

By the Committees on Fiscal Policy, Education and Senator
Cowan

309-2148A-00

1 A bill to be entitled
2 An act relating to school system personnel;
3 amending s. 20.15, F.S.; changing the name of
4 the Division of Human Resource Development to
5 the Division of Professional Educators;
6 amending s. 230.303, F.S.; assigning duties of
7 the Florida Council on Educational Development
8 to the Department of Education; amending ss.
9 231.15, 231.17, F.S.; revising certification
10 requirements; providing for a competency-based
11 alternative preparation program; providing
12 criteria for out-of-state teachers and
13 administrators; amending s. 231.1725, F.S.;
14 requiring school boards to establish minimal
15 qualifications for career specialists; amending
16 s. 231.24, F.S.; authorizing the State Board of
17 Education to establish a certificate fee;
18 extending the time within which an expired
19 certification may be reinstated; amending s.
20 231.261, F.S.; expanding the membership of the
21 Education Practices Commission; revising the
22 method of designating panels to review
23 certificates; amending s. 231.263, F.S.;
24 providing for a deferred prosecution agreement
25 when enrolled in a recovery network treatment
26 program; amending s. 231.28, F.S.; revising
27 disciplinary procedures of the Education
28 Practices Commission; amending s. 231.30, F.S.;
29 providing standards for certification fees;
30 amending s. 231.600, F.S.; providing criteria
31 for inservice activities of professional

1 development systems; requiring the Department
2 of Education to provide a system for
3 recruitment, preparation, and professional
4 development of school administrators; amending
5 ss. 231.625, 231.6255, F.S.; providing for the
6 Department of Education to take over duties of
7 the Office of Teacher Recruitment and Retention
8 Services; amending s. 236.081, F.S.; conforming
9 a statutory cross-reference; amending s.
10 236.08106, F.S.; providing that the Florida
11 School for the Deaf and the Blind is a school
12 district for specified purposes; deleting the
13 cap on the fee subsidy for the Excellent
14 Teaching Program; authorizing a teacher to
15 qualify for the mentoring bonus for work
16 outside the district; amending s. 240.529,
17 F.S.; modifying certain requirements for
18 continued approval for teacher preparation
19 programs; creating the Florida Mentor Teacher
20 School Pilot Program; providing standards for
21 multiple career paths in teaching; providing
22 criteria for the program; providing for salary
23 incentives; providing for rulemaking authority;
24 amending s. 240.4063, F.S.; defining the term
25 "publicly funded schools"; repealing s.
26 231.0861, F.S., relating to selection of
27 principals and assistant principals; repealing
28 s. 231.087, F.S., relating to management
29 training; repealing s. 231.173, F.S., relating
30 to out-of-state teachers and administrators;
31 repealing s. 236.0811, F.S., relating to school

1 board educational training programs; providing
2 an effective date.

3
4 Be It Enacted by the Legislature of the State of Florida:

5
6 Section 1. Paragraph (e) of subsection (3) of section
7 20.15, Florida Statutes, is amended to read:

8 20.15 Department of Education.--There is created a
9 Department of Education.

10 (3) DIVISIONS.--The following divisions of the
11 Department of Education are established:

12 (e) Division of Professional Educators ~~Human Resource~~
13 ~~Development~~.

14 Section 2. Subsection (6) of section 230.303, Florida
15 Statutes, is amended to read:

16 230.303 Superintendent of schools.--

17 (6)(a) The Department of Education ~~Florida Council on~~
18 ~~Educational Management~~ shall provide a leadership development
19 and performance compensation program for superintendents of
20 schools, comparable to chief executive officer development
21 programs for corporate executive officers, to include:

22 1. A content-knowledge-and-skills phase consisting of:
23 creative leadership models and theory, demonstration of
24 effective practice, simulation exercises and personal skills
25 practice, and assessment with feedback, taught in a
26 professional training setting under the direction of
27 experienced, successful trainers.

28 2. A competency-acquisition phase consisting of
29 on-the-job application of knowledge and skills for a period of
30 not less than 6 months following the successful completion of
31 the content-knowledge-and-skills phase. The

1 competency-acquisition phase shall be supported by adequate
2 professional technical assistance provided by experienced
3 trainers approved by the Department of Education ~~Florida~~
4 ~~Council on Educational Management~~. Competency acquisition
5 shall be demonstrated through assessment and feedback.

6 (b) Upon the successful completion of both phases and
7 demonstrated successful performance, as determined by the
8 Department of Education ~~Florida Council on Educational~~
9 ~~Management~~, a superintendent of schools shall be issued a
10 Chief Executive Officer Leadership Development Certificate and
11 shall be given an annual performance salary incentive of not
12 less than \$3,000 or more than \$7,500 based upon his or her
13 performance evaluation.

14 (c) A superintendent's eligibility to continue
15 receiving the annual performance salary incentive is
16 contingent upon his or her continued performance assessment
17 and followup training prescribed by the Department of
18 Education ~~Florida Council on Educational Management~~.

19 Section 3. Subsection (1) of section 231.15, Florida
20 Statutes, is amended to read:

21 231.15 Positions for which certificates required.--

22 (1) The State Board of Education shall classify school
23 services, designate the certification subject areas, establish
24 competencies, including the use of technology to enhance
25 student learning, and certification requirements for all
26 school-based personnel, and prescribe rules in accordance with
27 which the professional, temporary, and part-time certificates
28 shall be issued by the Department of Education to applicants
29 who meet the standards prescribed by such rules for their
30 class of service. ~~The rules must allow the holder of a valid~~
31 ~~professional certificate to add an area of certification~~

1 ~~without completing the associated course requirements if the~~
2 ~~certificateholder attains a passing score on an examination of~~
3 ~~competency in the subject area to be added, and provides~~
4 ~~evidence of at least 2 years of satisfactory performance~~
5 ~~evaluations that considered the performance of students taught~~
6 ~~by the certificateholder. The rules must allow individuals who~~
7 ~~have specific subject area expertise, but who have not~~
8 ~~completed a standard teacher preparation program, to~~
9 ~~participate in a state-approved alternative certification~~
10 ~~program for a professional certificate. As appropriate, this~~
11 ~~program must provide for demonstration competencies in lieu of~~
12 ~~completion of a specific number of college course credit hours~~
13 ~~in the areas of assessment, communication, critical thinking,~~
14 ~~human development and learning, classroom management,~~
15 ~~planning, technology, diversity, teacher responsibility, code~~
16 ~~of ethics, and continuous professional improvement. The State~~
17 ~~Board of Education shall consult with the State Board of~~
18 ~~Independent Colleges and Universities, the State Board of~~
19 ~~Nonpublic Career Education, the Board of Regents, and the~~
20 ~~State Board of Community Colleges before adopting any changes~~
21 ~~to training requirements relating to entry into the~~
22 ~~profession. This consultation must allow the educational board~~
23 ~~to provide advice regarding the impact of the proposed changes~~
24 ~~in terms of the length of time necessary to complete the~~
25 ~~training program and the fiscal impact of the changes. The~~
26 ~~educational board must be consulted only when an institution~~
27 ~~offering the training program falls under its jurisdiction.~~
28 Each person employed or occupying a position as school
29 supervisor, principal, teacher, library media specialist,
30 school counselor, athletic coach, or other position in which
31 the employee serves in an instructional capacity, in any

1 public school of any district of this state shall hold the
2 certificate required by law and by rules of the state board in
3 fulfilling the requirements of the law for the type of service
4 rendered. However, the state board shall adopt rules
5 authorizing school boards to employ selected noncertificated
6 personnel to provide instructional services in the
7 individuals' fields of specialty or to assist instructional
8 staff members as education paraprofessionals.

9 Section 4. Section 231.17, Florida Statutes, is
10 amended to read:

11 231.17 Official statements of eligibility and
12 certificates granted on application to those meeting
13 prescribed requirements.--

14 (1) APPLICATION.--Each person seeking certification
15 pursuant to this chapter shall submit a completed application
16 to the Department of Education and remit the fee required
17 pursuant to s. 231.30. Applications submitted shall contain
18 the applicant's social security number. Pursuant to the
19 federal Personal Responsibility and Work Opportunity
20 Reconciliation Act of 1996, each party is required to provide
21 his or her social security number in accordance with this
22 section. Disclosure of social security numbers obtained
23 through this requirement shall be limited to the purpose of
24 administration of the Title IV-D program for child support
25 enforcement. Pursuant to s. 120.60, the Department of
26 Education shall issue within 90 calendar days after the
27 stamped receipted date of the completed application an
28 official statement of eligibility for certification or a
29 certificate covering the classification, level, and area for
30 which the applicant is deemed qualified.

31

1 (2) STATEMENT OF ELIGIBILITY.--The statement of
2 eligibility must advise the applicant of the qualifications
3 that must be completed to qualify for the temporary or
4 professional certificate sought. Each statement of eligibility
5 is valid for 2 years after its date of issuance except as
6 provided in paragraph (3)(b) and may be reissued for one
7 additional 2-year period if application is made while the
8 initial statement of eligibility is valid or within 1 year
9 after the initial statement expires.

10 (3) TEMPORARY CERTIFICATE.--

11 (a) The department shall issue a temporary certificate
12 to any applicant who submits satisfactory evidence of
13 possessing the qualifications for such a certificate as
14 prescribed by this chapter and by rules of the state board.
15 Each temporary certificate is valid for 3 school fiscal ~~2~~
16 ~~years after the date of its issuance~~ and is nonrenewable,
17 except as otherwise provided in subsection (6).

18 (b) Issuance of the temporary certificate shall occur
19 when the department:

- 20 1. Receives the applicant's fingerprint reports from
21 the Department of Law Enforcement and the Federal Bureau of
22 Investigation pursuant to s. 231.02. Upon the receipt of an
23 employer's request for issuance of a certificate, if the
24 fingerprint reports indicate a criminal history or if the
25 applicant acknowledges a criminal history, the applicant's
26 records shall be referred to the Bureau of Educator Standards
27 for review and determination of eligibility for certification.
28 If the applicant fails to provide the necessary documentation
29 requested by the Bureau of Educator Standards within 90 days
30 after the date of the receipt of the certified mail request,
31

1 the statement of eligibility and pending application become
2 invalid; and

3 2. Determines that the applicant is qualified for the
4 temporary certificate.

