

Amendment No. 1 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

11 Representative(s) Wise, Posey, and Littlefield offered the
12 following:

14 **Substitute Amendment for Amendment (474095) (with title**
15 **amendment)**

16 Remove from the bill: Everything after the enacting clause
17
18 and insert in lieu thereof:

19 Section 1. Section 231.315, Florida Statutes, is
20 created to read:

21 231.315 Peer assistance and review.--

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

Amendment No. 1 (for drafter's use only)

1 assisting, and reviewing the professional standards and
2 practices of instructional personnel.
3 (2) Peer assistance and review programs must meet the
4 following minimum standards:
5 (a) Program provisions must be developed through the
6 collective bargaining agreement between the teachers'
7 association and the school district.
8 (b) A joint instructional personnel and school
9 district governing body must be created with responsibility to
10 review recommendations of the consulting peer instructional
11 personnel.
12 (c) Consulting peer instructional personnel must be
13 recognized by their peers as highly skilled practitioners and
14 must be selected by their peers.
15 (d) Consulting peer instructional personnel must be
16 properly compensated and trained.
17 (e) Consulting peer instructional personnel must
18 provide assistance and review for instructional personnel with
19 the same area of expertise as the consulting peer
20 instructional personnel member.
21 (f) Consulting peer instructional personnel must not
22 be considered administrative personnel and must retain status
23 within the employees' collective bargaining unit.
24 (3) For fiscal years 2001-2002 and 2002-2003, up to
25 six school districts may be selected to establish model peer
26 assistance and review programs. At least one district selected
27 must have less than 6,000 students, and at least one district
28 selected must have more than 100,000 students. Districts that
29 intend to apply for selection must submit an application to
30 the Department of Education by March 1, 2001, which includes
31 the agreement between the teachers' association and the school

Amendment No. 1 (for drafter's use only)

1 district. By October 1, 2001, the department shall select the
2 participating districts based on the quality of their
3 applications.

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

7 (5) The school districts selected to establish model
8 peer assistance and review programs shall receive by December
9 1, 2001, an allocation from the department as established in
10 the General Appropriations Act.

11 (6) During the 2002-2003 fiscal year, the department
12 shall assess the results of the selected model peer assistance
13 and review programs and shall submit a report to the Governor,
14 the President of the Senate, and the Speaker of the House of
15 Representatives by March 1, 2003. The report must include the
16 department's recommendation as to the continuation or
17 expansion of peer assistance and review programs.

18 Section 2. Section 231.6015, Florida Statutes, is
19 created to read:

20 231.6015 Mathematics and science teacher education
21 program.--

22 (1) The Legislature intends to establish an inservice
23 professional development program to improve the teaching of
24 mathematics and science in the public schools of this state,
25 with an initial emphasis on students in kindergarten through
26 grade 8. The program may be conducted separately from, or in
27 conjunction with, other inservice professional development
28 programs provided by a school district. The funds are to be
29 used to supplement, but not to supplant, current professional
30 development in mathematics and science education.

31 (2) As used in this section, the term "teacher" means

Amendment No. 1 (for drafter's use only)

1 a "classroom teacher" as defined by s 228.041.

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

4 (a) Concentrates learning on the Sunshine State
5 Standards and the Subject Matter Content Standards for
6 teachers adopted by the Education Standards Commission.

7 (b) Includes content in sequences designed to prepare
8 students for the state assessments of progress.

9 (c) Demonstrates its quality by improvement in
10 students' classroom achievement.

11 (d) Identifies and challenges students who excel in
12 science and mathematics as well as those whose aptitude is
13 average or below average.

14 (4) The program must be designed to improve a
15 teacher's command of content knowledge and teaching skills. If
16 resources are insufficient to provide adequate instruction for
17 all teachers, the program design should allocate those
18 resources to produce a measurable, systemic change in student
19 learning, rather than only to reach as many teachers as
20 possible.

21 (5) The program must:

22 (a) Employ strategies that have proved effective.

