

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; directing the
12 State Board of Education to adopt specified
13 rules; providing criteria for out-of-state
14 teachers and administrators; amending s.
15 231.1725, F.S.; requiring school boards to
16 establish minimal qualifications for career
17 specialists; amending s. 231.24, F.S.;
18 authorizing the State Board of Education to
19 establish a certificate fee; extending the time
20 within which an expired certification may be
21 reinstated; amending s. 231.261, F.S.;
22 expanding the membership of the Education
23 Practices Commission; revising the method of
24 designating panels to review certificates;
25 amending s. 231.263, F.S.; providing for a
26 deferred prosecution agreement when enrolled in
27 a recovery network treatment program; amending
28 s. 231.28, F.S.; revising disciplinary
29 procedures of the Education Practices
30 Commission; amending s. 231.30, F.S.; providing
31 standards for certification fees; amending s.

1 231.600, F.S.; providing criteria for inservice
2 activities of professional development systems;
3 requiring the Department of Education to
4 provide a system for recruitment, preparation,
5 and professional development of school
6 administrators; amending ss. 231.625, 231.6255,
7 F.S.; providing for the Department of Education
8 to take over duties of the Office of Teacher
9 Recruitment and Retention Services; amending s.
10 236.081, F.S.; conforming a statutory
11 cross-reference; amending s. 236.08106, F.S.;
12 providing that the Florida School for the Deaf
13 and the Blind is a school district for
14 specified purposes; deleting the cap on the fee
15 subsidy for the Excellent Teaching Program;
16 authorizing a teacher to qualify for the
17 mentoring bonus for work outside the district;
18 amending s. 240.529, F.S.; modifying certain
19 requirements for continued approval for teacher
20 preparation programs; creating the Florida
21 Mentor Teacher School Pilot Program; providing
22 standards for multiple career paths in
23 teaching; providing criteria for the program;
24 providing for salary incentives; providing for
25 rulemaking authority; amending s. 240.4063,
26 F.S.; defining the term "publicly funded
27 schools"; repealing s. 231.0861, F.S., relating
28 to selection of principals and assistant
29 principals; repealing s. 231.087, F.S.,
30 relating to management training; repealing s.
31 231.173, F.S., relating to out-of-state

1 teachers and administrators; repealing s.
2 236.0811, F.S., relating to school board
3 educational training programs; providing an
4 effective date.

5

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

7

8 Section 1. Paragraph (e) of subsection (3) of section
9 20.15, Florida Statutes, is amended to read:

10 20.15 Department of Education.--There is created a
11 Department of Education.

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

14 (e) Division of Professional Educators ~~Human Resource~~
15 ~~Development~~.

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

18 230.303 Superintendent of schools.--

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

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

30 2. A competency-acquisition phase consisting of
31 on-the-job application of knowledge and skills for a period of

1 not less than 6 months following the successful completion of
2 the content-knowledge-and-skills phase. The
3 competency-acquisition phase shall be supported by adequate
4 professional technical assistance provided by experienced
5 trainers approved by the Department of Education Florida
6 ~~Council on Educational Management~~. Competency acquisition
7 shall be demonstrated through assessment and feedback.

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

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

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

23 231.15 Positions for which certificates required.--

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

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

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

11 Section 4. Section 231.17, Florida Statutes, is
12 amended to read:

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

16 (1) APPLICATION.--Each person seeking certification
17 pursuant to this chapter shall submit a completed application
18 to the Department of Education and remit the fee required
19 pursuant to s. 231.30. Applications submitted shall contain
20 the applicant's social security number. Pursuant to the
21 federal Personal Responsibility and Work Opportunity
22 Reconciliation Act of 1996, each party is required to provide
23 his or her social security number in accordance with this
24 section. Disclosure of social security numbers obtained
25 through this requirement shall be limited to the purpose of
26 administration of the Title IV-D program for child support
27 enforcement. Pursuant to s. 120.60, the Department of
28 Education shall issue within 90 calendar days after the
29 stamped receipted date of the completed application an
30 official statement of eligibility for certification or a
31

1 certificate covering the classification, level, and area for
2 which the applicant is deemed qualified.

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

12 (3) TEMPORARY CERTIFICATE.--

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

20 (b) Issuance of the temporary certificate shall occur
21 when the department:

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

1 after the date of the receipt of the certified mail request,
2 the statement of eligibility and pending application become
3 invalid; and

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

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

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

12 2. Be at least 18 years of age.

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

1 transcripts from institutions of higher education or by
2 authorizing the direct submission of such official transcripts
3 through established electronic network systems.

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

6 5. Be of good moral character.

7 6. Demonstrate mastery of subject-matter knowledge as
8 specified in State-Board-of-Education rules. Effective July 1,
9 2002, individuals may also demonstrate mastery of
10 subject-matter knowledge by obtaining a passing score on an
11 examination of competency as provided for in subsection (8).
12 This examination of subject-matter competency may be used for
13 determining eligibility for initial certification or the
14 addition of a subject to a certificate.

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

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

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

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

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

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

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

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

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

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

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

24 ~~(a) General knowledge, including the ability to read,~~
25 ~~write, and compute, and use technology for classroom~~
26 ~~instruction. However, individuals who apply for certification~~
27 ~~on or after July 1, 2000, must demonstrate these minimum~~
28 ~~competencies in order to receive a temporary certificate.~~
29 ~~Acceptable means of for certification on or after July 1,~~
30 ~~2000, must demonstrate these minimum competencies in order to~~
31 ~~receive a temporary certificate. Acceptable means of~~

1 ~~demonstrating such mastery is an individual's achievement of~~
2 ~~passing scores on another state's general knowledge~~
3 ~~examinations or a valid standard teaching certificate issued~~
4 ~~by another state that requires mastery of general knowledge.~~

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

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

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

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

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

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

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

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

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

30
31

1 (f)~~6~~. Recognize signs of alcohol and drug abuse in
2 students and know how to appropriately work with such students
3 and seek assistance designed to prevent future abuse.

