

By Senator Dyer

14-866-00

1 A bill to be entitled
2 An act relating to personnel of the school
3 system; amending s. 24.121, F.S.; providing for
4 funding of the Project Teach Tuition Stipend
5 Program from the Educational Enhancement Trust
6 Fund; creating s. 231.315, F.S.; providing for
7 the establishment of model peer assistance and
8 review programs; providing for minimum
9 standards; providing for technical assistance
10 and allocations; amending s. 231.600, F.S.;
11 including additional professional development
12 activities in the School Community Professional
13 Development Act; requiring an assessment of
14 expenditures for professional development;
15 creating s. 231.64, F.S.; creating the Project
16 Teach Tuition Stipend Program; providing
17 eligibility requirements; providing for funding
18 and distribution of funds; amending s.
19 236.08106, F.S.; providing for a retesting fee
20 and program under the Excellent Teaching
21 Program; amending s. 236.0811, F.S.; providing
22 requirements for educational training for
23 support staff; providing for additional days of
24 inservice training; providing an effective
25 date.

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

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29 Section 1. Paragraphs (b) and (e) of subsection (5) of
30 section 24.121, Florida Statutes, are amended to read:

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1 24.121 Allocation of revenues and expenditure of funds
2 for public education.--

3 (5)

4 (b) Except as provided in paragraphs (c), (d), and
5 (e), the Legislature shall equitably apportion moneys in the
6 trust fund among public schools, community colleges, and
7 universities.

8 (e) All components of the Florida Bright Futures
9 Scholarship Program and the Project Teach Tuition Stipend
10 Program shall be funded annually from the Educational
11 Enhancement Trust Fund. Funds shall be allocated to these
12 programs ~~this program~~ prior to application of the formula for
13 equitable distribution to public schools, community colleges,
14 and state universities. If shortages require reductions in
15 estimated distributions from the Educational Enhancement Trust
16 Fund, funds for the Florida Bright Futures Scholarship Program
17 and the Project Teach Tuition Stipend Program shall be reduced
18 only after reductions in all other distributions are made.

19 Section 2. Section 231.315, Florida Statutes, is
20 created to read:

21 231.315 Peer assistance and review.--

22 (1) The Legislature, the education community, and the
23 public expect high standards of professional practice from
24 school administrators and instructional staff. To promote high
25 professional standards, administrators and instructional staff
26 must develop a system of shared accountability. Peer
27 assistance and review is a process in which highly skilled
28 instructional personnel serve in a consulting role with their
29 peers to improve the quality of classroom instruction. Peer
30 assistance and review allows administrators and instructional
31 personnel to share the responsibility of mentoring, training,

1 assisting, and reviewing the professional standards and
2 practices of instructional personnel.

3 (2) Peer assistance and review programs must meet the
4 following minimum standards:

5 (a) Program provisions must be developed through the
6 collective bargaining agreement between the teachers'
7 association and the school district.

8 (b) A joint instructional personnel and school
9 district governing body must be created with responsibility to
10 review recommendations of the consulting peer instructional
11 personnel.

12 (c) Consulting peer instructional personnel must be
13 recognized by their peers as highly skilled practitioners and
14 must be selected by their peers.

15 (d) Consulting peer instructional personnel must be
16 properly compensated and trained.

17 (e) Consulting peer instructional personnel must
18 provide assistance and review for instructional personnel with
19 the same area of expertise as the consulting peer
20 instructional personnel member.

21 (f) Consulting peer instructional personnel must not
22 be considered administrative personnel and must retain status
23 within the employees' collective bargaining unit.

24 (3) For fiscal years 2000-2001 and 2001-2002, up to
25 six school districts may be selected to establish model peer
26 assistance and review programs. At least one district selected
27 must have less than 6,000 students and at least one district
28 selected must have more than 100,000 students. Districts that
29 wish to apply for selection must submit an application to the
30 Department of Education by September 1, 2000, which includes
31 the agreement between the teachers' association and the school

1 district. By October 1, 2000, the department shall select the
2 participating districts based on the quality of their
3 applications.

4 (4) The department shall provide technical assistance
5 to selected school districts to establish model peer
6 assistance and review programs.

7 (5) The school districts selected to establish model
8 peer assistance and review programs shall receive an
9 allocation from the department as established in the General
10 Appropriations Act.

11 (6) During the 2001-2002 fiscal year, the department
12 shall assess the results of the selected model peer assistance
13 and review programs and shall submit a report to the Governor,
14 the President of the Senate, and the Speaker of the House of
15 Representatives by March 1, 2002. The report must include the
16 department's recommendation as to the continuation or
17 expansion of peer assistance and review programs.

18 Section 3. Subsections (3) and (5) and paragraph (b)
19 of subsection (4) of section 231.600, Florida Statutes, are
20 amended to read:

21 231.600 School Community Professional Development
22 Act.--

23 (3) The activities designed to implement this section
24 must:

25 (a) Increase the success of educators in guiding
26 student learning and development and identifying and meeting
27 state standards for student learning so as to implement state
28 and local educational standards, goals, and initiatives.†

29 (b) Assist the school community in providing
30 stimulating educational activities that encourage and motivate
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1 students to achieve at the highest levels and to become active
2 learners. ~~and~~

3 (c) Provide continuous support as well as temporary
4 intervention for education professionals who need improvement
5 in knowledge, skills, and performance.