23 (b) Exploit current knowledge and research on
24 professional staff development and standards.

25 (c) Include components for school board members and
26 administrators at the school level, the school district
27 administration level, and the state level.

28 (d) Involve the expertise of public and independent
29 universities, colleges, and community colleges in planning and
30 implementation.

31 (e) Provide for an incentive plan as authorized by s.

Amendment No. 1 (for drafter's use only)

1 236.08106.

2 (f) Include an evaluation of effectiveness, as
3 determined by the Department of Education. The evaluation
4 component of the program must provide data capable of allowing
5 an analysis of the achievement of students before and after
6 the program is implemented, and for an analysis of students
7 whose teachers participate in the program compared to a cohort
8 of students whose teachers do not. As much as possible, the
9 cohort must consist of students having similar demographic
10 characteristics and selected measures of academic achievement.

11 (6) The Legislature shall determine annually in the
12 General Appropriations Act the funds to be available for this
13 program. The Technological Research and Development Authority
14 shall be the fiscal agent of these funds.

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

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

31 (9) A community college or university may report

Amendment No. 1 (for drafter's use only)

1 full-time equivalent students as a result of providing
2 instruction for the program, if the instruction is provided
3 in-load by its own staff paid by its own resources.

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

6 Section 3. Subsection (8) of section 229.592, Florida
7 Statutes, is amended to read:

8 229.592 Implementation of state system of school
9 improvement and education accountability.--

10 (8) STATE BOARD.--The State Board of Education shall
11 adopt rules pursuant to ss. 120.536(1) and 120.54 to implement
12 a state system of school improvement and education
13 accountability and shall specify required annual reports by
14 schools and school districts. The rules must also require each
15 school to report the number and percentage of teachers who
16 have achieved certification by the National Board of
17 Professional Teaching Standards and, for schools that contain
18 a kindergarten or grade 1 through grade 8, the number and
19 proportion of teachers who have successfully completed the
20 program to improve mathematics and science teaching under s.
21 236.08106.

22 Section 4. Subsection (3) of section 231.600, Florida
23 Statutes, is amended to read:

24 231.600 School Community Professional Development
25 Act.--

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

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

31 (b) Assist the school community in providing

Amendment No. 1 (for drafter's use only)

1 stimulating educational activities that encourage and motivate
2 students to achieve at the highest levels and to become active
3 learners; ~~and~~

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

7 (d) Assure that teacher education programs in science,
8 mathematics, and technology education will be fully aligned
9 with the Sunshine State Standards by the implementation of the
10 statewide assessment in science authorized by s. 229.57. These
11 education programs must assure that all teachers, especially
12 teachers of kindergarten through grade 8, know and understand
13 the science and mathematics standards included in the Sunshine
14 State Standards and the Subject Matter Content Standards for
15 teachers adopted by the Education Standards Commission.

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

18 236.08106 Excellent Teaching Program.--

19 (2) The Excellent Teaching Program is created to
20 provide categorical funding for monetary incentives and
21 bonuses for teaching excellence. The Department of Education
22 shall distribute to each school district or to the NBPTS an
23 amount as prescribed annually by the Legislature for the
24 Excellent Teaching Program. Unless otherwise provided in the
25 General Appropriations Act, each distribution shall be the sum
26 of the amounts earned for the following incentives and
27 bonuses:

28 (a) A salary bonus or increased stipend for teachers
29 who successfully complete the program to improve the teaching
30 of mathematics and science in Florida under s. 231.6015. The
31 criteria for successful completion of the program must be

Amendment No. 1 (for drafter's use only)

1 established by the Department of Education and must include a
2 demonstration through prescribed followup activities in the
3 classroom of an improvement in student achievement in
4 mathematics or science.

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

20 (c)(b) A portfolio-preparation incentive of \$150 paid
21 by the Department of Education to each teacher employed by a
22 district school board or a public school within a school
23 district who is participating in the NBPTS certification
24 program. The portfolio-preparation incentive is a one-time
25 award paid during the school year for which the NBPTS fee
26 subsidy is provided.