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

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

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

17 (j)~~10~~. Comprehend patterns of normal development in
18 students and employ appropriate intervention strategies for
19 disorders of development.

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

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

29 (m)~~13~~. Use and integrate appropriate technology in
30 teaching and learning processes and in managing, evaluating,
31 and improving instruction.

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

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

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

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

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

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

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

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

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

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

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

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

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

29 1. ~~One additional 2-year temporary certificate~~ when
30 the requirements for the professional certificate were not
31

1 completed because of the serious illness, injury, or other
2 extraordinary, extenuating circumstance of the applicant.

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

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

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

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

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

26 (7) DEMONSTRATION OF PROFESSIONAL EDUCATION
27 COMPETENCE.--

28 (a) By July 1, 2002, the department shall develop and
29 each school district shall implement a cohesive
30 competency-based alternative preparation program by which
31 members of a school district's instructional staff may satisfy

1 the professional education course requirements specified in
2 rules of the state board of education and the demonstration of
3 professional education competencies specified in paragraph (c)
4 for issuance of a professional certificate. Participants must
5 have demonstrated subject-area expertise in a certification
6 subject designated by the state board and must hold a
7 state-issued temporary certificate. The program must include
8 the following components:

9 1. A minimum period of initial preparation before
10 assuming duties of the teacher of record;

11 2. An option for collaboration among school districts
12 and other supporting agencies for implementation;

13 3. Experienced peer mentors;

14 4. An assessment that provides for:

15 a. An initial evaluation of each educator's
16 competencies to determine an appropriate individualized
17 professional development plan; and

18 b. A postevaluation to assure successful completion of
19 the program; and

20 5. Content to include, but not be limited to, the
21 following:

22 a. Requirements specified in State-Board-of-Education
23 rules for professional preparation;

24 b. The educator-accomplished practices approved by the
25 State Board of Education;

26 c. A variety of data indicators for student progress;

27 d. Methodologies, including technology, for teaching
28 subject content which support the Sunshine State Standards for
29 students;

30 e. Techniques for effective classroom management;
31

1 f. Techniques and strategies for operationalizing the
2 role of the teacher in assuring a safe learning environment
3 for students; and

4 g. Methodologies for assuring the ability of all
5 students to read.

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

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

20 2. Complete training in only those competency areas in
21 which deficiencies are identified.

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

25 ~~(c)(b)~~ Each school district must develop and maintain
26 a system by which members of the district's instructional
27 staff may demonstrate the professional education competence
28 required by this section for issuance of a professional
29 certificate. Each district's system must be based on classroom
30 application and instructional performance and must include a
31 performance evaluation plan for documenting the demonstration

1 of required professional education competence. Each individual
2 employed as a member of the district's instructional staff ~~on~~
3 ~~or after July 1, 1997,~~ must demonstrate mastery of the
4 required professional education competence within the first
5 year of employment, unless the individual:

6 1. Has completed an approved teacher preparation
7 program at a postsecondary institution within this state;

8 2. Has completed a teacher education training program
9 and has had at least 2 years of successful full-time teaching
10 experience in another state; or

11 3. Until July 1, 2002, is participating in the
12 district's alternate certification program, and, beginning
13 July 1, 2002, has completed the state-approved alternative
14 preparation program as specified in paragraph (a).

15 ~~(d)(c)~~ Each district school board may expend
16 educational training funds provided under ss. 236.081 and
17 231.600 ~~236.081~~ to implement this subsection.

18 ~~(e)(d)~~ The department must approve programs and
19 systems developed to demonstrate professional education
20 competence.

21 (8) EXAMINATIONS.--

22 (a) The commissioner, with the approval of the state
23 board, may contract for developing, printing, administering,
24 scoring, and appropriate analysis of the written tests
25 required.

26 (b) The state board shall, by rule, specify the
27 examination scores that are required for the issuance of a
28 professional certificate and temporary certificate. Such rules
29 must define generic subject area competencies and must
30 establish uniform evaluation guidelines. Individuals who apply
31 for their professional certificate before July 1, 2000, may

1 demonstrate mastery of general knowledge pursuant to the
2 alternative method specified by state board rule which must:

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

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

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

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

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

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

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

1 comprehensive to assess subject-matter expertise for
2 individuals who have acquired subject-matter knowledge either
3 through college credit or by other means.

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

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

9 1. Completes the application process, including the
10 filing of a complete set of fingerprints as required by s.
11 231.02.

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

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

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

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

1 ~~(10)(9)~~ NONCITIZENS.--

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

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

15 ~~(11)(10)~~ DENIAL OF CERTIFICATE.--

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

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

26 ~~(12)(11)~~ STATE BOARD RULES.--The State Board of
27 Education shall adopt rules as necessary to implement this
28 section. By October 1, 2000, the State Board of Education
29 shall adopt rules for certification in the area of
30 speech-language impairments at the baccalaureate degree level.
31 This certification shall authorize the provision of

1 speech-language services under the direct supervision of a
2 speech-language pathologist.

3 (13)~~(12)~~ PRIOR APPLICATION.--Persons who apply for
4 initial professional or temporary certification are governed
5 by the law and rules in effect at the time of application for
6 issuance of the initial certificate.

7 (14)~~(13)~~ PERSONNEL RECORDS.--The Department of
8 Education shall maintain a complete statement of the academic
9 preparation, professional training, and teaching experience of
10 each person to whom a certificate is issued. The applicant or
11 the superintendent shall furnish the information using a
12 format or forms provided by the department.

