for Improving Mathematics and
22 Science in Florida's Education Programs. The evaluation
23 component of the program must provide data capable of allowing
24 an analysis of the achievement of students before and after
25 the program was implemented and for an analysis of students
26 whose teachers participated in the program compared to a
27 cohort of students whose teachers did not. As much as
28 possible, the cohort must be selected from students of similar
29 demographic characteristics and selected measures of academic
30 achievement.

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1 (6) The Legislature shall determine annually in the
2 General Appropriations Act the funds to be available for this
3 program. Under s. 240.149, the Alliance for Improving
4 Mathematics and Science in Florida's Education Programs may
5 operate the delivery mechanisms for the program or may
6 delegate that authority to a school district, a consortium of
7 school districts, or a group operating under a charter
8 arranged by a district or consortium. The administrators of
9 each component of the program shall work collaboratively with
10 the Alliance for Improvement in Mathematics and Science in
11 Florida's Education Programs to plan programs and activities
12 provided by the professional development program, including
13 follow-up support for the teachers.

14 (7) Teachers participating in the program may receive
15 compensation from the school district for their participation
16 and may use successful participation in the program for
17 extension of a certificate or for adding a new certification
18 area if the district has an approved add-on certification
19 program as provided by the State Board of Education. In
20 addition to a stipend for the workdays allocated to the
21 training, a teacher may be eligible for a salary bonus upon
22 successful completion of the program, under s. 236.08106.

23 (8) Delivery sites used in the program are joint-use
24 facilities and may be on property belonging to a school
25 district; a public or independent university, college, or
26 community college; or any other group under a contract
27 approved by the alliance.

28 (9) A community college or state university may not
29 report full-time equivalent students as a result of providing
30 instruction for the program.

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1 (10) This section shall be implemented only to the
2 extent funded by the General Appropriations Act.

3 Section 2. Section 240.149, Florida Statutes, is
4 created to read:

5 240.149 Mathematics and science teacher education
6 organization; responsibility for program planning and
7 implementation.--

8 (1) An organization is established to plan and
9 implement the mathematics and science teacher education
10 program created in s. 231.6015. The organization will be known
11 as the Alliance for Improving Mathematics and Science in
12 Florida's Education Programs; must be registered,
13 incorporated, organized, and operated in compliance with
14 chapter 617; and is not a unit or entity of state government.

15 (a) The organization shall execute its
16 responsibilities independently but is assigned to the
17 Postsecondary Education Planning Commission for administrative
18 purposes.

19 (b) In the interest of sound public policy, the
20 Legislature determines that the organization is subject to the
21 provisions of chapter 119 that relate to public records, and
22 to the provisions of chapter 286 that relate to public
23 meetings and records.

24 (2) A board of directors shall govern the
25 organization. The members of the board shall be appointed by
26 the Commissioner of Education from recommendations provided by
27 the Postsecondary Education Planning Commission, the Education
28 Standards Commission, the Workforce Development Board of
29 Enterprise Florida, or other public or private organizations
30 with expertise in education or technology upon invitation of
31 the commissioner.

1 (a) Four members shall be employees of postsecondary
2 education institutions and must have expertise in science and
3 science education, mathematics and mathematics education, or a
4 related technical field.

5 (b) Four members shall be employees of Florida
6 district school boards.

7 (c) Four members shall be from the private sector or
8 from another state and must have expertise in professional
9 staff development programs.

10 (d) One member shall serve ex-officio as a
11 representative of the Department of Education. An ex-officio
12 member may participate in all deliberations of the alliance
13 but may not vote.

14 (e) Members shall serve 4-year staggered terms, with
15 four of the members having initial terms of 2 years, 3 years,
16 and 4 years, respectively. The commissioner shall appoint a
17 new member to fill the remainder of a vacant, unexpired term
18 and may reappoint a member.

19 (f) Members are entitled to reimbursement for travel
20 and per diem expenses, as provided in s. 112.061.

21 (3) The board of directors shall employ a chief
22 executive officer, who shall direct and supervise the
23 administrative affairs of the board of directors. The board of
24 directors may delegate to the chief executive officer any
25 powers and duties it finds appropriate. The chief executive
26 officer may contract with or employ legal and technical
27 experts and other employees as authorized by the board of
28 directors. The chief executive officer shall administer the
29 professional development grant program assigned to the
30 organization and other finances of the organization to ensure
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1 appropriate accountability and the prudent use of public and
2 private funds.