27 (d)(c) An annual bonus equal to 10 percent of the
28 prior fiscal year's statewide average salary for classroom
29 teachers to be distributed to the school district to be paid
30 to each individual who holds NBPTS certification and is
31 employed by the district school board or by a public school

Amendment No. 1 (for drafter's use only)

1 within the school district. The district school board shall
2 distribute the annual bonus to each individual who meets the
3 requirements of this paragraph and who is certified annually
4 by the district to have demonstrated satisfactory teaching
5 performance pursuant to s. 231.29. The annual bonus may be
6 paid as a single payment or divided into not more than three
7 payments.

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

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

Amendment No. 1 (for drafter's use only)

1 amount of the certification fee if the teacher meets the
2 1-year teaching requirement. Repayment is not required of a
3 teacher who does not complete the certification program or
4 fails to fulfill the teaching requirement because of the
5 teacher's death or disability or because of other extenuating
6 circumstances as determined by the State Board of Education.

7 Section 6. Paragraph (a) of subsection (4) of section
8 236.685, Florida Statutes, is amended to read:

9 236.685 Educational funding accountability.--

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

20 Section 7. (1) The Legislature finds that it is in
21 the public interest to provide for the reenactment by general
22 law of a Technological Research and Development Authority
23 created by chapter 87-455, Laws of Florida, and to extend its
24 powers and duties beyond Brevard County. The Technological
25 Research and Development Authority shall promote scientific
26 research and development in Florida, with the goal of
27 establishing Florida as a center for high technology and
28 economic development to serve the public good.

29 (2) There is created and incorporated the
30 Technological Research and Development Authority as an
31 independent special district.

Amendment No. 1 (for drafter's use only)

1 (3)(a) The authority shall be governed by a commission
2 of seven persons who are residents of this state. The Brevard
3 County Legislative Delegation shall nominate three candidates
4 for each of five commission vacancies, and the Governor shall
5 appoint a member of the commission from the nominees for the
6 vacancy. Further, the Governor shall select and appoint the
7 two remaining members of the commission. The Governor shall
8 appoint each member for a term of 4 years, who shall serve
9 until his or her successor is appointed. If a vacancy occurs
10 during a member's term, the Governor shall appoint a person to
11 fill the vacancy for the remainder of the member's term. The
12 Governor may remove any member for misfeasance, malfeasance,
13 or willful neglect of duty. Each member of the authority
14 before entering upon his or her duties shall take and
15 subscribe the oath of affirmation required by the State
16 Constitution. The existing board members appointed under
17 chapter 87-455, Laws of Florida, of the existing Technology
18 Research and Development Authority law may serve the remainder
19 of their terms.

20 (b) The authority shall annually elect one of its
21 members as chair and one as vice chair and may also appoint a
22 secretary who shall serve at the pleasure of the authority.
23 The authority may also appoint such other officers as
24 necessary.

25 (4) The commission has powers and duties as follows:

26 (a) To plan and undertake a program of action that
27 promotes scientific research and development and fosters
28 public and private education.

29 (b) To contract with and support the programs of those
30 accredited educational institutions with a research capability
31 and which have main campuses within this state in the

Amendment No. 1 (for drafter's use only)

1 furtherance of the objectives of the authority and to contract
2 with any other accredited educational institution in
3 furtherance of the objectives of the authority to establish
4 public-private partnerships and create, sponsor, and manage
5 not-for-profit entities to implement or facilitate the
6 purposes of the authority.

7 (c) To make and manage grants and bequests, and to
8 enter into contracts and other agreements with units of
9 government and private parties for the purpose of obtaining
10 funds for projects and programs that further the objectives of
11 the authority.

12 (d) To establish an annual budget and amend the budget
13 when necessary.

14 (e) To adopt an official seal and alter it at its
15 pleasure.

16 (f) To maintain an office at such place or places in
17 Brevard County or elsewhere as it may designate.