5 (c) To qualify for a temporary certificate, the
6 applicant must:

7 1. File a written statement under oath that the
8 applicant subscribes to and will uphold the principles
9 incorporated in the Constitutions of the United States and of
10 the State of Florida.

11 2. Be at least 18 years of age.

12 3. Document receipt of a bachelor's or higher degree
13 from an accredited institution of higher learning, as defined
14 by state board rule. Credits and degrees awarded by a newly
15 created Florida state institution that is part of the State
16 University System shall be considered as granted by an
17 accredited institution of higher learning during the first 2
18 years of course offerings while accreditation is gained.
19 Degrees from foreign institutions, or degrees from other
20 institutions of higher learning that are in the accreditation
21 process, may be validated by a process established in state
22 board rule. Once an institution gains accreditation ~~is gained~~,
23 the institution shall be considered as accredited beginning
24 with the 2-year period prior to the date of accreditation. ~~The~~
25 ~~bachelor's or higher degree may not be required in areas~~
26 ~~approved in rule by the State Board of Education as nondegree~~
27 ~~areas.~~ Each applicant seeking initial certification must have
28 attained at least a 2.5 overall grade point average on a 4.0
29 scale in the applicant's major field of study. The applicant
30 may document the required education by submitting official
31 transcripts from institutions of higher education or by

1 authorizing the direct submission of such official transcripts
2 through established electronic network systems.

3 4. Be competent and capable of performing the duties,
4 functions, and responsibilities of a teacher.

5 5. Be of good moral character.

6 6. Demonstrate mastery of subject-matter knowledge as
7 specified in State-Board-of-Education rules. Effective July 1,
8 2002, individuals may also demonstrate mastery of

9 subject-matter knowledge by obtaining a passing score on an
10 examination of competency as provided for in subsection (8).

11 This examination of subject-matter competency may be used for
12 determining eligibility for initial certification or the
13 addition of a subject to a certificate.

14 7.6. Demonstrate mastery of general knowledge,
15 including the ability to read, write, compute, and use
16 technology for classroom instruction. Individuals who apply
17 for certification on or after July 1, 2000, must demonstrate
18 these minimum competencies in order to receive a temporary
19 certificate. Until July 1, 2002, acceptable means of
20 demonstrating such mastery are ~~is~~ an individual's achievement
21 of passing scores on another state's general knowledge
22 examinations or a valid standard teaching certificate issued
23 by another state that requires mastery of general knowledge.

24
25 Rules adopted pursuant to this section shall provide for the
26 review and acceptance of credentials from foreign institutions
27 of higher learning.

28 (4) PROFESSIONAL CERTIFICATE.--The department shall
29 issue a professional certificate for a period not to exceed 5
30 years to any applicant who meets the requirements for a
31 temporary certificate and documents successful completion of

1 ~~the following: mastery of the minimum competencies required by~~
2 ~~subsection (5). Mastery of the minimum competencies must be~~
3 ~~documented on a comprehensive written examination or through~~
4 ~~other criteria as specified by rules of the state board.~~

5 ~~Mastery of minimum competencies required under subsection (5)~~
6 ~~must be demonstrated in the following areas:~~

7 (a) The professional education subtest of the Florida
8 Teacher Certification Examination or other test of
9 professional knowledge as prescribed in subsection (8);

10 (b) The subject area examination or other test of
11 subject matter knowledge as prescribed in subsection (8);

12 (c) Demonstration of professional education competence
13 as prescribed in subsections (5) and (7);

14 (d) Professional preparation as prescribed in
15 subsection (7) and in state board rule; and

16 (e) Recent college credit as prescribed in state board
17 rule.

18
19 An individual who meets requirements prescribed in subsection
20 (9) for experienced educators from other states will be
21 considered to have completed requirements for issuance of the
22 professional certificate.

23 ~~(a) General knowledge, including the ability to read,~~
24 ~~write, and compute, and use technology for classroom~~
25 ~~instruction. However, individuals who apply for certification~~
26 ~~on or after July 1, 2000, must demonstrate these minimum~~
27 ~~competencies in order to receive a temporary certificate.~~

28 ~~Acceptable means of for certification on or after July 1,~~
29 ~~2000, must demonstrate these minimum competencies in order to~~
30 ~~receive a temporary certificate. Acceptable means of~~
31 ~~demonstrating such mastery is an individual's achievement of~~

1 ~~passing scores on another state's general knowledge~~
2 ~~examinations or a valid standard teaching certificate issued~~
3 ~~by another state that requires mastery of general knowledge.~~

4 ~~(b) Professional skills and knowledge of the standards~~
5 ~~of professional practice.~~

6 ~~(c) The subject matter in each area for which~~
7 ~~certification is sought.~~

8 (5) MINIMUM COMPETENCIES FOR PROFESSIONAL
9 CERTIFICATE.--

10 ~~(a)~~ The state board must specify, by rule, the minimum
11 essential competencies that educators must possess and
12 demonstrate in order to qualify to teach students the
13 standards of student performance adopted by the state board.
14 The minimum competencies must include but are not limited to
15 the ability to:

16 (a)1. Write in a logical and understandable style with
17 appropriate grammar and sentence structure.

18 (b)2. Read, comprehend, and interpret professional and
19 other written material.

20 (c)3. Comprehend and work with mathematical concepts,
21 including algebra.

22 (d)4. Recognize signs of students' difficulty with the
23 reading process and apply appropriate measures to improve
24 students' reading performance.

25 (e)5. Recognize signs of severe emotional distress in
26 students and apply techniques of crisis intervention with an
27 emphasis on suicide prevention and positive emotional
28 development.

29 (f)6. Recognize signs of alcohol and drug abuse in
30 students and know how to appropriately work with such students
31 and seek assistance designed to prevent future abuse.

1 (g)~~7~~. Recognize the physical and behavioral indicators
2 of child abuse and neglect, know rights and responsibilities
3 regarding reporting, know how to care for a child's needs
4 after a report is made, and know recognition, intervention,
5 and prevention strategies pertaining to child abuse and
6 neglect which can be related to children in a classroom
7 setting in a nonthreatening, positive manner.

8 (h)~~8~~. Comprehend patterns of physical, social, and
9 academic development in students, including exceptional
10 students in the regular classroom, and counsel these students
11 concerning their needs in these areas.

12 (i)~~9~~. Recognize and be aware of the instructional
13 needs of exceptional students.

14 (j)~~10~~. Comprehend patterns of normal development in
15 students and employ appropriate intervention strategies for
16 disorders of development.

17 (k)~~11~~. Identify and comprehend the codes and standards
18 of professional ethics, performance, and practices adopted
19 pursuant to s. 231.546(2)(b), the grounds for disciplinary
20 action provided by s. 231.28, and the procedures for resolving
21 complaints filed pursuant to this chapter, including appeal
22 processes.

23 (l)~~12~~. Recognize and demonstrate awareness of the
24 educational needs of students who have limited proficiency in
25 English and employ appropriate teaching strategies.

26 (m)~~13~~. Use and integrate appropriate technology in
27 teaching and learning processes and in managing, evaluating,
28 and improving instruction.

29 (n)~~14~~. Use assessment and other diagnostic strategies
30 to assist the continuous development of the learner.

31

1 (o)~~15~~. Use teaching and learning strategies that
2 include considering each student's culture, learning styles,
3 special needs, and socioeconomic background.

4 (p)~~16~~. Demonstrate knowledge and understanding of the
5 subject matter that is aligned with the subject knowledge and
6 skills specified in the Sunshine State Standards and student
7 performance standards approved by the state board.

8 (q)~~17~~. Recognize the early signs of truancy in
9 students and identify effective interventions to avoid or
10 resolve nonattendance behavior.

11 (r)~~18~~. Demonstrate knowledge and skill in managing
12 student behavior inside and outside the classroom. Such
13 knowledge and skill must include techniques for preventing and
14 effectively responding to incidents of disruptive or violent
15 behavior.

16 (s)~~19~~. Demonstrate knowledge of and skill in
17 developing and administering appropriate classroom assessment
18 instruments designed to measure student learning gains.

19 (t)~~20~~. Demonstrate the ability to maintain a positive
20 collaborative relationship with students' families to increase
21 student achievement.

22 ~~(b) The state board shall designate the certification~~
23 ~~areas for subject area tests. However, an applicant may~~
24 ~~satisfy the subject area and professional knowledge testing~~
25 ~~requirements by attaining scores on corresponding tests from~~
26 ~~the National Teachers Examination series, and successors to~~
27 ~~that series, that meet standards established by the state~~
28 ~~board. The College Level Academic Skills Test, a similar test~~
29 ~~approved by the state board, or corresponding tests from the~~
30 ~~National Teachers Examination series must be used to~~
31 ~~demonstrate mastery of general knowledge as required in~~

1 ~~paragraphs (3)(c) and (4)(a). All required tests may be taken~~
2 ~~prior to graduation. The College Level Academic Skills Test~~
3 ~~shall be waived for any applicant who passed the reading,~~
4 ~~writing, and mathematics subtest of the former Florida Teacher~~
5 ~~Certification Examination or the College Level Academic Skills~~
6 ~~Test and subsequently obtained a certificate pursuant to this~~
7 ~~chapter.~~

8 (6) EXCEPTIONS FOR ISSUANCE OF CERTIFICATES.--

9 (a) The department shall issue a temporary certificate
10 to an applicant who meets all requirements established by law
11 and rule for issuance of a professional certificate, other
12 than passing the subject-area and professional knowledge
13 examinations, demonstrating professional education
14 competencies as required in subsection (7),~~examination~~ or
15 completing the professional education courses in which the
16 applicant is deficient.