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

20 Section 5. Section 231.1725, Florida Statutes, is
21 amended to read:

22 231.1725 Employment of substitute teachers, teachers
23 of adult education, ~~and~~ nondegreed teachers of career
24 education, and career specialists; students performing
25 clinical field experience.--

26 (1) Notwithstanding the provisions of ss. 231.02,
27 231.15, and 231.17, or any other provision of law or rule to
28 the contrary, each school board shall establish the minimal
29 qualifications for:

30 (a) Substitute teachers to be employed pursuant to s.
31 231.47. The qualifications shall require the filing of a

1 complete set of fingerprints in the same manner as required by
2 s. 231.02.

3 (b) Part-time and full-time teachers in adult
4 education programs. The qualifications shall require the
5 filing of a complete set of fingerprints in the same manner as
6 required by s. 231.02. Faculty employed solely to conduct
7 postsecondary instruction may be exempted from this
8 requirement.

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

16 1. The filing of a complete set of fingerprints in the
17 same manner as required by s. 231.02. Faculty employed solely
18 to conduct postsecondary instruction may be exempted from this
19 requirement.

20 2. Documentation of education and successful
21 occupational experience including documentation of:
22 a. A high school diploma or the equivalent.
23 b. Completion of 6 years of full-time successful
24 occupational experience or the equivalent of part-time
25 experience in the teaching specialization area. Alternate
26 means of determining successful occupational experience may be
27 established by the school board.

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

30 d. For full-time teachers, completion of professional
31 education training in teaching methods, course construction,

1 lesson planning and evaluation, and teaching special needs
2 students. This training may be completed through coursework
3 from a standard institution or an approved district teacher
4 education program.

5 e. Demonstration of successful teaching performance.

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

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

21 Section 6. Section 231.24, Florida Statutes, is
22 amended to read:

23 231.24 Process for renewal of professional
24 certificates.--

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

27 1. Each school district shall renew state-issued
28 professional certificates for individuals who hold a
29 professional certificate by this state and are employed by
30 that district pursuant to criteria established in subsections
31

1 (2), (3), and (4) and requirements specified in rules of the
2 State Board of Education.

3 2. The employing school district may charge the
4 individual an application fee not to exceed the amount charged
5 by the Department of Education for such services, including
6 associated late renewal fees. Each school board shall
7 transmit monthly to the department \$20, or a fee established
8 by the state board,for each ~~renewed~~ certificate that is
9 renewed,to cover the costs for maintenance and operation of
10 the statewide certification database and for costs incurred in
11 printing and mailing such renewed certificates. As defined in
12 current rules of the State Board of Education, the department
13 shall contribute a portion of such fee for purposes of funding
14 the Educator Recovery Network established in s. 231.263. The
15 department shall deposit all funds into the Educational
16 Certification Trust Fund for use as specified in s. 231.30.

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

22 (2) All professional certificates, except a
23 nonrenewable professional certificate, shall be renewable for
24 successive periods not to exceed 5 years after the date of
25 submission of documentation of completion of the requirements
26 for renewal provided in subsection (3). Only one renewal may
27 be granted during each 5-year validity period of a
28 professional certificate., ~~except that~~ A teacher with national
29 certification from the National Board for Professional
30 Teaching Standards is deemed to meet state renewal
31 requirements for the life of the teacher's national

1 certificate in the subject shown on the national certificate.
2 However, if the renewal application form is not received by
3 the department or by the employing school district before the
4 expiration of the professional certificate, the application
5 form, application fee, and a late fee must be submitted before
6 July 1 of the year following expiration of the certificate in
7 order to renew the professional certificate. The state board
8 shall adopt rules to allow a 1-year extension of the validity
9 period of a professional certificate in the event of serious
10 illness, injury, or other extraordinary extenuating
11 circumstances of the applicant. The department shall grant
12 such 1-year extension upon written request by the applicant or
13 by the superintendent of the local school district or the
14 governing authority of a developmental research school,
15 state-supported school, or nonpublic school that employs the
16 applicant.

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

19 (a) The applicant must earn a minimum of 6 college
20 credits or 120 inservice points or a combination thereof. For
21 each area of specialization to be retained on a certificate,
22 the applicant must earn at least 3 of the required credit
23 hours or equivalent inservice points in the specialization
24 area. Education in "clinical educator" training pursuant to s.
25 240.529(5)(b) and credits or points that provide training in
26 the area of exceptional student education, normal child
27 development, and the disorders of development may be applied
28 toward any specialization area. Credits or points that provide
29 training in the areas of drug abuse, child abuse and neglect,
30 strategies in teaching students having limited proficiency in
31 English, or dropout prevention, or training in areas

1 identified in the educational goals and performance standards
2 adopted pursuant to ss. 229.591(3) and 229.592 may be applied
3 toward any specialization area. Credits or points earned
4 through approved summer institutes may be applied toward the
5 fulfillment of these requirements. Inservice points may also
6 be earned by participation in professional growth components
7 approved by the State Board of Education and specified
8 pursuant to s. 231.600 ~~s. 236.0811~~ in the district's approved
9 master plan for inservice educational training, including, but
10 not limited to, serving as a trainer in an approved teacher
11 training activity, serving on an instructional materials
12 committee or a state board or commission that deals with
13 educational issues, or serving on an advisory council created
14 pursuant to s. 229.58.

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

25 (c) If an applicant wishes to retain more than two
26 specialization areas on the certificate, the applicant shall
27 be permitted two successive validity periods for renewal of
28 all specialization areas, but must earn no fewer than 6
29 college course credit hours or the equivalent in any one
30 validity period.