6 (d) Convey to the school community the adopted best
7 practices for effective teaching.

8 (e) Examine elements of successful schools and the
9 roles of instructional personnel, administrators, parents, and
10 other school community members in those schools.

11 (f) Encourage instructional personnel to design
12 personal professional development plans to improve
13 professional practice and increase student performance.

14 (4) The Department of Education, school districts,
15 schools, and public colleges and universities share the
16 responsibilities described in this section. These
17 responsibilities include the following:

18 (b) Each district school board shall consult with
19 instructional personnel ~~teachers~~ and representatives of
20 college and university faculty, community agencies, and other
21 interested citizen groups to establish policy and procedures
22 to guide the operation of the district professional
23 development program. The professional development system
24 must:

25 1. Require that principals and schools use student
26 achievement data, school discipline data, school environment
27 surveys, assessments of parental satisfaction, and other
28 performance indicators to identify school and student needs
29 that can be met by improved professional performance, and
30 assist principals and schools in making these
31 identifications.

1 2. Provide training activities coupled with followup
2 support that is appropriate to accomplish district-level and
3 school-level improvement goals and standards.~~†~~

4 3. Provide training and other professional development
5 at the school level which is appropriate to the needs of the
6 students of the school and consistent with the school
7 improvement plan.

8 ~~4.3.~~ Provide for systematic consultation with regional
9 and state personnel designated to provide technical assistance
10 and evaluation of local professional development programs.~~†~~

11 ~~5.4.~~ Provide for delivery of professional development
12 by distance learning and other technology-based delivery
13 systems to reach more educators at lower costs.~~†~~~~and~~

14 ~~6.5.~~ Continuously evaluate the quality and
15 effectiveness of professional development programs in order to
16 eliminate ineffective programs and strategies and to expand
17 effective ones. Evaluations must consider the impact of such
18 activities on the performance of participating educators and
19 their students' achievement and behavior.

20 (5) Each district school board shall provide funding
21 for the system as required by s. 236.081, and shall direct
22 expenditures from other funding sources to strengthen the
23 system and make it uniform and coherent. A school district
24 may coordinate its professional development program with that
25 of another district, with an educational consortium, or with a
26 college or university, especially in preparing and educating
27 personnel. School districts, in coordination with school
28 personnel and the school community, shall develop an ongoing
29 assessment of the effectiveness of current expenditures for
30 professional development with an emphasis on increasing
31 student performance and improving professional performance.

1 Section 4. Section 231.64, Florida Statutes, is
2 created to read:

3 231.64 Project Teach Tuition Stipend Program.--

4 (1) The Project Teach Tuition Stipend Program is
5 created to establish a lottery-funded tuition stipend program
6 for instructional personnel, instructional specialists, and
7 educational support personnel who enroll in a qualified
8 education program and who meet the standards of performance as
9 defined in subsection (4).

10 (2) The program shall be administered by the school
11 district or other public school where the instructional
12 employee, instructional specialist, or educational support
13 employee is employed. The school district or other public
14 school must advertise the program and its requirements to the
15 eligible school personnel.

16 (3) To be eligible for the program, an employee must
17 be a full-time instructional employee, instructional
18 specialist, or educational support employee.

19 (4)(a) Instructional personnel and instructional
20 specialists eligible to receive funds from the program must be
21 enrolled in a qualified program of study which will result in
22 the awarding of an advanced degree in the employee's
23 specialization area or in a program of study which qualifies
24 the employee to teach in a critical teacher shortage area, as
25 defined in s. 231.62. Stipends for tuition and books shall be
26 made for each course included in the qualified program of
27 study.

28 (b) Educational support personnel eligible to receive
29 funds from the program must be enrolled in a qualified program
30 of study which will result in the awarding of the required
31 degree and certification to teach in Florida. Stipends for

1 tuition and books shall be made for each course included in
2 the qualified program of study.

3 (c) An employee receiving stipends from this program
4 must agree to teach in a Florida public school for at least 2
5 years after completing the qualified program of study. This
6 requirement is satisfied if, after 2 years from completion of
7 the qualified program, an employee has applied for teaching
8 positions within the employee's school district or school, but
9 has been unsuccessful in securing a position.

10 (d) An employee who does not complete the qualified
11 program of study within 5 years after receiving the first
12 tuition stipend award or who does not teach in Florida
13 pursuant to paragraph (c) shall repay to the school district
14 or public school that issued the stipend awards an amount
15 equal to the total stipends the employee received. Any
16 repayment of tuition stipends shall be used to reduce the
17 school district's or school's future distribution of Project
18 Teach Tuition Stipend Program funds from the Department of
19 Education.

20 (5) Funding for the program must be allocated from the
21 Educational Enhancement Trust Fund in accordance with s.
22 24.121. If allocated funds are not adequate to provide the
23 maximum allowable stipend, stipends must be prorated using the
24 same percentage reduction.