17 ~~(b) The department shall issue one nonrenewable 2-year~~
18 ~~temporary certificate and one nonrenewable 5-year professional~~
19 ~~certificate to a qualified applicant who holds a bachelor's~~
20 ~~degree in the area of speech-language impairment to allow for~~
21 ~~completion of a master's degree program in speech-language~~
22 ~~impairment.~~

23 ~~(c) The state board shall adopt rules to allow the~~
24 ~~department to extend the validity period of a temporary~~
25 ~~certificate for 2 years~~ reissue temporary certificates as
26 follows:

27 1. ~~One additional 2-year temporary certificate~~ when
28 the requirements for the professional certificate were not
29 completed because of the serious illness, injury, or other
30 extraordinary, extenuating circumstance of the applicant.

1 ~~2. A 1-year extension of the temporary certificate for~~
2 ~~an applicant who was employed less than 99 days during the~~
3 ~~first year of teaching.~~

4 ~~3. Two additional 2-year temporary certificates to an~~
5 ~~applicant who is completing the training and professional~~
6 ~~education course requirements for an English or language arts~~
7 ~~teacher of students with limited proficiency in English.~~

8 ~~4. A 1-year extension of the temporary certificate to~~
9 ~~a foreign educated applicant who is completing professional~~
10 ~~certification requirements, or to a bilingual curriculum~~
11 ~~content teacher of students with limited proficiency in~~
12 ~~English.~~

13 ~~5. One additional 2-year temporary certificate to an~~
14 ~~applicant who is completing college credits to satisfy the~~
15 ~~professional education requirements for certification.~~

16
17 The department shall reissue the a temporary certificate for 2
18 additional years upon approval by the Commissioner of
19 Education. A upon the written request for reissuance of the
20 certificate must be submitted by of the district school
21 superintendent, the governing authority of a developmental
22 research school, or the governing authority of a
23 state-supported school or nonpublic school.

24 (7) DEMONSTRATION OF PROFESSIONAL EDUCATION
25 COMPETENCE.--

26 (a) By July 1, 2002, the department shall develop and
27 each school district shall implement a cohesive
28 competency-based alternative preparation program by which
29 members of a school district's instructional staff may satisfy
30 the professional education course requirements specified in
31 rules of the state board of education and the demonstration of

1 professional education competencies specified in paragraph (c)
2 for issuance of a professional certificate. Participants must
3 have demonstrated subject-area expertise in a certification
4 subject designated by the state board and must hold a
5 state-issued temporary certificate. The program must include
6 the following components:
7 1. A minimum period of initial preparation before
8 assuming duties of the teacher of record;
9 2. An option for collaboration among school districts
10 and other supporting agencies for implementation;
11 3. Experienced peer mentors;
12 4. An assessment that provides for:
13 a. An initial evaluation of each educator's
14 competencies to determine an appropriate individualized
15 professional development plan; and
16 b. A postevaluation to assure successful completion of
17 the program; and
18 5. Content to include, but not be limited to, the
19 following:
20 a. Requirements specified in State-Board-of-Education
21 rules for professional preparation;
22 b. The educator-accomplished practices approved by the
23 State Board of Education;
24 c. A variety of data indicators for student progress;
25 d. Methodologies, including technology, for teaching
26 subject content which support the Sunshine State Standards for
27 students;
28 e. Techniques for effective classroom management;
29 f. Techniques and strategies for operationalizing the
30 role of the teacher in assuring a safe learning environment
31 for students; and

1 g. Methodologies for assuring the ability of all
2 students to read.

3 **(b)(a)** Until July 1, 2002, each school district may
4 develop and maintain an alternative certification program by
5 which members of the district's instructional staff may
6 satisfy the professional education course requirements
7 specified in rules of the state board for issuance of a
8 professional certificate. The state board must adopt, by rule,
9 standards and guidelines for the approval of alternative
10 certification programs. Each approved program must include
11 methods for identifying each applicant's entry-level teaching
12 competencies and must require each applicant to:

13 1. Have expertise in the subject and meet requirements
14 for specialization in a subject area for which a professional
15 certificate may be issued under this chapter and rules of the
16 state board.

17 2. Complete training in only those competency areas in
18 which deficiencies are identified.

19 3. Complete the program and demonstrate professional
20 education competence within 2 years after initial employment
21 as a member of the district's instructional staff.

22 **(c)(b)** Each school district must develop and maintain
23 a system by which members of the district's instructional
24 staff may demonstrate the professional education competence
25 required by this section for issuance of a professional
26 certificate. Each district's system must be based on classroom
27 application and instructional performance and must include a
28 performance evaluation plan for documenting the demonstration
29 of required professional education competence. Each individual
30 employed as a member of the district's instructional staff ~~on~~
31 ~~or after July 1, 1997~~, must demonstrate mastery of the

1 required professional education competence within the first
2 year of employment, unless the individual:
3 1. Has completed an approved teacher preparation
4 program at a postsecondary institution within this state;
5 2. Has completed a teacher education training program
6 and has had at least 2 years of successful full-time teaching
7 experience in another state; or
8 3. Until July 1, 2002,is participating in the
9 district's alternate certification program, and, beginning
10 July 1, 2002, has completed the state-approved alternative
11 preparation program as specified in paragraph (a).
12 ~~(d)(e)~~ Each district school board may expend
13 educational training funds provided under ss. 236.081 and
14 231.600 ~~236.081~~ to implement this subsection.
15 ~~(e)(d)~~ The department must approve programs and
16 systems developed to demonstrate professional education
17 competence.
18 (8) EXAMINATIONS.--
19 (a) The commissioner, with the approval of the state
20 board, may contract for developing, printing, administering,
21 scoring, and appropriate analysis of the written tests
22 required.
23 (b) The state board shall, by rule, specify the
24 examination scores that are required for the issuance of a
25 professional certificate and temporary certificate. Such rules
26 must define generic subject area competencies and must
27 establish uniform evaluation guidelines. Individuals who apply
28 for their professional certificate before July 1, 2000, may
29 demonstrate mastery of general knowledge pursuant to the
30 alternative method specified by state board rule which must:
31

1 1. Apply only to an applicant who has successfully
2 completed all prerequisites for issuance of the professional
3 certificate, except passing one specific subtest of the
4 College Level Academic Skills Test, and who has taken and
5 failed to achieve a passing score on that subtest at least
6 four times.

7 2. Require notification from the superintendent of the
8 employing school district, the governing authority of the
9 employing developmental research school, or the governing
10 authority of the employing state-supported school or nonpublic
11 school that the applicant has satisfactorily demonstrated
12 mastery of the subject area covered by that specific subtest
13 through successful experience in the professional application
14 of generic subject area competencies and proficient academic
15 performance in that subject area. The decision of the
16 superintendent or governing authority shall be based on a
17 review of the applicant's official academic transcript and
18 notification from the applicant's principal, a peer teacher,
19 and a district-level supervisor that the applicant has
20 demonstrated successful professional experience in that
21 subject area.

22 (c) The state board shall designate the certification
23 areas for subject-area tests. However, until July 1, 2002, an
24 applicant may satisfy the subject-area and professional
25 knowledge testing requirements by attaining scores on
26 corresponding tests from the National Teachers Examination
27 series, and successors to that series which meet standards
28 established by the state board. Until July 1, 2002, the
29 College Level Academic Skills Test, a similar test approved by
30 the state board, corresponding tests from the National
31 Teachers Examination series, or other acceptable means

1 described in subparagraph (3)(c)7. must be used to demonstrate
2 mastery of general knowledge as required in paragraph (3)(c).
3 All required tests may be taken before graduation. The College
4 Level Academic Skills Test is waived for any applicant who has
5 passed the reading, writing, and mathematics subtest of the
6 former Florida Teacher Certification Examination or the
7 College Level Academic Skills Test and subsequently obtained a
8 certificate under this chapter. Beginning July 1, 2002, an
9 applicant must satisfy the testing requirements in paragraph
10 (8)(f).

11 (d)~~(c)~~ If an applicant takes an examination developed
12 by this state and does not achieve the score necessary for
13 certification, the applicant may review his or her completed
14 examination and bring to the attention of the department any
15 errors that would result in a passing score.

16 (e)~~(d)~~ For an examination developed by this state, the
17 department and the board shall maintain confidentiality of the
18 examination, developmental materials, and workpapers, and the
19 examination, developmental materials, and workpapers are
20 exempt from s. 119.07(1).

21 (f) By July 1, 2002, the examinations used for
22 demonstration of mastery of general knowledge, professional
23 knowledge, and subject-matter knowledge must be aligned with
24 student standards approved by the State Board of Education.
25 The delivery system for these examinations must provide for
26 overall efficiency, user-friendly application, reasonable
27 accessibility to prospective teachers, and prompt attainment
28 of test results. The examination of competency for
29 demonstration of subject-matter knowledge must be sufficiently
30 comprehensive to assess subject-matter expertise for
31

1 individuals who have acquired subject-matter knowledge either
2 through college credit or by other means.

3 (9) SUCCESSFUL, EXPERIENCED, OUT-OF-STATE TEACHERS AND
4 ADMINISTRATORS.--

5 (a) A successful, experienced, out-of-state teacher or
6 administrator qualifies for a professional certificate if he
7 or she:

8 1. Completes the application process, including the
9 filing of a complete set of fingerprints as required by s.
10 231.02.

11 2. Holds a valid standard certificate issued by the
12 state where the applicant most recently taught, which standard
13 certificate is equivalent to the professional certificate
14 issued by this state and for which specialization coverage is
15 based on a level of training comparable to that required in
16 this state for the specialization coverage sought by the
17 applicant.

18 3. Documents 3 continuous years of successful
19 full-time teaching or administrative experience in another
20 state during the 5-year period immediately preceding the date
21 of application for certification.

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

27 (c) The professional certificate issued in accordance
28 with paragraph (a) or paragraph (b) must indicate the
29 specialization coverages shown on the out-of-state certificate
30 which correspond to coverages designated by the state board.

31 (10)(9) NONCITIZENS.--

1 (a) The state board may adopt rules for issuing
2 certificates to noncitizens who may be needed to teach and who
3 are legally admitted to the United States through the United
4 States Immigration and Naturalization Service. The filing of
5 a written oath to uphold the principles of the Constitutions
6 of the United States and of the State of Florida, required
7 under subparagraph (3)(c)1., does not apply to individuals
8 assigned to teach on an exchange basis.