31

1 (d) The state board shall approve rules for the
2 expanded use of training for renewal of the professional
3 certificate for educators who are required to complete
4 training in teaching students of limited English proficiency
5 as follows:

6 1. A teacher who holds a professional certificate may
7 use college credits or inservice points completed in
8 English-for-Speakers-of-Other-Languages training in excess of
9 6 semester hours during one comprehensive period toward
10 renewal of the professional certificate during the subsequent
11 validity periods.

12 2. A teacher who holds a temporary certificate may use
13 college credits or inservice points completed in
14 English-for-Speakers-of-Other-Languages training toward
15 renewal of the teacher's first professional certificate. Such
16 training must not have been included within the degree
17 program, and the teacher's temporary and professional
18 certificates must be issued for consecutive school years.

19 (4) When any person who holds a valid temporary
20 certificate or professional certificate is called into or
21 volunteers for actual wartime service or required peacetime
22 military service training, the certificate shall be renewed
23 for a period of time equal to the time spent in military
24 service if the person makes proper application and presents
25 substantiating evidence to the department or the employing
26 school district regarding such military service.

27 (5) The state board shall adopt rules to allow the
28 reinstatement of expired professional certificates. The
29 department may reinstate an expired professional certificate
30 within 5 ~~3~~ years after the date of expiration if the
31 certificateholder:

1 (a) Submits an application for reinstatement of the
2 expired certificate.

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

7 (c) During the 5 years immediately preceding
8 reinstatement of the certificate, achieves a passing score on
9 the subject area test for each subject to be shown on the
10 reinstated certificate.

11
12 The requirements of this subsection may not be satisfied by
13 subject area tests or college credits completed for issuance
14 of the certificate that has expired.

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

17 231.261 Education Practices Commission;
18 organization.--

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

29 (a) A teacher member, in order to be qualified for
30 appointment:

31 1. Must be certified to teach in the state.

1 2. Must be a resident of the state.

2 3. Must have practiced the profession in this state
3 for at least 5 years immediately preceding the appointment.

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

6 1. Must have an endorsement on the teaching
7 certificate in the area of school administration or
8 supervision.

9 2. Must be a resident of the state.

10 3. Must have practiced the profession as an
11 administrator for at least 5 years immediately preceding the
12 appointment.

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

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

28 Notwithstanding the requirements of this paragraph for the
29 number of teachers and administrators on a panel, any four
30 members of a panel designated for a particular meeting
31

1 constitutes a quorum of that panel for that meeting, and a
2 quorum is necessary for the panel to take official action.

3 (b) A majority of the members of a panel ~~The panels~~ of
4 the commission shall have final agency authority in all cases
5 involving the revocation or ~~and~~ suspension of certificates of
6 teachers or ~~and~~ school administrators or involving other
7 disciplinary action against teachers or school administrators.
8 The local school board shall retain the authority to
9 discipline teachers and administrators pursuant to law.

10 Section 8. Section 231.263, Florida Statutes, is
11 amended to read:

12 231.263 Recovery network program for educators.--

13 (1) RECOVERY NETWORK ESTABLISHED.--There is created
14 within the Department of Education, to begin on July 1, 1994,
15 a recovery network program to assist educators who are
16 impaired as a result of alcohol abuse, drug abuse, or a mental
17 condition in obtaining treatment to permit their continued
18 contribution to the education profession. Any person who
19 holds certification issued by the department pursuant to s.
20 231.17 is eligible for the assistance.

21 (2) RECOVERY NETWORK STAFF.--

22 (a) The department shall employ an administrator and
23 staff as are necessary to be assigned exclusively to the
24 recovery network program.

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

27 (c) The department may contract with other
28 professionals to implement this section.

29 (3) PURPOSE OF RECOVERY NETWORK.--The recovery network
30 program shall assist educators in obtaining treatment and
31 services from approved treatment providers, but each impaired

1 educator must pay for his or her treatment under terms and
2 conditions agreed upon by the impaired educator and the
3 treatment provider. A person who is admitted to the program
4 must contract with the treatment provider and the program.
5 The treatment contract must prescribe the type of treatment
6 and the responsibilities of the impaired educator and of the
7 provider and must provide that the impaired educator's
8 progress will be monitored by the program.

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

12 (5) RELATIONSHIP WITH EDUCATIONAL PRACTICES COMMISSION
13 AND DEPARTMENT OF EDUCATION.--The recovery network program
14 shall operate independently of, but may cooperate with, the
15 Office of Professional Practices Services of the Department of
16 Education and the Education Practices Commission. A person's
17 participation in the program entitles the commissioner to
18 enter into a deferred prosecution agreement pursuant to s.
19 231.262, or such participation may be considered a factor in
20 mitigation of or a condition of disciplinary action against
21 the person's certificate by the Education Practices Commission
22 pursuant to s. 231.28.

23 (6) PARTICIPATION IN RECOVERY NETWORK PROGRAM.--The
24 recovery network program shall operate independently of
25 employee assistance programs operated by local school
26 districts, and the powers and duties of school districts to
27 make employment decisions, including disciplinary decisions,
28 is not affected except as provided in this section:

29 (a) Educator not subject to investigation or
30 proceedings.--A person who is not subject to investigation or
31 proceedings under ss. 231.262 and 231.28 may voluntarily seek

1 assistance through a local school district employee assistance
2 program for which he or she is eligible and through the
3 recovery network, regardless of action taken against him or
4 her by a school district. Voluntarily seeking assistance alone
5 does not subject a person to proceedings under ss. 231.262 and
6 231.28.