25 (6) The Department of Education shall distribute funds
26 for the program twice during the fiscal year, by October 1 and
27 March 1. School districts and other eligible public schools
28 shall submit a request for funds on a form approved by the
29 department. Each school district and public school that
30 receives funds from this program shall establish a process

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1 that documents an employee's eligibility to receive the
2 stipend.

3 Section 5. Subsection (2) of section 236.08106,
4 Florida Statutes, is amended to read:

5 236.08106 Excellent Teaching Program.--

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 distribute to each school district or to the NBPTS 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 distribution shall be the sum
13 of the amounts earned for the following incentives and
14 bonuses:

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

30 (b) A portfolio-preparation incentive of \$150 paid by
31 the Department of Education to each teacher employed by a

1 district school board or a public school within a school
2 district who is participating in the NBPTS certification
3 program. The portfolio-preparation incentive is a one-time
4 award paid during the school year for which the NBPTS fee
5 subsidy is provided.

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

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

3 (e) A retesting fee subsidy equal to the total
4 retesting fee charged by the NBPTS must be awarded to any
5 teacher who completed the certification program but failed to
6 be awarded NBPTS certification and who applies to the NBPTS
7 for retesting within 3 years after his or her first
8 participation in the NBPTS certification process.

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10 A teacher for whom the state pays the certification fee or
11 retesting fee and who does not complete the certification
12 program or retesting program or does not teach in a public
13 school of this state for at a least 1 year after completing
14 the certification program or retesting 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 6. Paragraph (a) of subsection (2) of section
25 236.0811, Florida Statutes, is amended, and subsection (3) is
26 added to that section, to read:

27 236.0811 Educational training.--

28 (2)(a)1. Pursuant to rules of the Commissioner of
29 Education, each school board shall develop and annually
30 approve a master plan for inservice educational training. The
31 plan shall include all inservice programs for all district

1 employees from all fund sources and shall be updated annually
2 by September 1 using criteria and procedures for continued
3 approval as specified by rule of the commissioner.
4 Verification that the plan meets all requirements of this
5 section and s. 231.600, where applicable, must be submitted
6 annually to the commissioner by October 1. The plan must be
7 based on an assessment of the inservice educational training
8 needs of the district conducted by a committee that includes
9 parents, classroom teachers, and other educational personnel.
10 This assessment must identify districtwide inservice needs and
11 the inservice training needs of local schools. The plan must
12 include, at a minimum, the inservice activities that are
13 necessary for implementation of the schools' improvement plans
14 during the current fiscal year. The plan must include, but is
15 not limited to, components addressing: competencies in the
16 identification, assessment, and prescription of instruction
17 for exceptional students; competencies in the identification,
18 assessment, and prescription of instruction for child abuse
19 and neglect prevention and for substance and alcohol abuse
20 prevention; and competencies in instruction for multicultural
21 sensitivity in the classroom. In addition, the plan must
22 include a component to provide regular training to classroom
23 teachers on advances in the field of normal child development
24 and the disorders of development. The plan must also include
25 components that may be used to satisfy the certification
26 requirements applicable to teachers of students with limited
27 proficiency in English and components that may be used for the
28 renewal of a certificate in each of the following areas: a
29 study of the middle grades, understanding the student in the
30 middle grades, organizing interdisciplinary instruction in the
31 middle grades, developing critical thinking and creative

1 thinking in students in the middle grades, counseling
2 functions of the teacher in the middle grades, developing
3 creative learning materials for the middle grades, and
4 planning and evaluating programs in the middle grades. The
5 plan must include inservice activities for all district
6 employees from all fund sources.

7 2. Classroom teachers and guidance counselors shall be
8 required to participate in the inservice training for child
9 abuse and neglect prevention, for alcohol and substance abuse
10 prevention education, and for multicultural sensitivity
11 education, which may include negotiation and conflict
12 resolution training.

13 3. Training for support staff must emphasize the
14 working partnership of support staff with instructional staff
15 and methods for increasing effectiveness in the instructional
16 process.

17 (3) In addition to the 196 days of service for
18 10-month personnel, 2 additional days of inservice training
19 must be provided to all instructional personnel and
20 instructional specialists. These 2 days of training should
21 emphasize professional development at the school level which
22 is appropriate to the needs of the students of the school and
23 consistent with the school improvement plan. Compensation for
24 these days must be based on the employee's daily rate of pay
25 and must be contingent upon funding included in the annual
26 General Appropriations Act.

27 Section 7. This act shall take effect July 1, 2000.
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SENATE SUMMARY

Creates the lottery-funded Project Teach Tuition Reimbursement Program for instructional personnel, instructional specialists, and educational support personnel. Provides criteria for eligibility. Provides for the establishment of school district model peer assistance and review programs. Provides additional school district professional development activities and requires an assessment of certain expenditures. Provides for a retesting fee and program under the Excellent Teaching Program. Provides requirements for educational training for support staff. Provides for additional days of inservice training for certain school personnel.