9 (b) A certificate may not be issued to a citizen of a
10 nation controlled by forces that are antagonistic to
11 democratic forms of government, except to an individual who
12 has been legally admitted to the United States through the
13 Immigration and Naturalization Service.

14 (11)~~(10)~~ DENIAL OF CERTIFICATE.--

15 (a) The Department of Education may deny an applicant
16 a certificate if the department possesses evidence
17 satisfactory to it that the applicant has committed an act or
18 acts, or that a situation exists, for which the Education
19 Practices Commission would be authorized to revoke a teaching
20 certificate.

21 (b) The decision of the Department of Education is
22 subject to review by the Education Practices Commission upon
23 the filing of a written request from the applicant within 20
24 days after receipt of the notice of denial.

25 (12)~~(11)~~ STATE BOARD RULES.--The State Board of
26 Education shall adopt rules as necessary to implement this
27 section.

28 (13)~~(12)~~ PRIOR APPLICATION.--Persons who apply for
29 initial professional or temporary certification are governed
30 by the law and rules in effect at the time of application for
31 issuance of the initial certificate.

1 (14)~~(13)~~ PERSONNEL RECORDS.--The Department of
2 Education shall maintain a complete statement of the academic
3 preparation, professional training, and teaching experience of
4 each person to whom a certificate is issued. The applicant or
5 the superintendent shall furnish the information using a
6 format or forms provided by the department.

7 (15)~~(14)~~ AUTHORITY OF COMMISSIONER.--The Commissioner
8 of Education is authorized to make decisions regarding an
9 applicant's certification under extenuating circumstances not
10 otherwise provided for in statute or by rule. However, an
11 applicant for certification approved by the commissioner must
12 possess the credentials, knowledge, and skills necessary to
13 provide quality education in the public schools.

14 Section 5. Section 231.1725, Florida Statutes, is
15 amended to read:

16 231.1725 Employment of substitute teachers, teachers
17 of adult education, ~~and~~ nondegreed teachers of career
18 education, and career specialists; students performing
19 clinical field experience.--

20 (1) Notwithstanding the provisions of ss. 231.02,
21 231.15, and 231.17, or any other provision of law or rule to
22 the contrary, each school board shall establish the minimal
23 qualifications for:

24 (a) Substitute teachers to be employed pursuant to s.
25 231.47. The qualifications shall require the filing of a
26 complete set of fingerprints in the same manner as required by
27 s. 231.02.

28 (b) Part-time and full-time teachers in adult
29 education programs. The qualifications shall require the
30 filing of a complete set of fingerprints in the same manner as
31 required by s. 231.02. Faculty employed solely to conduct

1 postsecondary instruction may be exempted from this
2 requirement.

3 (c) Part-time and full-time nondegreed teachers of
4 vocational programs. Qualifications shall be established for
5 agriculture, business, health occupations, family and consumer
6 sciences, industrial, marketing, career specialist, and public
7 service education teachers, based primarily on successful
8 occupational experience rather than academic training. The
9 qualifications for such teachers shall require:

10 1. The filing of a complete set of fingerprints in the
11 same manner as required by s. 231.02. Faculty employed solely
12 to conduct postsecondary instruction may be exempted from this
13 requirement.

14 2. Documentation of education and successful
15 occupational experience including documentation of:

16 a. A high school diploma or the equivalent.

17 b. Completion of 6 years of full-time successful
18 occupational experience or the equivalent of part-time
19 experience in the teaching specialization area. Alternate
20 means of determining successful occupational experience may be
21 established by the school board.

22 c. Completion of career education training conducted
23 through the local school district inservice master plan.

24 d. For full-time teachers, completion of professional
25 education training in teaching methods, course construction,
26 lesson planning and evaluation, and teaching special needs
27 students. This training may be completed through coursework
28 from a standard institution or an approved district teacher
29 education program.

30 e. Demonstration of successful teaching performance.
31

1 (2) Substitute, adult education, and nondegreed career
2 education teachers who are employed pursuant to this section
3 shall have the same rights and protection of laws as certified
4 teachers.

5 (3) A student who is enrolled in a state-approved
6 teacher preparation program in an institution of higher
7 education which is approved by rules of the State Board of
8 Education and who is jointly assigned by the institution of
9 higher education and a school board to perform a clinical
10 field experience under the direction of a regularly employed
11 and certified educator shall, while serving such supervised
12 clinical field experience, be accorded the same protection of
13 law as that accorded to the certified educator except for the
14 right to bargain collectively as an employee of the school
15 board.

16 Section 6. Section 231.24, Florida Statutes, is
17 amended to read:

18 231.24 Process for renewal of professional
19 certificates.--

20 (1)(a) School districts in this state shall renew
21 state-issued professional certificates as follows:

22 1. Each school district shall renew state-issued
23 professional certificates for individuals who hold a
24 professional certificate by this state and are employed by
25 that district pursuant to criteria established in subsections
26 (2), (3), and (4) and requirements specified in rules of the
27 State Board of Education.

28 2. The employing school district may charge the
29 individual an application fee not to exceed the amount charged
30 by the Department of Education for such services, including
31 associated late renewal fees. Each school board shall

1 transmit monthly to the department \$20, or a fee established
2 by the state board, for each renewed certificate that is
3 renewed, to cover the costs for maintenance and operation of
4 the statewide certification database and for costs incurred in
5 printing and mailing such renewed certificates. As defined in
6 current rules of the State Board of Education, the department
7 shall contribute a portion of such fee for purposes of funding
8 the Educator Recovery Network established in s. 231.263. The
9 department shall deposit all funds into the Educational
10 Certification Trust Fund for use as specified in s. 231.30.

11 (b) The department shall renew state-issued
12 professional certificates for individuals who are not employed
13 by a school board of this state pursuant to criteria
14 established in subsections (2), (3), and (4) and requirements
15 specified in rules of the State Board of Education.

16 (2) All professional certificates, except a
17 nonrenewable professional certificate, shall be renewable for
18 successive periods not to exceed 5 years after the date of
19 submission of documentation of completion of the requirements
20 for renewal provided in subsection (3). Only one renewal may
21 be granted during each 5-year validity period of a
22 professional certificate, ~~except that~~ A teacher with national
23 certification from the National Board for Professional
24 Teaching Standards is deemed to meet state renewal
25 requirements for the life of the teacher's national
26 certificate in the subject shown on the national certificate.
27 However, if the renewal application form is not received by
28 the department or by the employing school district before the
29 expiration of the professional certificate, the application
30 form, application fee, and a late fee must be submitted before
31 July 1 of the year following expiration of the certificate in

1 order to renew the professional certificate. The state board
2 shall adopt rules to allow a 1-year extension of the validity
3 period of a professional certificate in the event of serious
4 illness, injury, or other extraordinary extenuating
5 circumstances of the applicant. The department shall grant
6 such 1-year extension upon written request by the applicant or
7 by the superintendent of the local school district or the
8 governing authority of a developmental research school,
9 state-supported school, or nonpublic school that employs the
10 applicant.

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

13 (a) The applicant must earn a minimum of 6 college
14 credits or 120 inservice points or a combination thereof. For
15 each area of specialization to be retained on a certificate,
16 the applicant must earn at least 3 of the required credit
17 hours or equivalent inservice points in the specialization
18 area. Education in "clinical educator" training pursuant to s.
19 240.529(5)(b) and credits or points that provide training in
20 the area of exceptional student education, normal child
21 development, and the disorders of development may be applied
22 toward any specialization area. Credits or points that provide
23 training in the areas of drug abuse, child abuse and neglect,
24 strategies in teaching students having limited proficiency in
25 English, or dropout prevention, or training in areas
26 identified in the educational goals and performance standards
27 adopted pursuant to ss. 229.591(3) and 229.592 may be applied
28 toward any specialization area. Credits or points earned
29 through approved summer institutes may be applied toward the
30 fulfillment of these requirements. Inservice points may also
31 be earned by participation in professional growth components

1 approved by the State Board of Education and specified
2 pursuant to s. 231.600 ~~s. 236.0811~~ in the district's approved
3 master plan for inservice educational training, including, but
4 not limited to, serving as a trainer in an approved teacher
5 training activity, serving on an instructional materials
6 committee or a state board or commission that deals with
7 educational issues, or serving on an advisory council created
8 pursuant to s. 229.58.

9 (b) In lieu of college course credit or inservice
10 points, the applicant may renew a specialization area by
11 passage of a state board approved subject area test, by
12 ~~completion of the national certification from the National~~
13 ~~Board for Professional Teaching Standards in that~~
14 ~~specialization area, or by completion of a department approved~~
15 ~~summer work program in a business or industry directly related~~
16 ~~to an area of specialization listed on the certificate. The~~
17 ~~state board shall adopt rules providing for the approval~~
18 ~~procedure.~~

19 (c) If an applicant wishes to retain more than two
20 specialization areas on the certificate, the applicant shall
21 be permitted two successive validity periods for renewal of
22 all specialization areas, but must earn no fewer than 6
23 college course credit hours or the equivalent in any one
24 validity period.

25 (d) The state board shall approve rules for the
26 expanded use of training for renewal of the professional
27 certificate for educators who are required to complete
28 training in teaching students of limited English proficiency
29 as follows:

30 1. A teacher who holds a professional certificate may
31 use college credits or inservice points completed in

1 English-for-Speakers-of-Other-Languages training in excess of
2 6 semester hours during one comprehensive period toward
3 renewal of the professional certificate during the subsequent
4 validity periods.

5 2. A teacher who holds a temporary certificate may use
6 college credits or inservice points completed in
7 English-for-Speakers-of-Other-Languages training toward
8 renewal of the teacher's first professional certificate. Such
9 training must not have been included within the degree
10 program, and the teacher's temporary and professional
11 certificates must be issued for consecutive school years.

12 (4) When any person who holds a valid temporary
13 certificate or professional certificate is called into or
14 volunteers for actual wartime service or required peacetime
15 military service training, the certificate shall be renewed
16 for a period of time equal to the time spent in military
17 service if the person makes proper application and presents
18 substantiating evidence to the department or the employing
19 school district regarding such military service.