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

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

- 22 1. Acknowledges his or her impairment;
- 23 2. Agrees to evaluation as approved by the recovery
24 network;
- 25 3. Agrees to enroll in an appropriate treatment
26 program approved by the recovery network;
- 27 4. Executes releases to the recovery network program
28 for all medical and treatment records regarding his or her
29 impairment and participation in a treatment program under 42
30 U.S.C. s. 290dd-3 and the federal regulations adopted
31 thereunder;

1 5. Enters into a deferred-prosecution agreement with
2 the Commissioner of Education which provides that a
3 prosecution may not be instituted concerning the matters
4 enumerated in the agreement while the person is properly
5 enrolled in the treatment program and successfully completing
6 the program as certified by the recovery network. The
7 Commissioner of Education is under no obligation to enter into
8 a deferred-prosecution agreement with the educator but may do
9 so if he or she determines that it is in the best interests of
10 the educational program of the state; and

11 6. Has not previously entered any substance abuse
12 program, is not being investigated for any action involving a
13 felony or violence against another person, and has not had
14 multiple arrests for minor drug use, possession, or abuse of
15 alcohol. If an educator successfully completes the treatment
16 program as provided in this paragraph, the records concerning
17 the treatment program shall be handled as provided in CS for
18 SB 2434, 2000 Regular Session, or similar legislation.
19 However, if the educator violates the provisions of the
20 deferred-prosecution agreement, fails to complete the program,
21 or in any other fashion becomes ineligible for the treatment
22 program provided by the recovery network, the Department of
23 Education must be notified of the educator's failure and the
24 department shall continue its investigation and take action
25 against the educator's certificate pursuant to s. 231.262.
26 Upon notification of failure of the recovery network program
27 all medical records shall remain confidential as provided in
28 Senate Bill 2434 of the 2000 Regular Session of the
29 Legislature or similar legislation.

30 (7) REFERRAL WHEN NO PROBABLE CAUSE FOUND.--If a
31 complaint is made to the department against a teacher or an

1 administrator pursuant to s. 231.262 and a finding of no
2 probable cause indicates that no concern other than impairment
3 exists, the department shall inform the person of the
4 availability of assistance provided by the recovery network
5 program.

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

10 (a) Acknowledged his or her impairment problem.

11 (b) Agreed to evaluation as approved by the recovery
12 network program.

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

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

23 (e) Executed releases to the recovery network program
24 for all medical and treatment records regarding his or her
25 impairment and participation in a treatment program pursuant
26 to 42 U.S.C. s. 290dd-3 and the federal regulations adopted
27 thereunder.

28 (9) DISCLOSURE OF MEDICAL RECORDS.--An approved
29 treatment provider must disclose to the recovery network
30 program all information in its possession which relates to a
31 person's impairment and participation in the treatment

1 program. Information obtained under this subsection is
2 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
3 of the State Constitution. This exemption is necessary to
4 promote the rehabilitation of impaired educators and to
5 protect the privacy of treatment program participants. The
6 failure to provide such information to the program is grounds
7 for withdrawal of approval of a treatment provider. Medical
8 records provided to the program may not be disclosed to any
9 other person, except as authorized by law.

10 (10) DECLARATION OF INELIGIBILITY.--

11 (a) A person may be declared ineligible for further
12 assistance from the recovery network program if he or she does
13 not progress satisfactorily in a treatment program or leaves a
14 prescribed program or course of treatment without the approval
15 of the treatment provider.

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

23 (c) If a treatment contract with the program is a
24 condition of a deferred prosecution agreement, and the
25 commissioner determines that the person is ineligible for
26 further assistance, the commissioner may agree to modify the
27 terms and conditions of the deferred prosecution agreement or
28 may issue an administrative complaint, pursuant to s. 231.262,
29 alleging the charges regarding which prosecution was deferred.
30 The person may dispute the determination as an affirmative
31 defense to the administrative complaint by including with his

1 or her request for hearing on the administrative complaint a
2 written statement setting forth the facts and circumstances
3 that show that the determination of ineligibility was
4 erroneous. If administrative proceedings regarding the
5 administrative complaint, pursuant to ss. 120.569 and 120.57,
6 result in a finding that the determination of ineligibility
7 was erroneous, the person is eligible to participate in the
8 program. If the determination of ineligibility was the only
9 reason for setting aside the deferred prosecution agreement
10 and issuing the administrative complaint and the
11 administrative proceedings result in a finding that the
12 determination was erroneous, the complaint shall be dismissed
13 and the deferred prosecution agreement reinstated without
14 prejudice to the commissioner's right to reissue the
15 administrative complaint for other breaches of the agreement.

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

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

31

1 (11) RELEASE AND DISCLOSURE OF MEDICAL
2 RECORDS.--Medical records released pursuant to paragraph
3 (8)(e) may be disclosed to the commissioner, the Office of
4 Professional Practices Services, and the Education Practices
5 Commission only as required for purposes of this section, or
6 as otherwise authorized by law. Further disclosure or release
7 of the medical records may not be made except as authorized by
8 law and in accordance with 42 U.S.C. s. 290dd-2 and the
9 federal regulations adopted thereunder. The medical records
10 are confidential and exempt from s. 119.07(1) and s. 24(a),
11 Art. I of the State Constitution.

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

17 (a) Approving treatment providers, including
18 appropriate qualifications and experience, amount of
19 reasonable fees and charges, and quality and effectiveness of
20 treatment programs provided.

21 (b) Admitting eligible persons to the program.

22 (c) Evaluating impaired persons by the recovery
23 network program.

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

26 231.28 Education Practices Commission; authority to
27 discipline.--

28 (6)(a) When an individual violates the provisions of a
29 settlement agreement enforced by a final order of the
30 Education Practices Commission, an order to show cause may be
31 issued by the clerk of the commission. The order shall require

1 the individual to appear before the commission to show cause
2 why further penalties should not be levied against the
3 individual's certificate pursuant to the authority provided to
4 the Education Practices Commission in subsection (1). The
5 Education Practices Commission shall have the authority to
6 fashion further penalties under the authority of subsection
7 (1) as deemed appropriate when the show cause order is
8 responded to by the individual.