18 (g) To sue and be sued in its own name.

19 (h) To acquire by lease, purchase, or option real and
20 personal property for any use consistent with the purposes of
21 this act.

22 (i) To finance or refinance and to secure the issuance
23 and repayment of bonds, if all revenue bonds or other debt
24 obligations are payable solely from the revenues derived from
25 the sale, operation, or leasing of projects to the authority.
26 Any bonds issued by the authority do not constitute a debt,
27 liability, or obligation of any authority or county or of the
28 state or any political subdivision, and such revenue bond or
29 debt obligations must be paid solely from revenues derived
30 from the sale, operation, or leasing of a project or projects.

31 (j) To employ personnel, consultants, accountants,

Amendment No. 1 (for drafter's use only)

1 attorneys, engineers, and other experts as necessary and
2 convenient in the execution of the powers of the authority.

3 (5) This act shall be liberally construed to
4 effectuate its purposes.

5 (6) The duties and responsibilities of the authority
6 must be carried out in accordance with chapter 189, Florida
7 Statutes, relating to independent special districts.

8 (7) If any provision of this act or the application
9 thereof to any person or circumstance is held invalid, the
10 invalidity shall not affect other provisions or applications
11 of the act which can be given effect without the invalid
12 provision or application, and to this end the provisions of
13 this act are declared severable.

14 Section 8. Chapter 87-455, Laws of Florida, is
15 repealed. All contracts, leases, obligations, and agreements
16 of the Technological Research and Development Authority shall
17 be continued in full force and effect upon this act becoming a
18 law.

19 Section 9. Florida School for Science and
20 Technology.--There is established the Florida School for
21 Science and Technology to be managed and controlled by the
22 Technological Research and Development Authority (TRDA),
23 created by s. 2, chapter 87-455, Laws of Florida.

24 (1) The Florida School for Science and Technology
25 shall be a residential public school located in Brevard
26 County, the attendance area for which shall be the entire
27 state. The Florida School for Science and Technology shall
28 offer:

29 (a) Accelerated programs in the areas of math,
30 science, and technology to students in grades 11 and 12 who
31 meet the eligibility requirements established according to

Amendment No. 1 (for drafter's use only)

1 this section.

2 (b) Summer programs for elementary and secondary
3 school students and teachers.

4 (2) The TRDA shall be responsible for the
5 administration and operation of the Florida School for Science
6 and Technology. However, the board of directors of the TRDA
7 shall appoint a board of trustees to which the TRDA may
8 delegate responsibility for any aspect of the operation or
9 administration of the school, including, but not limited to:

10 (a) The appointment of a director of the school.

11 (b) The adoption by rule, pursuant to ss. 120.536(1)
12 and 120.54, Florida Statutes, of student eligibility and
13 qualification requirements, the size of the student body,
14 student selection methods and standards, and procedures for
15 the operation of the school.

16 (c) The establishment of a student application and
17 appeal process.

18
19 Admission to the Florida School for Science and Technology
20 shall be considered a privilege reserved for certain qualified
21 students, rather than a right afforded to the student
22 population in general. In exercising any delegated
23 responsibility, the board of trustees shall remain accountable
24 to the TRDA for its actions.

25 (3) In order to facilitate innovative practices, the
26 Florida School for Science and Technology shall be exempt from
27 those requirements of chapters 230 through 235 of the Florida
28 School Code relating to curriculum and operations, except
29 those pertaining to civil rights and student health, safety,
30 and welfare. The school shall not be exempt from chapter 119,
31 Florida Statutes, relating to public records, and s. 286.011,

Amendment No. 1 (for drafter's use only)

1 Florida Statutes, relating to public meetings and records,
2 public inspection, and penalties.

3 (4) The TRDA shall annually prepare and submit a
4 legislative budget request to the Department of Education in
5 accordance with chapter 216 and s. 235.41, Florida Statutes.