20 (5) The state board shall adopt rules to allow the
21 reinstatement of expired professional certificates. The
22 department may reinstate an expired professional certificate
23 within 5 ~~3~~ years after the date of expiration if the
24 certificateholder:

25 (a) Submits an application for reinstatement of the
26 expired certificate.

27 (b) Documents completion of 6 college credits during
28 the 5 years immediately preceding reinstatement of the expired
29 certificate, completion of 120 inservice points, or a
30 combination thereof, in an area specified in paragraph (3)(a).

31

1 (c) During the 5 years immediately preceding
2 reinstatement of the certificate, achieves a passing score on
3 the subject area test for each subject to be shown on the
4 reinstated certificate.

5
6 The requirements of this subsection may not be satisfied by
7 subject area tests or college credits completed for issuance
8 of the certificate that has expired.

9 Section 7. Subsections (1) and (8) of section 231.261,
10 Florida Statutes, are amended to read:

11 231.261 Education Practices Commission;
12 organization.--

13 (1) There is created the Education Practices
14 Commission, to consist of 17 ~~15~~ members, including 7 teachers,
15 5 administrators, and 5 ~~3~~ lay citizens (of whom 2 shall be
16 former school board members), appointed by the State Board of
17 Education from nominations by the Commissioner of Education
18 and subject to Senate confirmation. Prior to making
19 nominations, the commissioner shall consult with the teaching
20 and other involved associations in the state. In making
21 nominations, the commissioner shall attempt to achieve equal
22 geographical representation, as closely as possible.

23 (a) A teacher member, in order to be qualified for
24 appointment:

- 25 1. Must be certified to teach in the state.
26 2. Must be a resident of the state.
27 3. Must have practiced the profession in this state
28 for at least 5 years immediately preceding the appointment.

29 (b) A school administrator member, in order to be
30 qualified for appointment:

31

1 1. Must have an endorsement on the teaching
2 certificate in the area of school administration or
3 supervision.

4 2. Must be a resident of the state.

5 3. Must have practiced the profession as an
6 administrator for at least 5 years immediately preceding the
7 appointment.

8 (c) The lay members must be residents of the state.

9 (8)(a) The designee of the chairperson of the
10 commission shall, from time to time, designate members of the
11 commission to serve on ~~be divided into two~~ panels for the
12 purpose of reviewing and issuing final orders in ~~upon~~ cases
13 presented to the commission ~~it~~. A case ~~recommended order~~
14 concerning a complaint against a teacher must ~~shall~~ be
15 reviewed and a final order thereon entered ~~acted upon~~ by a
16 panel composed of seven commission members four of whom must
17 be teachers, ~~two lay citizens, and one administrator from the~~
18 ~~commission~~. A case ~~recommended order~~ concerning a complaint
19 against an administrator must ~~shall~~ be reviewed and a final
20 order thereon entered ~~acted upon~~ by a panel composed of seven
21 commission members four of whom must be administrators, ~~two~~
22 ~~lay citizens, and one teacher from the commission~~.

23 Notwithstanding the requirements of this paragraph for the
24 number of teachers and administrators on a panel, any four
25 members of a panel designated for a particular meeting
26 constitutes a quorum of that panel for that meeting, and a
27 quorum is necessary for the panel to take official action.

28 (b) A majority of the members of a panel ~~The panels~~ of
29 the commission shall have final agency authority in all cases
30 involving the revocation or ~~and~~ suspension of certificates of
31 teachers or ~~and~~ school administrators or ~~involving other~~

1 disciplinary action against teachers or school administrators.

2 The local school board shall retain the authority to
3 discipline teachers and administrators pursuant to law.

4 Section 8. Section 231.263, Florida Statutes, is
5 amended to read:

6 231.263 Recovery network program for educators.--

7 (1) RECOVERY NETWORK ESTABLISHED.--There is created
8 within the Department of Education, to begin on July 1, 1994,
9 a recovery network program to assist educators who are
10 impaired as a result of alcohol abuse, drug abuse, or a mental
11 condition in obtaining treatment to permit their continued
12 contribution to the education profession. Any person who
13 holds certification issued by the department pursuant to s.
14 231.17 is eligible for the assistance.

15 (2) RECOVERY NETWORK STAFF.--

16 (a) The department shall employ an administrator and
17 staff as are necessary to be assigned exclusively to the
18 recovery network program.

19 (b) The Commissioner of Education shall establish the
20 criteria for and appoint the staff of the program.

21 (c) The department may contract with other
22 professionals to implement this section.

23 (3) PURPOSE OF RECOVERY NETWORK.--The recovery network
24 program shall assist educators in obtaining treatment and
25 services from approved treatment providers, but each impaired
26 educator must pay for his or her treatment under terms and
27 conditions agreed upon by the impaired educator and the
28 treatment provider. A person who is admitted to the program
29 must contract with the treatment provider and the program.
30 The treatment contract must prescribe the type of treatment
31 and the responsibilities of the impaired educator and of the

1 provider and must provide that the impaired educator's
2 progress will be monitored by the program.

3 (4) APPROVAL OF TREATMENT PROVIDERS.--The recovery
4 network program shall locate, evaluate, and approve qualified
5 treatment providers.

6 (5) RELATIONSHIP WITH EDUCATIONAL PRACTICES COMMISSION
7 AND DEPARTMENT OF EDUCATION.--The recovery network program
8 shall operate independently of, but may cooperate with, the
9 Office of Professional Practices Services of the Department of
10 Education and the Education Practices Commission. A person's
11 participation in the program entitles the commissioner to
12 enter into a deferred prosecution agreement pursuant to s.
13 231.262, or such participation may be considered a factor in
14 mitigation of or a condition of disciplinary action against
15 the person's certificate by the Education Practices Commission
16 pursuant to s. 231.28.

17 (6) PARTICIPATION IN RECOVERY NETWORK PROGRAM.--The
18 recovery network program shall operate independently of
19 employee assistance programs operated by local school
20 districts, and the powers and duties of school districts to
21 make employment decisions, including disciplinary decisions,
22 is not affected except as provided in this section:

23 (a) Educator not subject to investigation or
24 proceedings.--A person who is not subject to investigation or
25 proceedings under ss. 231.262 and 231.28 may voluntarily seek
26 assistance through a local school district employee assistance
27 program for which he or she is eligible and through the
28 recovery network, regardless of action taken against him or
29 her by a school district. Voluntarily seeking assistance alone
30 does not subject a person to proceedings under ss. 231.262 and
31 231.28.

1 (b) Educator subject to investigation or
2 proceedings.--A person who is subject to investigation or
3 proceedings under ss. 231.262 and 231.28 may be required to
4 participate in the program. The program may approve a local
5 employee assistance program as a treatment provider or as a
6 means of securing a treatment provider. The program and the
7 local school district shall cooperate so that the person may
8 obtain treatment without limiting the school district's
9 statutory powers and duties as an employer or the disciplinary
10 procedures under ss. 231.262 and 231.28.

11 (c) Deferred prosecution agreements with educator not
12 previously investigated.--A person who has not previously been
13 under investigation by the Department of Education may be
14 enrolled in a treatment program by the recovery network after
15 an investigation has commenced, if the person:

- 16 1. Acknowledges his or her impairment;
- 17 2. Agrees to evaluation as approved by the recovery
18 network;
- 19 3. Agrees to enroll in an appropriate treatment
20 program approved by the recovery network;
- 21 4. Executes releases to the recovery network program
22 for all medical and treatment records regarding his or her
23 impairment and participation in a treatment program under 42
24 U.S.C. s. 290dd-3 and the federal regulations adopted
25 thereunder;
- 26 5. Enters into a deferred-prosecution agreement with
27 the Commissioner of Education which provides that a
28 prosecution may not be instituted concerning the matters
29 enumerated in the agreement while the person is properly
30 enrolled in the treatment program and successfully completing
31 the program as certified by the recovery network. The

1 Commissioner of Education is under no obligation to enter into
2 a deferred-prosecution agreement with the educator but may do
3 so if he or she determines that it is in the best interests of
4 the educational program of the state; and

5 6. Has not previously entered any substance abuse
6 program, is not being investigated for any action involving a
7 felony or violence against another person, and has not had
8 multiple arrests for minor drug use, possession, or abuse of
9 alcohol. If an educator successfully completes the treatment
10 program as provided in this paragraph, the records concerning
11 the treatment program shall be handled as provided in CS for
12 SB 2434, 2000 Regular Session, or similar legislation.

13 However, if the educator violates the provisions of the
14 deferred-prosecution agreement, fails to complete the program,
15 or in any other fashion becomes ineligible for the treatment
16 program provided by the recovery network, the Department of
17 Education must be notified of the educator's failure and the
18 department shall continue its investigation and take action
19 against the educator's certificate pursuant to s. 231.262.
20 Upon notification of failure of the recovery network program
21 all medical records shall remain confidential as provided in
22 Senate Bill 2434 of the 2000 Regular Session of the
23 Legislature or similar legislation.

24 (7) REFERRAL WHEN NO PROBABLE CAUSE FOUND.--If a
25 complaint is made to the department against a teacher or an
26 administrator pursuant to s. 231.262 and a finding of no
27 probable cause indicates that no concern other than impairment
28 exists, the department shall inform the person of the
29 availability of assistance provided by the recovery network
30 program.

31

1 (8) ADMISSION TO THE RECOVERY NETWORK.--A person who
2 is referred or who requests admission to the recovery network
3 program shall be temporarily admitted pending a finding that
4 he or she has:

5 (a) Acknowledged his or her impairment problem.

6 (b) Agreed to evaluation as approved by the recovery
7 network program.

8 (c) Voluntarily enrolled in an appropriate treatment
9 program approved by the recovery network program.

10 (d) Voluntarily sought agreement from the school
11 district for temporary leave or limitations on the scope of
12 employment if the temporary leave or limitations are included
13 in the treatment provider's recommendations; or voluntarily
14 agreed to pursue the alternative treatment recommended by the
15 treatment provider if the school district does not approve
16 such temporary leave or limitations on the scope of
17 employment.