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

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

3 231.30 Certification fees.--

4 (1) The State Board of Education, by rule, shall
5 establish separate fees for applications, examinations,
6 certification, certification renewal, late renewal,
7 recordmaking, and recordkeeping, and may establish procedures
8 for scheduling and administering an examination upon an
9 applicant's request. Each fee shall be based on department
10 estimates of the revenue required to implement the provisions
11 of law with respect to certification of school personnel ~~and~~
12 ~~shall not exceed \$60, except as otherwise provided in this~~
13 ~~section.~~ The application fee shall be nonrefundable. Each
14 examination fee shall not exceed ~~be sufficient to cover~~ the
15 actual cost of developing and administering the examination,
16 ~~but shall not exceed \$60 for any regularly scheduled~~
17 ~~examination or \$100 for an examination administered upon an~~
18 ~~applicant's request.~~

19 Section 11. Section 231.600, Florida Statutes, is
20 amended to read:

21 231.600 School Community Professional Development
22 Act.--

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

31

1 (2) The school community includes administrators,
2 instructional personnel, support personnel, principals,
3 members of district school boards, members of school advisory
4 councils, parents, business partners, and personnel that
5 provide health and social services to school children. School
6 districts may identify and include additional members of the
7 school community in the professional development activities
8 required by this section.

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

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

14 (b) Assist the school community in providing
15 stimulating educational activities that encourage and motivate
16 students to achieve at the highest levels and to become active
17 learners; and

18 (c) Provide continuous support for all educational
19 professionals as well as temporary intervention for education
20 professionals who need improvement in knowledge, skills, and
21 performance.

22 (4) The Department of Education, school districts,
23 schools, and public colleges and universities share the
24 responsibilities described in this section. These
25 responsibilities include the following:

26 (a) The department shall develop and disseminate to
27 the school community model professional development methods
28 and programs that have demonstrated success in meeting
29 identified student needs. The Commissioner of Education shall
30 use data on student achievement to identify student needs. The
31 methods of dissemination must include a statewide performance

1 support system, a database of exemplary professional
2 development activities, a listing of available professional
3 development resources, training programs, and technical
4 assistance.

5 (b) Each district school board shall develop a
6 professional development system. The system must be developed
7 in consultation ~~consult~~ with teachers and representatives of
8 college and university faculty, community agencies, and other
9 interested citizen groups to establish policy and procedures
10 to guide the operation of the district professional
11 development program. The professional development system
12 must:

13 1. Be approved by the Department of Education. All
14 substantial revisions to the system must be submitted to the
15 department for review for continued approval;

16 2.1. Require that principals and schools use student
17 achievement data, school discipline data, school environment
18 surveys, assessments of parental satisfaction, performance
19 appraisal data of teachers and school administrators, and
20 other performance indicators to identify school and student
21 needs that can be met by improved professional performance,
22 and assist principals and schools in making these
23 identifications;

24 3.2. Provide inservice training activities and coupled
25 with followup support that are ~~is~~ appropriate to accomplish
26 district-level and school-level improvement goals and
27 standards. The inservice activities for instructional
28 personnel must primarily focus on subject content and teaching
29 methods, including technology, as related to the Sunshine
30 State Standards; assessment and data analysis; classroom
31 management; and school safety;

1 4. Include a master plan for inservice activities,
2 under rules of the State Board of Education, for all district
3 employees from all fund sources. The master plan must be
4 updated annually by September 1 using criteria for continued
5 approval as specified by rules of the State Board of
6 Education. Written verification that the inservice plan meets
7 all requirements of this section must be submitted annually to
8 the commissioner by October 1;

9 5. Require each school principal to establish and
10 maintain an individual professional development plan for each
11 instructional employee assigned to the school. The individual
12 professional development plan must:

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

15 b. Define the inservice objectives and specific
16 measurable improvements expected in student performance as a
17 result of the inservice activity; and

18 c. Include an evaluation component that determines the
19 effectiveness of the professional development plan;

20 6. Include inservice activities for school
21 administrators that address updated skills necessary for
22 effective school management and instructional leadership;

23 ~~7.3.~~ Provide for systematic consultation with regional
24 and state personnel designated to provide technical assistance
25 and evaluation of local professional development programs;

26 ~~8.4.~~ Provide for delivery of professional development
27 by distance learning and other technology-based delivery
28 systems to reach more educators at lower costs; and

29 ~~9.5.~~ Provide for the continuous evaluation of
30 ~~Continuously evaluate~~ the quality and effectiveness of
31 professional development programs in order to eliminate

1 ineffective programs and strategies and to expand effective
2 ones. Evaluations must consider the impact of such activities
3 on the performance of participating educators and their
4 students' achievement and behavior.

5 (c) Each public community college and university shall
6 assist the department, school districts, and schools in the
7 design, delivery, and evaluation of professional development
8 activities. This assistance must include active participation
9 in state and local activities required by the professional
10 development system.

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

14 1. Identify the knowledge, competencies, and skills
15 necessary for effective school management and instructional
16 leadership which align with student performance standards and
17 accountability measures;

18 2. Include performance evaluation methods;

19 3. Provide for alternative means for preparation of
20 school administrators, which may include programs designed by
21 school districts and institutions of higher education under
22 guidelines developed by the commissioner. The administrator
23 preparation programs must be approved by the Department of
24 Education;

25 4. Provide for the hiring of qualified out-of-state
26 school administrators; and

27 5. Provide advanced educational opportunities for
28 school-based instructional leaders.