3 (4) A council is created to assist the organization
4 and to apprise decision makers of its activities.

5 (a) The council shall be composed of six members who
6 represent the following governmental branches or sectors: one
7 member of the Florida Senate appointed by the President of the
8 Senate; one member of the Florida House of Representatives
9 appointed by the Speaker of the House of Representatives; a
10 representative of the Executive Office of the Governor
11 appointed by the Governor; a representative of the Department
12 of Education appointed by the Commissioner of Education; a
13 representative of the Florida Community College System
14 appointed by the executive director; and a representative of
15 the State University System appointed by the chancellor.

16 (b) The council shall meet at least 4 times a year,
17 with one meeting conducted jointly with the board of
18 directors.

19 (5) The Alliance for Improving Mathematics and Science
20 in Florida's Educational Programs shall plan and oversee
21 implementation of the program created in s. 231.6015 and has
22 the responsibility and authority to conduct the following
23 activities:

24 (a) Establish and maintain a system of mathematics and
25 science education professional development programs as
26 provided in the General Appropriations Act.

27 (b) Provide for involvement of postsecondary education
28 in planning and implementation.

29 (c) Produce specialized professional development
30 program guidelines. These guidelines may include curricula and
31 instructional methods and must assure that the programs focus

1 on content learning, employ tested strategies, reflect the
2 nature of science and mathematics, and base their design on
3 current knowledge and research concerning professional
4 development.

5 (d) Provide for the selection and preparation of staff
6 to implement professional development in mathematics and
7 science.

8 (e) Establish priorities that school districts and
9 centers for educational enhancement shall use in selecting the
10 teachers to participate in the program. If the plan does not
11 provide for all teachers of kindergarten through grade 8 to
12 participate during a 4-year cycle, the selection priorities
13 must implement a rationale for disseminating the program's
14 benefits.

15 (f) Design strategies for providing follow-up support
16 for each participating teacher. The follow-up strategies must
17 provide for integration of the principles learned in the
18 program into the teacher's workday for at least 1 year with
19 continuing follow-up for 3 additional years or more, as
20 provided in the General Appropriations Act.

21 (g) Design and oversee an incentive plan that will
22 encourage the participation of public school teachers and
23 administrators in the professional development program. The
24 incentive plan must provide for access to any merit-pay plans
25 developed by school districts and may provide for a stipend
26 and a salary bonus for participating teachers, under s.
27 236.08106. Such a bonus must be in addition to the teacher's
28 regular earnings from a school district and may not be awarded
29 until a teacher has successfully completed the program and
30 demonstrated through prescribed follow-up activities in the
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1 classroom an improvement in student achievement in mathematics
2 or science.

3 (h) Measure the effectiveness of the professional
4 development program on learning and teaching in mathematics
5 and science. This impact assessment must assure state and
6 local quality control of the improvement of mathematics and
7 science teaching.

8 (6) By December 1, 1999, the board shall submit to the
9 Postsecondary Education Planning Commission a proposed budget
10 for implementing the program in 2000-2003. The budget must
11 contain alternative plans for the participation of 100
12 percent, 50 percent, and 25 percent of the state's teachers at
13 the elementary and middle school levels by 2003.

14 Section 3. Paragraphs (a) and (c) of subsection (3) of
15 section 229.57, Florida Statutes, 1998 Supplement, are amended
16 to read:

17 229.57 Student assessment program.--

18 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner is
19 directed to design and implement a statewide program of
20 educational assessment that provides information for the
21 improvement of the operation and management of the public
22 schools. The program must be designed, as far as possible, so
23 as not to conflict with ongoing district assessment programs
24 and so as to use information obtained from district programs.
25 Pursuant to the statewide assessment program, the commissioner
26 shall:

27 (a) Submit to the state board a list that specifies
28 student skills and competencies to which the goals for
29 education specified in the state plan apply, including, but
30 not limited to, reading, writing, science, and mathematics.
31 The skills and competencies must include problem-solving and

1 higher-order skills as appropriate. The commissioner shall
2 select such skills and competencies after receiving
3 recommendations from educators, citizens, and members of the
4 business community. The commissioner shall submit to the
5 state board revisions to the list of student skills and
6 competencies in order to maintain continuous progress toward
7 improvements in student proficiency.