18 (e) Executed releases to the recovery network program
19 for all medical and treatment records regarding his or her
20 impairment and participation in a treatment program pursuant
21 to 42 U.S.C. s. 290dd-3 and the federal regulations adopted
22 thereunder.

23 (9) DISCLOSURE OF MEDICAL RECORDS.--An approved
24 treatment provider must disclose to the recovery network
25 program all information in its possession which relates to a
26 person's impairment and participation in the treatment
27 program. Information obtained under this subsection is
28 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
29 of the State Constitution. This exemption is necessary to
30 promote the rehabilitation of impaired educators and to
31 protect the privacy of treatment program participants. The

1 failure to provide such information to the program is grounds
2 for withdrawal of approval of a treatment provider. Medical
3 records provided to the program may not be disclosed to any
4 other person, except as authorized by law.

5 (10) DECLARATION OF INELIGIBILITY.--

6 (a) A person may be declared ineligible for further
7 assistance from the recovery network program if he or she does
8 not progress satisfactorily in a treatment program or leaves a
9 prescribed program or course of treatment without the approval
10 of the treatment provider.

11 (b) The determination of ineligibility must be made by
12 the commissioner in cases referred to him or her by the
13 program administrator. Before referring a case to the
14 commissioner, the administrator must discuss the circumstances
15 with the treatment provider. The commissioner may direct the
16 Office of Professional Practices Services to investigate the
17 case and provide a report.

18 (c) If a treatment contract with the program is a
19 condition of a deferred prosecution agreement, and the
20 commissioner determines that the person is ineligible for
21 further assistance, the commissioner may agree to modify the
22 terms and conditions of the deferred prosecution agreement or
23 may issue an administrative complaint, pursuant to s. 231.262,
24 alleging the charges regarding which prosecution was deferred.
25 The person may dispute the determination as an affirmative
26 defense to the administrative complaint by including with his
27 or her request for hearing on the administrative complaint a
28 written statement setting forth the facts and circumstances
29 that show that the determination of ineligibility was
30 erroneous. If administrative proceedings regarding the
31 administrative complaint, pursuant to ss. 120.569 and 120.57,

1 result in a finding that the determination of ineligibility
2 was erroneous, the person is eligible to participate in the
3 program. If the determination of ineligibility was the only
4 reason for setting aside the deferred prosecution agreement
5 and issuing the administrative complaint and the
6 administrative proceedings result in a finding that the
7 determination was erroneous, the complaint shall be dismissed
8 and the deferred prosecution agreement reinstated without
9 prejudice to the commissioner's right to reissue the
10 administrative complaint for other breaches of the agreement.

11 (d) If a treatment contract with the program is a
12 condition of a final order of the Education Practices
13 Commission, the commissioner's determination of ineligibility
14 constitutes a finding of probable cause that the person failed
15 to comply with the final order. The commissioner shall issue
16 an administrative complaint, and the case shall proceed under
17 ss. 231.262 and 231.28, in the same manner as cases based on a
18 failure to comply with an order of the Education Practices
19 Commission.

20 (e) If the person voluntarily entered into a treatment
21 contract with the program, the commissioner shall issue a
22 written notice stating the reasons for the determination of
23 ineligibility. Within 20 days after the date of such notice,
24 the person may contest the determination of ineligibility
25 pursuant to ss. 120.569 and 120.57.

26 (11) RELEASE AND DISCLOSURE OF MEDICAL
27 RECORDS.--Medical records released pursuant to paragraph
28 (8)(e) may be disclosed to the commissioner, the Office of
29 Professional Practices Services, and the Education Practices
30 Commission only as required for purposes of this section, or
31 as otherwise authorized by law. Further disclosure or release

1 of the medical records may not be made except as authorized by
2 law and in accordance with 42 U.S.C. s. 290dd-2 and the
3 federal regulations adopted thereunder. The medical records
4 are confidential and exempt from s. 119.07(1) and s. 24(a),
5 Art. I of the State Constitution.

6 (12) FEES.--The State Board of Education shall include
7 in the fees established pursuant to s. 231.30 an amount
8 sufficient to implement the provisions of this section. The
9 state board shall by rule establish procedures and additional
10 standards for:

11 (a) Approving treatment providers, including
12 appropriate qualifications and experience, amount of
13 reasonable fees and charges, and quality and effectiveness of
14 treatment programs provided.

15 (b) Admitting eligible persons to the program.

16 (c) Evaluating impaired persons by the recovery
17 network program.

18 Section 9. Subsection (6) of section 231.28, Florida
19 Statutes, is amended to read:

20 231.28 Education Practices Commission; authority to
21 discipline.--

22 (6)(a) When an individual violates the provisions of a
23 settlement agreement enforced by a final order of the
24 Education Practices Commission, an order to show cause may be
25 issued by the clerk of the commission. The order shall require
26 the individual to appear before the commission to show cause
27 why further penalties should not be levied against the
28 individual's certificate pursuant to the authority provided to
29 the Education Practices Commission in subsection (1). The
30 Education Practices Commission shall have the authority to
31 fashion further penalties under the authority of subsection

1 (1) as deemed appropriate when the show cause order is
2 responded to by the individual.

3 (b) If an individual has been found to have violated
4 this section such that the Education Practices Commission has
5 the authority to take action against the individual's Florida
6 Educator's Certificate on two separate occasions, or if the
7 individual has entered into a settlement agreement enforced by
8 a final order of the Education Practices Commission for the
9 second time, or any combination of two instances of settlement
10 agreement and a finding of a violation of this section, the
11 Educational Practices Commission shall, upon a third finding
12 of probable cause by an investigative panel of the commission
13 and a finding that the allegations are proven pursuant to an
14 administrative proceeding in accordance with s. 120.57(1) or
15 (2) or admitted to, issue a final order revoking the
16 individual's Florida Educator's Certificate for a minimum of 1
17 year. If, in the third instance, the individual enters into a
18 settlement agreement with the Department of Education, that
19 agreement must also include a penalty revoking that
20 individual's Florida Educator's Certificate for a minimum of 1
21 year. The investigative panel is vested with jurisdiction to
22 receive complaints, conduct investigations, dismiss
23 complaints, and, upon a vote of a simple majority of the
24 panel, submit a finding of formal charges to the full
25 commission.

26 Section 10. Subsection (1) of section 231.30, Florida
27 Statutes, is amended to read:

28 231.30 Certification fees.--

29 (1) The State Board of Education, by rule, shall
30 establish separate fees for applications, examinations,
31 certification, certification renewal, late renewal,

1 recordmaking, and recordkeeping, and may establish procedures
2 for scheduling and administering an examination upon an
3 applicant's request. Each fee shall be based on department
4 estimates of the revenue required to implement the provisions
5 of law with respect to certification of school personnel ~~and~~
6 ~~shall not exceed \$60, except as otherwise provided in this~~
7 ~~section.~~ The application fee shall be nonrefundable. Each
8 examination fee shall not exceed ~~be sufficient to cover~~ the
9 actual cost of developing and administering the examination,
10 ~~but shall not exceed \$60 for any regularly scheduled~~
11 ~~examination or \$100 for an examination administered upon an~~
12 ~~applicant's request.~~

13 Section 11. Section 231.600, Florida Statutes, is
14 amended to read:

15 231.600 School Community Professional Development
16 Act.--

17 (1) The Department of Education, public community
18 colleges and universities, public school districts, and public
19 schools in this state shall collaborate to establish a
20 coordinated system of professional development. The purpose of
21 the professional development system is to enable the school
22 community to meet state and local student achievement
23 standards and the state education goals and to succeed in
24 school improvement as described in s. 229.591.

25 (2) The school community includes administrators,
26 instructional personnel, support personnel, principals,
27 members of district school boards, members of school advisory
28 councils, parents, business partners, and personnel that
29 provide health and social services to school children. School
30 districts may identify and include additional members of the
31

1 school community in the professional development activities
2 required by this section.

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

5 (a) Increase the success of educators in guiding
6 student learning and development so as to implement state and
7 local educational standards, goals, and initiatives;

8 (b) Assist the school community in providing
9 stimulating educational activities that encourage and motivate
10 students to achieve at the highest levels and to become active
11 learners; and

12 (c) Provide continuous support for all educational
13 professionals as well as temporary intervention for education
14 professionals who need improvement in knowledge, skills, and
15 performance.

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

20 (a) The department shall develop and disseminate to
21 the school community model professional development methods
22 and programs that have demonstrated success in meeting
23 identified student needs. The Commissioner of Education shall
24 use data on student achievement to identify student needs. The
25 methods of dissemination must include a statewide performance
26 support system, a database of exemplary professional
27 development activities, a listing of available professional
28 development resources, training programs, and technical
29 assistance.

30 (b) Each district school board shall develop a
31 professional development system. The system must be developed

1 in consultation ~~consult~~ with teachers and representatives of
2 college and university faculty, community agencies, and other
3 interested citizen groups to establish policy and procedures
4 to guide the operation of the district professional
5 development program. The professional development system
6 must:

7 1. Be approved by the Department of Education. All
8 substantial revisions to the system must be submitted to the
9 department for review for continued approval;

10 2.1- Require that principals and schools use student
11 achievement data, school discipline data, school environment
12 surveys, assessments of parental satisfaction, performance
13 appraisal data of teachers and school administrators,and
14 other performance indicators to identify school and student
15 needs that can be met by improved professional performance,
16 and assist principals and schools in making these
17 identifications;

18 3.2- Provide in-service training activities and coupled
19 with followup support that are is appropriate to accomplish
20 district-level and school-level improvement goals and
21 standards. The in-service activities for instructional
22 personnel must primarily focus on subject content and teaching
23 methods, including technology, as related to the Sunshine
24 State Standards; assessment and data analysis; classroom
25 management; and school safety;

26 4. Include a master plan for in-service activities,
27 under rules of the State Board of Education, for all district
28 employees from all fund sources. The master plan must be
29 updated annually by September 1 using criteria for continued
30 approval as specified by rules of the State Board of
31 Education. Written verification that the in-service plan meets

1 all requirements of this section must be submitted annually to
2 the commissioner by October 1;

3 5. Require each school principal to establish and
4 maintain an individual professional development plan for each
5 instructional employee assigned to the school. The individual
6 professional development plan must:

7 a. Be related to specific performance data for the
8 students to whom the teacher is assigned;

9 b. Define the inservice objectives and specific
10 measurable improvements expected in student performance as a
11 result of the inservice activity; and

12 c. Include an evaluation component that determines the
13 effectiveness of the professional development plan;

14 6. Include inservice activities for school
15 administrators that address updated skills necessary for
16 effective school management and instructional leadership;

17 ~~7.3.~~ Provide for systematic consultation with regional
18 and state personnel designated to provide technical assistance
19 and evaluation of local professional development programs;

20 ~~8.4.~~ Provide for delivery of professional development
21 by distance learning and other technology-based delivery
22 systems to reach more educators at lower costs; and

23 ~~9.5.~~ Provide for the continuous evaluation of
24 ~~Continuously evaluate~~ the quality and effectiveness of
25 professional development programs in order to eliminate
26 ineffective programs and strategies and to expand effective
27 ones. Evaluations must consider the impact of such activities
28 on the performance of participating educators and their
29 students' achievement and behavior.