6 (5) The TRDA shall serve as the fiscal agent of the
7 Florida School for Science and Technology, which shall be
8 funded by state appropriations and private contributions and
9 endowments. Funds for operations shall be provided to the TRDA
10 in the General Appropriations Act.

11 (6) The TRDA shall develop a plan for the
12 establishment of the Florida School for Science and
13 Technology, including timelines for projected stages of
14 operation, construction, enrollment, and costs. The TRDA shall
15 annually submit to the President of the Senate, the Speaker of
16 the House of Representatives, and the Commissioner of
17 Education a report addressing the status of school
18 development, operations, enrollment, student achievement, and
19 projected funding needs.

20 (7) Students enrolled in the Florida School for
21 Science and Technology shall participate in the statewide
22 assessment program, pursuant to s. 229.57. The Florida School
23 for Science and Technology shall comply with state school
24 accountability standards and reporting requirements.

25 (8) The TRDA and the board of trustees of the Florida
26 School for Science and Technology shall develop enrollment
27 policies to ensure equal access and a student body that
28 reflects the racial, ethnic, and socioeconomic diversity of
29 the student population of the state.

30 (9) The TRDA and the board of trustees of the Florida
31 School for Science and Technology shall not be exempt from

Amendment No. 1 (for drafter's use only)

1 federal requirements for public schools, such as provisions
2 regarding exceptional student education and students with
3 disabilities.

4 Section 10. For the fiscal year 2000-2001, there is
5 hereby appropriated to the Technological Research and
6 Development Authority from the General Revenue Fund, \$250,000
7 for planning of the Florida School for Science and Technology.

8 Section 11. This act shall take effect upon becoming a
9 law.

10

11

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

13 And the title is amended as follows:

14 remove from the title of the bill: the entire title

15

16 and insert in lieu thereof:

17 An act relating to education; creating s.
18 231.315, F.S.; providing for the establishment
19 of model peer assistance and review programs;
20 providing for minimum standards; providing for
21 technical assistance and allocations; requiring
22 a report to the Governor, the President of the
23 Senate, and the Speaker of the House of
24 Representatives; creating s. 231.6015, F.S.;
25 authorizing a mathematics and science teacher
26 education program; requiring demonstration of
27 certain uses of funds; providing a program
28 purpose, required components, and resource
29 allocation; requiring the Technological
30 Research and Development Authority to serve as
31 the fiscal agent for the program; requiring

Amendment No. 1 (for drafter's use only)

1 collaborative planning and implementation;
2 authorizing incentives and certification;
3 amending s. 229.592, F.S.; requiring a report;
4 amending s. 231.600, F.S.; requiring certain
5 additions to professional development programs;
6 amending s. 236.08106, F.S.; authorizing a
7 salary bonus for teachers who complete certain
8 training programs; amending s. 236.685, F.S.;
9 requiring a report to include certain
10 information; reenacting the Technological
11 Research and Development Authority;
12 establishing the purposes of the authority;
13 setting a commission to govern the authority;
14 prescribing the duties and responsibilities of
15 the commission and terms of office; providing a
16 procedure for the appointment of the
17 commission; providing for liberal construction;
18 providing severability; repealing ch. 87-455,
19 Laws of Florida, relating to the Technological
20 Research and Development Authority; providing
21 for the effect of certain contracts, leases,
22 obligations, and agreements; establishing the
23 Florida School for Science and Technology;
24 assigning responsibility for the administration
25 and operation of the school to the
26 Technological Research and Development
27 Authority (TRDA); establishing the purpose and
28 attendance area of the school; providing
29 certain requirements for participation in
30 programs offered by the school; requiring the
31 TRDA to appoint a board of trustees for the

Amendment No. 1 (for drafter's use only)

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school; authorizing the TRDA to delegate responsibilities to the board of trustees; providing exemptions from certain statutes; providing funding requirements; providing for a planning process; providing for student participation in the statewide assessment program; providing criteria for enrollment policies; providing an appropriation; providing an effective date.