8 (c) Develop and implement a student achievement
9 testing program as part of the statewide assessment program,
10 to be administered at designated times at the elementary,
11 middle, and high school levels to measure reading, writing,
12 science, and mathematics. The testing program must be
13 designed so that:

14 1. The tests measure student skills and competencies
15 adopted by the state board as specified in paragraph (a).
16 Science proficiency must be measured statewide beginning in
17 2003. The tests must measure and report student proficiency
18 levels in reading, writing, science, and mathematics. Other
19 content areas may be included as directed by the commissioner.
20 The commissioner shall provide for the tests to be developed
21 or obtained, as appropriate, through contracts and project
22 agreements with private vendors, public vendors, public
23 agencies, postsecondary institutions, or school districts.
24 The commissioner shall obtain input with respect to the design
25 and implementation of the testing program from state educators
26 and the public.

27 2. The tests are criterion-referenced and include, to
28 the extent determined by the commissioner, items that require
29 the student to produce information or perform tasks in such a
30 way that the skills and competencies he or she uses can be
31 measured.

1 3. Each testing program, whether at the elementary,
2 middle, or high school level, includes a test of writing in
3 which students are required to produce writings which are then
4 scored by appropriate methods.

5 4. A score is designated for each subject area tested,
6 below which score a student's performance is deemed
7 inadequate. The school districts shall provide appropriate
8 remedial instruction to students who score below these levels.

9 5. All 11th grade students take a high school
10 competency test developed by the state board to test minimum
11 student performance skills and competencies in reading,
12 writing, science, and mathematics. The test must be based on
13 the skills and competencies adopted by the state board
14 pursuant to paragraph (a). Upon recommendation of the
15 commissioner, the state board shall designate a passing score
16 for each part of the high school competency test. In
17 establishing passing scores, the state board shall consider
18 any possible negative impact of the test on minority students.
19 The commissioner may establish criteria whereby a student who
20 successfully demonstrates proficiency in either reading or
21 mathematics or both may be exempted from taking the
22 corresponding section of the high school competency test or
23 the college placement test. A student must earn a passing
24 score or have been exempted from each part of the high school
25 competency test in order to qualify for a regular high school
26 diploma. The school districts shall provide appropriate
27 remedial instruction to students who do not pass part of the
28 competency test.

29 6. Participation in the testing program is mandatory
30 for all students, except as otherwise prescribed by the
31 commissioner. The commissioner shall recommend rules to the

1 state board for the provision of test adaptations and
2 modifications of procedures as necessary for students in
3 exceptional education programs and for students who have
4 limited English proficiency.

5 7. A student seeking an adult high school diploma must
6 meet the same testing requirements that a regular high school
7 student must meet.

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9 The commissioner may design and implement student testing
10 programs for any grade level and subject area, based on
11 procedures designated by the commissioner to monitor
12 educational achievement in the state.

13 Section 4. Subsection (5) of section 229.592, Florida
14 Statutes, 1998 Supplement, is amended to read:

15 229.592 Implementation of state system of school
16 improvement and education accountability.--

17 (5) STATE BOARD.--The State Board of Education shall
18 adopt rules necessary to implement a state system of school
19 improvement and education accountability. Such rules must be
20 based on recommendations of the Commission on Education Reform
21 and Accountability and must include, but need not be limited
22 to, a requirement that each school report identify the annual
23 Education Enhancement Trust Fund allocations to the district
24 and the school and how those allocations were used for
25 educational enhancement and supporting school improvement. The
26 rules must also require each school to report the number and
27 percentage of teachers who have achieved certification by the
28 National Board of Professional Teaching Standards and, for
29 schools that contain a kindergarten or grade 1 through 8, the
30 number and proportion of teachers who have successfully

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1 completed the program to improve mathematics and science
2 teaching, under s. 236.08106.

3 Section 5. Subsection (3) of section 231.600, Florida
4 Statutes, 1998 Supplement, is amended to read:

5 231.600 School Community Professional Development
6 Act.--

7 (3) The activities designed to implement this section
8 must:

9 (a) Increase the success of educators in guiding
10 student learning and development so as to implement state and
11 local educational initiatives;

12 (b) Assist the school community in developing in
13 school children the dispositions that will motivate them to be
14 active learners; ~~and~~

15 (c) Provide continuous support, rather than temporary
16 intervention, for improving the performance of teachers and
17 others who assist children in their learning; ~~and-~~

18 (d) Assure that teacher education programs in science,
19 mathematics, and technology education will be fully aligned
20 with the content of science tasks included in statewide
21 testing scheduled for 2003. These education programs must
22 assure that all teachers, especially teachers of kindergarten
23 through grade 8, are proficient in science and mathematics
24 standards included in the Sunshine State Standards and the
25 Subject Matter Content Standards adopted by the Education
26 Standards Commission.