30 (c) Each public community college and university shall
31 assist the department, school districts, and schools in the

1 design, delivery, and evaluation of professional development
2 activities. This assistance must include active participation
3 in state and local activities required by the professional
4 development system.

5 (5)(a) The Department of Education shall provide a
6 system for recruitment, preparation, and professional
7 development of school administrators. This system must:

8 1. Identify the knowledge, competencies, and skills
9 necessary for effective school management and instructional
10 leadership which align with student performance standards and
11 accountability measures;

12 2. Include performance evaluation methods;

13 3. Provide for alternative means for preparation of
14 school administrators, which may include programs designed by
15 school districts and institutions of higher education under
16 guidelines developed by the commissioner. The administrator
17 preparation programs must be approved by the Department of
18 Education;

19 4. Provide for the hiring of qualified out-of-state
20 school administrators; and

21 5. Provide advanced educational opportunities for
22 school-based instructional leaders.

23 (b) The Commissioner of Education shall appoint a task
24 force that includes a school district superintendent, a school
25 board member, a principal, an assistant principal, a teacher,
26 a dean of a college of education, and parents. The task force
27 shall convene periodically to provide recommendations to the
28 Department of Education in the areas of recruitment,
29 preparation, professional development, and evaluation of
30 school administrators.

31

1 ~~(6)~~(5) Each district school board shall provide
2 funding for the professional development system as required by
3 s. 236.081 and the annual General Appropriations Act, and
4 shall direct expenditures from other funding sources to
5 strengthen the system and make it uniform and coherent. A
6 school district may coordinate its professional development
7 program with that of another district, with an educational
8 consortium, or with a college or university, especially in
9 preparing and educating personnel.

10 ~~(7)~~(6) The Department of Education shall design
11 methods by which the state and district school boards may
12 evaluate and improve the professional development system. The
13 evaluation must include an annual assessment of data that
14 indicate progress or lack of progress of all students. If the
15 review of data indicates an achievement level that is unusual,
16 the department may investigate the causes of the success or
17 lack of success, may provide technical assistance, and may
18 require the school district to employ a different approach to
19 professional development. The department shall report
20 annually to the State Board of Education and the Legislature
21 any school district that, in the determination of the
22 department, has failed to provide an adequate professional
23 development system. This report must include the results of
24 the department's investigation and of any intervention
25 provided.

26 ~~(8)~~(7) The State Board of Education may adopt rules to
27 administer this section.

28 ~~(9)~~(8) This section does not limit or discourage a
29 district school board from contracting with independent
30 entities for professional development services and inservice
31 education if the school board believes that, through such a

1 contract, a better product can be acquired or its goals for
2 education improvement can be better met.

3 (10)~~(9)~~ For teachers and administrators who have been
4 evaluated as less than satisfactory, a school board may
5 require participation in specific professional development
6 programs as part of the improvement prescription.

7 Section 12. Subsection (3) of section 231.625, Florida
8 Statutes, is amended to read:

9 231.625 Teacher recruitment and retention.--

10 (3) The Department of Education ~~Office of Teacher~~
11 ~~Recruitment and Retention Services~~, in cooperation with
12 district personnel offices, shall sponsor a job fair in a
13 central part of the state to match in-state educators and
14 out-of-state educators with teaching opportunities in this
15 state.

16 Section 13. Paragraph (g) of subsection (2) and
17 paragraph (a) of subsection (4) of section 231.6255, Florida
18 Statutes, are amended to read:

19 231.6255 Christa McAuliffe Ambassador for Education
20 Program.--

21 (2) There is established the Christa McAuliffe
22 Ambassador for Education Program to provide salary, travel,
23 and other related expenses annually for an outstanding Florida
24 teacher to promote the positive aspects of teaching as a
25 career. The goals of the program are to:

26 (g) Work with and represent the Department of
27 Education ~~Office of Teacher Recruitment and Retention~~
28 ~~Services~~, as needed.

29 (4)(a) The Department of Education ~~and the Office of~~
30 ~~Teacher Recruitment and Retention Services~~ shall administer
31 the program.

1 Section 14. Subsection (3) of section 236.081, Florida
2 Statutes, is amended to read:

3 236.081 Funds for operation of schools.--If the annual
4 allocation from the Florida Education Finance Program to each
5 district for operation of schools is not determined in the
6 annual appropriations act or the substantive bill implementing
7 the annual appropriations act, it shall be determined as
8 follows:

9 (3) INSERVICE EDUCATIONAL PERSONNEL TRAINING
10 EXPENDITURE.--Of the amount computed in subsections (1) and
11 (2), a percentage of the base student allocation per full-time
12 equivalent student shall be expended for educational training
13 programs as determined by the district school board as
14 provided in s. 231.600 ~~s. 236.081~~. This percentage shall
15 remain constant and shall be calculated by dividing \$6 by the
16 1990-1991 base student allocation. At least two-thirds of the
17 funds so determined shall be expended as provided in s.
18 231.600, and such funds may be used for implementation of the
19 demonstration of professional education competence program as
20 provided in s. 231.17. Funds as provided herein may be
21 expended only for the direct support of inservice training
22 activities as prescribed below:

23 (a) Salaries and benefits of:

24 1. Personnel directly administering the approved
25 inservice training program.

26 2. School board employees while such personnel are
27 conducting an approved inservice training program.

28 3. Substitutes for personnel released to participate
29 in an approved inservice training program or an inservice
30 council activity.

31

1 (b) Other direct operating expenses, excluding capital
2 outlay, required for administering the approved inservice
3 training program, including, but not limited to, the
4 following:

5 1. Inservice training materials for approved inservice
6 training activities.

7 2. Data processing for approved inservice training
8 activities.

9 3. Telephone for the approved inservice training
10 program.

11 4. Office supplies for the personnel administering the
12 approved inservice training program.

13 5. Duplicating and printing for approved inservice
14 training activities.

15 6. Fees and travel and per diem expenses for
16 consultants used in conducting approved inservice training
17 activities.

18 7. Travel and per diem expenses for school district
19 personnel attending approved inservice conferences, workshops,
20 or visitations to schools.

21 8. Rental of facilities not owned by the school board
22 for use in conducting an approved inservice training program.

23 (c) Compensation may be awarded under this subsection
24 to employees engaged in inservice training activities which
25 are outside of, or in addition to, regular hours of duty
26 assignments or a regular day of a contract period for which
27 regular compensation is provided. No moneys shall be
28 authorized under this subsection for additional salaries and
29 benefits constituting dual compensation to employees
30 participating in inservice activities if such activities are
31 within regular hours of duty assignments or within a regular

1 day of a contract period for which regular compensation is
2 provided.

3 (d) Funds may be expended to pay tuition or
4 registration fees for college courses provided the course is
5 identified in the district's approved master plan and the
6 employee does not receive college credit. However, an employee
7 may be awarded college credit for successful participation in
8 exempted inservice programs that are identified by the
9 Department of Education in State Board of Education rule and
10 for which the employee shall pay the regular tuition and
11 registration fees assessed by the credit-granting institution.
12 Courses for these exempted programs shall be arranged and
13 conducted in compliance with procedures that are developed
14 cooperatively by the Department of Education and the Board of
15 Regents and are also included in State Board of Education
16 rule. Provision for payment of tuition and registration fees
17 for such credit-earning courses shall be contained in State
18 Board of Education rule.

19 Section 15. Paragraphs (a) and (d) of subsection (2)
20 of section 236.08106, Florida Statutes, are amended to read:

21 236.08106 Excellent Teaching Program.--

22 (2) The Excellent Teaching Program is created to
23 provide categorical funding for monetary incentives and
24 bonuses for teaching excellence. The Department of Education
25 shall distribute to each school district or to the NBPTS an
26 amount as prescribed annually by the Legislature for the
27 Excellent Teaching Program. For purposes of this section, the
28 Florida School for the Deaf and the Blind meets the definition
29 of a school district. Unless otherwise provided in the General
30 Appropriations Act, each distribution shall be the sum of the
31 amounts earned for the following incentives and bonuses:

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

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

31

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

14 Section 16. Florida Mentor Teacher School Pilot
15 Program.--

16 (1) The Legislature recognizes that high-quality
17 teachers are essential to assuring excellence and increasing
18 the achievement levels of all students. The purpose of this
19 section is to provide a model to reform and improve the
20 current structure of the teaching profession. There is created
21 a Florida Mentor Teacher School Pilot Program that will help
22 to attract, retain, and motivate high-quality teachers. The
23 program shall be implemented in up to 400 pilot schools by the
24 2001-2002 school year. These pilot schools shall be selected
25 by the Commissioner of Education, representing small, medium,
26 and large districts. Each approved school shall be awarded a
27 \$50,000 grant. Each mentor teacher school program must be
28 approved by the Commissioner of Education based on criteria
29 specified by the Commissioner of Education.