29 (b) The Commissioner of Education shall appoint a task
30 force that includes a school district superintendent, a school
31 board member, a principal, an assistant principal, a teacher,

1 a dean of a college of education, and parents. The task force
2 shall convene periodically to provide recommendations to the
3 Department of Education in the areas of recruitment,
4 preparation, professional development, and evaluation of
5 school administrators.

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

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

31

1 (8)~~(7)~~ The State Board of Education may adopt rules to
2 administer this section.

3 (9)~~(8)~~ This section does not limit or discourage a
4 district school board from contracting with independent
5 entities for professional development services and inservice
6 education if the school board believes that, through such a
7 contract, a better product can be acquired or its goals for
8 education improvement can be better met.

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

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

15 231.625 Teacher recruitment and retention.--

16 (3) The Department of Education ~~Office of Teacher~~
17 ~~Recruitment and Retention Services~~, in cooperation with
18 district personnel offices, shall sponsor a job fair in a
19 central part of the state to match in-state educators and
20 out-of-state educators with teaching opportunities in this
21 state.

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

25 231.6255 Christa McAuliffe Ambassador for Education
26 Program.--

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

1 (g) Work with and represent the Department of
2 Education ~~Office of Teacher Recruitment and Retention~~
3 ~~Services~~, as needed.

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

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

9 236.081 Funds for operation of schools.--If the annual
10 allocation from the Florida Education Finance Program to each
11 district for operation of schools is not determined in the
12 annual appropriations act or the substantive bill implementing
13 the annual appropriations act, it shall be determined as
14 follows:

15 (3) INSERVICE EDUCATIONAL PERSONNEL TRAINING
16 EXPENDITURE.--Of the amount computed in subsections (1) and
17 (2), a percentage of the base student allocation per full-time
18 equivalent student shall be expended for educational training
19 programs as determined by the district school board as
20 provided in s. 231.600 ~~s. 236.0811~~. This percentage shall
21 remain constant and shall be calculated by dividing \$6 by the
22 1990-1991 base student allocation. At least two-thirds of the
23 funds so determined shall be expended as provided in s.
24 231.600, and such funds may be used for implementation of the
25 demonstration of professional education competence program as
26 provided in s. 231.17. Funds as provided herein may be
27 expended only for the direct support of inservice training
28 activities as prescribed below:

29 (a) Salaries and benefits of:

30 1. Personnel directly administering the approved
31 inservice training program.

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

3 3. Substitutes for personnel released to participate
4 in an approved inservice training program or an inservice
5 council activity.

6 (b) Other direct operating expenses, excluding capital
7 outlay, required for administering the approved inservice
8 training program, including, but not limited to, the
9 following:

10 1. Inservice training materials for approved inservice
11 training activities.

12 2. Data processing for approved inservice training
13 activities.

14 3. Telephone for the approved inservice training
15 program.

16 4. Office supplies for the personnel administering the
17 approved inservice training program.

18 5. Duplicating and printing for approved inservice
19 training activities.

20 6. Fees and travel and per diem expenses for
21 consultants used in conducting approved inservice training
22 activities.

23 7. Travel and per diem expenses for school district
24 personnel attending approved inservice conferences, workshops,
25 or visitations to schools.

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

28 (c) Compensation may be awarded under this subsection
29 to employees engaged in inservice training activities which
30 are outside of, or in addition to, regular hours of duty
31 assignments or a regular day of a contract period for which

1 regular compensation is provided. No moneys shall be
2 authorized under this subsection for additional salaries and
3 benefits constituting dual compensation to employees
4 participating in inservice activities if such activities are
5 within regular hours of duty assignments or within a regular
6 day of a contract period for which regular compensation is
7 provided.

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

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

26 236.08106 Excellent Teaching Program.--

27 (2) The Excellent Teaching Program is created to
28 provide categorical funding for monetary incentives and
29 bonuses for teaching excellence. The Department of Education
30 shall distribute to each school district or to the NBPTS an
31 amount as prescribed annually by the Legislature for the

1 Excellent Teaching Program. For purposes of this section, the
2 Florida School for the Deaf and the Blind meets the definition
3 of a school district. Unless otherwise provided in the General
4 Appropriations Act, each distribution shall be the sum of the
5 amounts earned for the following incentives and bonuses:

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

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

1 their assigned classrooms; therefore, credit may not be
2 granted by a school district or public school for mentoring or
3 related services provided during the regular school day or
4 during the 196 days of required service for the school year.

5
6 A teacher for whom the state pays the certification fee and
7 who does not complete the certification program or does not
8 teach in a public school of this state for a least 1 year
9 after completing the certification program must repay the
10 amount of the certification fee to the state. However, a
11 teacher who completes the certification program but fails to
12 be awarded NBPTS certification is not required to repay the
13 amount of the certification fee if the teacher meets the
14 1-year teaching requirement. Repayment is not required of a
15 teacher who does not complete the certification program or
16 fails to fulfill the teaching requirement because of the
17 teacher's death or disability or because of other extenuating
18 circumstances as determined by the State Board of Education.

19 Section 16. Florida Mentor Teacher School Pilot
20 Program.--

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

1 \$50,000 grant. Each mentor teacher school program must be
2 approved by the Commissioner of Education based on criteria
3 specified by the Commissioner of Education.

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

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

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

28 (c) Provide ongoing professional development for
29 teachers to learn and grow professionally, which includes a
30 daily block of time for associate teachers, teachers, and lead
31

1 teachers to reflect and plan and to interact with the mentor
2 teacher.

3 (d) Provide all eligible teachers with the opportunity
4 for national certification.

5 (e) Provide for a specified organizational pattern
6 such as clusters or teams of teachers for grade levels or
7 subject areas consisting of associate teachers, teachers, and
8 lead teachers who are supported by education paraprofessionals
9 and directed by a mentor teacher.