27 Section 6. Subsections (1), (2), (3), and (6) of
28 section 232.245, Florida Statutes, are amended to read:

29 232.245 Pupil progression; remedial instruction;
30 reporting requirements.--

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1 (1) It is the intent of the Legislature that each
2 student's progression from one grade to another be determined,
3 in part, upon proficiency in reading, writing, science,and
4 mathematics; that school district policies facilitate such
5 proficiency; and that each student and his or her parent or
6 legal guardian be informed of that student's academic
7 progress.

8 (2) Each district school board shall establish a
9 comprehensive program for pupil progression which must
10 include:

11 (a) Standards for evaluating each pupil's performance,
12 including how well he or she masters the performance standards
13 approved by the state board according to s. 229.565; and

14 (b) Specific levels of performance in reading,
15 writing, science,and mathematics for each grade level,
16 including the levels of performance on statewide assessments
17 at selected grade levels in elementary school, middle school,
18 and high school as defined by the Commissioner of Education,
19 below which a student must receive remediation and may be
20 retained.

21 (3) Each student must participate in the statewide
22 assessment tests required by s. 229.57. Each student who does
23 not meet specific levels of performance as determined by the
24 district school board in reading, writing, science,and
25 mathematics for each grade level, or who does not meet
26 specific levels of performance, determined by the Commissioner
27 of Education, on statewide assessments at selected grade
28 levels, must be provided with additional diagnostic
29 assessments to determine the nature of the student's
30 difficulty and areas of academic need. The school in which the
31 student is enrolled must develop, in consultation with the

1 student's parent or legal guardian, and implement an academic
2 improvement plan designed to assist the student in meeting
3 state and district expectations for proficiency. Each plan
4 must include the provision of intensive remedial instruction
5 in the areas of weakness through one or more of the following
6 activities, as considered appropriate by the school
7 administration:

- 8 (a) Summer school coursework;
- 9 (b) Extended-day services;
- 10 (c) Parent tutorial programs;
- 11 (d) Contracted academic services;
- 12 (e) Exceptional education services; or
- 13 (f) Suspension of curriculum other than reading,
14 writing, science, and mathematics. Remedial instruction
15 provided during high school may not be in lieu of English and
16 mathematics credits required for graduation.

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18 Upon subsequent evaluation, if the documented deficiency has
19 not been corrected in accordance with the academic improvement
20 plan, the student may be retained. Each student who does not
21 meet the minimum performance expectations defined by the
22 Commissioner of Education for the statewide assessment tests
23 in reading, writing, science, and mathematics must retake the
24 state assessment test in the subject area of deficiency and
25 must continue remedial instruction until the expectations are
26 met or the student graduates from high school or is not
27 subject to compulsory school attendance.

28 (6) Each district must annually report to the parent
29 or legal guardian of each student the progress of the student
30 towards achieving state and district expectations for
31 proficiency in reading, writing, science, and mathematics. The

1 district must report to the parent or legal guardian the
2 student's results on each statewide assessment test. The
3 evaluation of each student's progress must be based upon the
4 student's classroom work, observations, tests, district and
5 state assessments, and other relevant information. Progress
6 reporting must be provided to the parent or legal guardian in
7 writing in a format adopted by the district school board.

8 Section 7. Subsection (2) of section 236.08106,
9 Florida Statutes, 1998 Supplement, is amended to read:

10 236.08106 Excellent Teaching Program.--

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

20 (a) A salary bonus or increased stipend for teachers
21 who successfully complete the program to improve the teaching
22 of mathematics and science in Florida, under s. 231.6015. The
23 criteria for successful completion of the program must be
24 established by the Alliance for Improving Mathematics and
25 Science in Florida's Education Programs and must include a
26 demonstration through prescribed follow-up activities in the
27 classroom of an improvement in student achievement in
28 mathematics or science.