30 (2) The essential elements of the Florida Mentor
31 Teacher School Pilot Program are to:

1 (a) Provide teachers with multiple career paths,
2 beginning as education paraprofessionals and rising to
3 associate teachers, teachers, lead teachers, and mentor
4 teachers. There must be highly differentiated duties among the
5 five levels. The mentor teacher must have a reduced teaching
6 schedule and an 11-month or a 12-month contract to permit
7 weekly instruction to all the students under the mentor
8 teacher's supervision. The remaining time must be spent in
9 giving demonstration lessons, coaching, facilitating
10 curriculum development, and providing staff development for
11 other teachers at the school.

12 (b) Establish broad salary ranges to provide
13 flexibility to reward performance and to negotiate salaries to
14 attract teachers to hard-to-staff schools and subjects.
15 Advancement must be determined by academic achievement,
16 examination, demonstration, and student progress data. Each
17 mentor teacher is eligible for a total annual salary incentive
18 bringing his or her salary to twice the average district
19 classroom teacher's salary. Fifty percent of the mentor
20 teacher salary incentive must be based on the increased
21 achievement of students assigned under the supervision of the
22 mentor teacher.

23 (c) Provide ongoing professional development for
24 teachers to learn and grow professionally, which includes a
25 daily block of time for associate teachers, teachers, and lead
26 teachers to reflect and plan and to interact with the mentor
27 teacher.

28 (d) Provide all eligible teachers with the opportunity
29 for national certification.

30 (e) Provide for a specified organizational pattern
31 such as clusters or teams of teachers for grade levels or

1 subject areas consisting of associate teachers, teachers, and
2 lead teachers who are supported by education paraprofessional
3 learning guides and directed by a mentor teacher.

4 (3) The five teaching career development positions and
5 minimum requirements are:

6 (a) An education paraprofessional learning guide must
7 have earned at least an associate's degree from an accredited
8 college and demonstrate appropriate writing, speaking, and
9 computation skills.

10 (b) An associate teacher must hold at least a
11 bachelor's degree from an accredited institution and a valid
12 Florida educator's certificate.

13 (c) A teacher must hold at least a bachelor's degree
14 from an accredited institution, have a valid Florida
15 educator's certificate, have a minimum of 3 years' full-time
16 teaching experience, document satisfactory teaching
17 performance, and document evidence of increased student
18 performance for the students taught.

19 (d) A lead teacher must have at least a bachelor's
20 degree from an accredited institution, have a valid Florida
21 educator's professional certificate, have a minimum of 3
22 years' full-time teaching experience, document exemplary
23 teaching performance, and document evidence of significant
24 increased student performance for the students taught. A lead
25 teacher may serve as a cluster or team leader who provides
26 intensive support for associate teachers and teachers.

27 (e) A mentor teacher must:

28 1. Have at least a bachelor's degree from an
29 accredited institution, have a valid Florida educator's
30 professional certificate, have at least 5 years' full-time
31

1 teaching experience, and have demonstrated expertise as a
2 staff developer, and:

3 a. Hold a valid National Board for Professional
4 Teaching Standards certificate;

5 b. Have been selected as a district, regional, or
6 state teacher of the year; or

7 c. Hold an equivalent status as determined by the
8 Commissioner of Education; or

9 2. Have completed a Professional Teaching Fellowship
10 program consisting of a Teaching Fellowship, pursuant to
11 Senate Bill 748, 2000 Regular Session, or similar legislation.

12 (4) The Commissioner of Education may adopt rules
13 necessary for the administration of this section and approval
14 of the mentor teacher school program.

15 (5) This section is to be implemented to the extent
16 funded by the General Appropriation Act.

17 Section 17. Paragraphs (a) and (e) of subsection (3)
18 of section 240.4063, Florida Statutes, are amended to read:

19 240.4063 Florida Teacher Scholarship and Forgivable
20 Loan Program.--

21 (3)(a) Within the Florida Teacher Scholarship and
22 Forgivable Loan Program shall be established the Florida
23 Critical Teacher Shortage Forgivable Loan Program which shall
24 make undergraduate and graduate forgivable loans available to
25 eligible students entering programs of study that lead to a
26 degree in a teaching program in a critical teacher shortage
27 area. To be eligible for a program loan, a candidate shall:

28 1. Be a full-time student at the upper-division
29 undergraduate or graduate level in a teacher training program
30 approved by the department pursuant to s. 240.529 leading to
31 certification in a critical teacher shortage subject area.

1 2. Have declared an intent to teach, for at least the
2 number of years for which a forgivable loan is received, in
3 publicly funded ~~public~~ elementary or secondary schools of
4 Florida in a critical teacher shortage area identified by the
5 State Board of Education. For purposes of this subsection a
6 school is publicly funded if it receives at least 75 percent
7 of its operating costs from governmental agencies and operates
8 its educational program under contract with a public school
9 district or the Department of Education.

10 3. Meet the general requirements for student
11 eligibility as provided in s. 240.404, except as otherwise
12 provided in this section.

13 4. If applying for an undergraduate forgivable loan,
14 have maintained a minimum cumulative grade point average of
15 2.5 on a 4.0 scale for all undergraduate work. Renewal
16 applicants for undergraduate loans shall maintain a minimum
17 cumulative grade point average of at least a 2.5 on a 4.0
18 scale for all undergraduate work and have earned at least 12
19 semester credits per term, or the equivalent.

20 5. If applying for a graduate forgivable loan, have
21 maintained an undergraduate cumulative grade point average of
22 at least a 3.0 on a 4.0 scale or have attained a Graduate
23 Record Examination score of at least 1,000. Renewal applicants
24 for graduate loans shall maintain a minimum cumulative grade
25 point average of at least a 3.0 on a 4.0 scale for all
26 graduate work and have earned at least 9 semester credits per
27 term, or the equivalent.

28 (e) The State Board of Education shall adopt by rule
29 repayment schedules and applicable interest rates under ss.
30 240.451 and 240.465. A forgivable loan must be repaid within
31 10 years of completion of a program of studies.

1 1. Credit for repayment of an undergraduate or
2 graduate forgivable loan shall be in an amount not to exceed
3 \$4,000 in loan principal plus applicable accrued interest for
4 each full year of eligible teaching service. However, credit
5 in an amount not to exceed \$8,000 in loan principal plus
6 applicable accrued interest shall be given for each full year
7 of eligible teaching service completed at a high-density,
8 low-economic urban school or at a low-density, low-economic
9 rural school, as identified by the State Board of Education.

10 2. Any forgivable loan recipient who fails to teach in
11 a publicly funded public elementary or secondary school in
12 this state as specified in this subsection is responsible for
13 repaying the loan plus accrued interest at 8 percent annually.

14 3. Forgivable loan recipients may receive loan
15 repayment credit for teaching service rendered at any time
16 during the scheduled repayment period. However, such repayment
17 credit shall be applicable only to the current principal and
18 accrued interest balance that remains at the time the
19 repayment credit is earned. No loan recipient shall be
20 reimbursed for previous cash payments of principal and
21 interest.

22 Section 18. Paragraph (b) of subsection (4) of section
23 240.529, Florida Statutes, is amended to read:

24 240.529 Public accountability and state approval for
25 teacher preparation programs.--

26 (4) CONTINUED PROGRAM APPROVAL.--Notwithstanding
27 subsection (3), failure by a public or nonpublic teacher
28 preparation program to meet the criteria for continued program
29 approval shall result in loss of program approval. The
30 Department of Education, in collaboration with the departments
31 and colleges of education, shall develop procedures for

1 continued program approval which document the continuous
2 improvement of program processes and graduates' performance.
3 (b) Additional criteria for continued program approval
4 for public institutions may be developed by the Education
5 Standards Commission and approved by the State Board of
6 Education. Such criteria must emphasize instruction in outcome
7 ~~measures of student performance in the areas of~~ classroom
8 management and must provide for the evaluation of the teacher
9 candidates' improving the performance in this area. The
10 criteria must also require instruction in working with
11 under-achieving students. Program evaluation procedures of
12 ~~students who have traditionally failed to meet student~~
13 ~~achievement goals and have been overrepresented in school~~
14 ~~suspensions and other disciplinary actions, and must include,~~
15 but need not be limited to, program graduates' satisfaction
16 with instruction training and the unit's responsiveness to
17 local school districts. Additional criteria for continued
18 program approval for nonpublic institutions shall be developed
19 in the same manner as for public institutions; however, such
20 criteria must be based upon significant, objective, and
21 quantifiable graduate performance measures. Responsibility for
22 collecting data on outcome measures through survey instruments
23 and other appropriate means shall be shared by the
24 institutions of higher education, the Board of Regents, the
25 State Board of Independent Colleges and Universities, and the
26 Department of Education. By January 1 of each year, the
27 Department of Education, in cooperation with the Board of
28 Regents and the State Board of Independent Colleges and
29 Universities, shall report this information for each
30 postsecondary institution that has state-approved programs of
31 teacher education to the Governor, the Commissioner of

1 Education, the Chancellor of the State University System, the
2 President of the Senate, the Speaker of the House of
3 Representatives, all Florida postsecondary teacher preparation
4 programs, and interested members of the public. This report
5 must analyze the data and make recommendations for improving
6 teacher preparation programs in the state.

7 Section 19. Sections 231.0861, 231.087, 231.173, and
8 236.0811, Florida Statutes, are repealed.

9 Section 20. This act shall take effect July 1, 2000.

10
11 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
12 COMMITTEE SUBSTITUTE FOR
13 CS/SB 2432

14 Removes the cap for examination fees, but specifies that the
15 fee is not to exceed the actual cost of developing and
administering the examination.

16 A majority of panel members, rather than a majority of those
17 present, shall have final agency authority in all cases
18 involving disciplinary action against teachers or school
administrators.

19 By referencing SB 2434, the bill clarifies that the medical
20 records of an impaired educator will not be made public in any
21 event; only the fact that the educator participated in the
recovery network will become public, and only if the recovery
fails.

22 The Educational Practices Commission is to revoke for at least
23 one year an individual's educator's license upon a third
24 finding of probable cause by an investigative panel of the
Commission, rather than by the Commissioner of Education, and
a finding that the allegations are proven or admitted to.

25 Clarifies that allegations must be proven pursuant to an
26 administrative proceeding in accordance with s. 120.57(1) or
27 (2).

28 Specifies the jurisdiction of the investigative panel.
29
30
31