10 (3) The five teaching career development positions and
11 minimum requirements are:

12 (a) An education paraprofessional must have earned at
13 least an associate's degree from an accredited college and
14 demonstrate appropriate writing, speaking, and computation
15 skills.

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

19 (c) A teacher must hold at least a bachelor's degree
20 from an accredited institution, have a valid Florida
21 educator's certificate, have a minimum of 3 years' full-time
22 teaching experience, document satisfactory teaching
23 performance, and document evidence of increased student
24 performance for the students taught.

25 (d) A lead teacher must have at least a bachelor's
26 degree from an accredited institution, have a valid Florida
27 educator's professional certificate, have a minimum of 5
28 years' full-time teaching experience, document exemplary
29 teaching performance, and document evidence of significant
30 increased student performance for the students taught. A lead
31

1 teacher may serve as a cluster or team leader who provides
2 intensive support for associate teachers and teachers.

3 (e) A mentor teacher must:

4 1. Have at least a bachelor's degree from an
5 accredited institution, have a valid Florida educator's
6 professional certificate, have at least 7 years' full-time
7 teaching experience, and have demonstrated expertise as a
8 staff developer, and:

9 a. Hold a valid National Board for Professional
10 Teaching Standards certificate;

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

13 c. Hold an equivalent status as determined by the
14 Commissioner of Education; or

15 2. Have completed a Professional Teaching Fellowship
16 program consisting of a Teaching Fellowship, pursuant to
17 Senate Bill 748, 2000 Regular Session, or similar legislation.

18 (4) The Commissioner of Education may adopt rules
19 necessary for the administration of this section and approval
20 of the mentor teacher school program.

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

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

25 240.4063 Florida Teacher Scholarship and Forgivable
26 Loan Program.--

27 (3)(a) Within the Florida Teacher Scholarship and
28 Forgivable Loan Program shall be established the Florida
29 Critical Teacher Shortage Forgivable Loan Program which shall
30 make undergraduate and graduate forgivable loans available to
31 eligible students entering programs of study that lead to a

- 1 degree in a teaching program in a critical teacher shortage
2 area. To be eligible for a program loan, a candidate shall:
- 3 1. Be a full-time student at the upper-division
4 undergraduate or graduate level in a teacher training program
5 approved by the department pursuant to s. 240.529 leading to
6 certification in a critical teacher shortage subject area.
 - 7 2. Have declared an intent to teach, for at least the
8 number of years for which a forgivable loan is received, in
9 publicly funded ~~public~~ elementary or secondary schools of
10 Florida in a critical teacher shortage area identified by the
11 State Board of Education. For purposes of this subsection a
12 school is publicly funded if it receives at least 75 percent
13 of its operating costs from governmental agencies and operates
14 its educational program under contract with a public school
15 district or the Department of Education.
 - 16 3. Meet the general requirements for student
17 eligibility as provided in s. 240.404, except as otherwise
18 provided in this section.
 - 19 4. If applying for an undergraduate forgivable loan,
20 have maintained a minimum cumulative grade point average of
21 2.5 on a 4.0 scale for all undergraduate work. Renewal
22 applicants for undergraduate loans shall maintain a minimum
23 cumulative grade point average of at least a 2.5 on a 4.0
24 scale for all undergraduate work and have earned at least 12
25 semester credits per term, or the equivalent.
 - 26 5. If applying for a graduate forgivable loan, have
27 maintained an undergraduate cumulative grade point average of
28 at least a 3.0 on a 4.0 scale or have attained a Graduate
29 Record Examination score of at least 1,000. Renewal applicants
30 for graduate loans shall maintain a minimum cumulative grade
31 point average of at least a 3.0 on a 4.0 scale for all

1 graduate work and have earned at least 9 semester credits per
2 term, or the equivalent.

3 (e) The State Board of Education shall adopt by rule
4 repayment schedules and applicable interest rates under ss.
5 240.451 and 240.465. A forgivable loan must be repaid within
6 10 years of completion of a program of studies.

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

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

20 3. Forgivable loan recipients may receive loan
21 repayment credit for teaching service rendered at any time
22 during the scheduled repayment period. However, such repayment
23 credit shall be applicable only to the current principal and
24 accrued interest balance that remains at the time the
25 repayment credit is earned. No loan recipient shall be
26 reimbursed for previous cash payments of principal and
27 interest.

28 Section 18. Paragraph (b) of subsection (4) of section
29 240.529, Florida Statutes, is amended to read:

30 240.529 Public accountability and state approval for
31 teacher preparation programs.--

1 (4) CONTINUED PROGRAM APPROVAL.--Notwithstanding
2 subsection (3), failure by a public or nonpublic teacher
3 preparation program to meet the criteria for continued program
4 approval shall result in loss of program approval. The
5 Department of Education, in collaboration with the departments
6 and colleges of education, shall develop procedures for
7 continued program approval which document the continuous
8 improvement of program processes and graduates' performance.

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

1 Department of Education. By January 1 of each year, the
2 Department of Education, in cooperation with the Board of
3 Regents and the State Board of Independent Colleges and
4 Universities, shall report this information for each
5 postsecondary institution that has state-approved programs of
6 teacher education to the Governor, the Commissioner of
7 Education, the Chancellor of the State University System, the
8 President of the Senate, the Speaker of the House of
9 Representatives, all Florida postsecondary teacher preparation
10 programs, and interested members of the public. This report
11 must analyze the data and make recommendations for improving
12 teacher preparation programs in the state.

13 Section 19. Sections 231.0861, 231.087, 231.173, and
14 236.0811, Florida Statutes, are repealed.

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

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