29 (b)~~(a)~~ A fee subsidy to be paid by the school district
30 to the NBPTS on behalf of each individual who is an employee
31 of the district school board or a public school within that

1 school district, who is certified by the district to have
2 demonstrated satisfactory teaching performance pursuant to s.
3 231.29 and who satisfies the prerequisites for participating
4 in the NBPTS certification program, and who agrees, in
5 writing, to pay 10 percent of the NBPTS participation fee and
6 to participate in the NBPTS certification program during the
7 school year for which the fee subsidy is provided. The fee
8 subsidy for each eligible participant shall be an amount equal
9 to 90 percent of the fee charged for participating in the
10 NBPTS certification program, but not more than \$1,800 per
11 eligible participant. The fee subsidy is a one-time award and
12 may not be duplicated for any individual.

13 (c)~~(d)~~ A portfolio-preparation incentive of \$150 for
14 each teacher employed by the district school board or a public
15 school within the district who is participating in the NBPTS
16 certification program. The portfolio-preparation incentive is
17 a one-time award paid during the school year for which the
18 NBPTS fee subsidy is provided.

19 (d)~~(c)~~ An annual bonus equal to 10 percent of the
20 prior fiscal year's statewide average salary for classroom
21 teachers to be paid to each individual who holds NBPTS
22 certification and is employed by the district school board or
23 by a public school within that school district. The district
24 school board shall distribute the annual bonus to each
25 individual who meets the requirements of this paragraph and
26 who is certified annually by the district to have demonstrated
27 satisfactory teaching performance pursuant to s. 231.29. The
28 annual bonus may be paid as a single payment or divided into
29 not more than three payments.

30 (e)~~(d)~~ An annual bonus equal to 10 percent of the
31 prior fiscal year's statewide average salary for classroom

1 teachers to be paid to each individual who meets the
2 requirements of paragraph (d)~~(c)~~ and agrees, in writing, to
3 provide the equivalent of 12 workdays of mentoring and related
4 services to public school teachers within the district who do
5 not hold NBPTS certification. The district school board shall
6 distribute the annual bonus in a single payment following the
7 completion of all required mentoring and related services for
8 the year. It is not the intent of the Legislature to remove
9 excellent teachers from their assigned classrooms; therefore,
10 credit may not be granted by a school district or public
11 school for mentoring or related services provided during the
12 regular school day or during the 196 days of required service
13 for the school year.

14 (f)~~(e)~~ The district shall receive an amount equal to
15 50 percent of the teacher bonuses provided under paragraphs
16 (d)~~(c)~~ and (e)~~(d)~~, which shall be used by the district for
17 professional development of teachers. The district must give
18 priority to using all funds received pursuant to this
19 paragraph for professional development of teachers employed at
20 schools identified as performing at critically low levels.

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22 A teacher for whom the state pays the certification fee and
23 who does not complete the certification program or does not
24 teach in a public school of this state for a least 1 year
25 after completing the certification program must repay the
26 amount of the certification fee to the state. However, a
27 teacher who completes the certification program but fails to
28 be awarded NBPTS certification is not required to repay the
29 amount of the certification fee if the teacher meets the
30 1-year teaching requirement. Repayment is not required of a
31 teacher who does not complete the certification program or

1 fails to fulfill the teaching requirement because of the
2 teacher's death or disability or because of other extenuating
3 circumstances as determined by the State Board of Education.

4 Section 8. Paragraph (a) of subsection (4) of section
5 236.685, Florida Statutes, is amended to read:

6 236.685 Educational funding accountability.--

7 (4)(a) The school public accountability report to
8 parents must include the number of employees in each of the
9 categories listed in subsection (3), by work location.
10 However, this does not include the number of temporary
11 substitute employees. The report must also include the number
12 and proportion of instructional personnel in kindergarten
13 through grade 8 who have achieved certification by the
14 National Board of Professional Teaching Standards or have
15 completed the program to improve mathematics and science
16 teaching in Florida under s. 236.08106.

17 Section 9. This act shall take effect July 1, 1999.

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19 SENATE SUMMARY

20 Provides for a mathematics and science teacher education
21 program to be established and governed by a
22 nongovernmental organization named the Alliance for
23 Improving Mathematics and Science in Florida's Education
24 Programs. Requires collaborative planning to achieve the
25 goals of the program. Creates incentives and bonuses for
26 teachers.