

By Representative Arza

1                                   A bill to be entitled  
2           An act relating to teacher quality; amending s.  
3           121.091, F.S.; revising provisions relating to  
4           the reemployment of retired members of the  
5           Florida Retirement System as school district  
6           personnel; amending s. 228.041, F.S.; revising  
7           the definition of "other instructional staff"  
8           to include adjunct educators; amending s.  
9           230.23, F.S.; prohibiting a district school  
10          board from assigning any instructional  
11          personnel or school administrator to a school  
12          unless the principal of that school approves  
13          the assignment; deleting provisions relating to  
14          salary supplements provided to teachers  
15          selected to teach at certain low-performing  
16          schools; amending s. 230.33, F.S.; prohibiting  
17          a superintendent of schools from recommending  
18          the assignment of any instructional personnel  
19          or school administrator to a school unless the  
20          principal of that school approves the  
21          assignment; amending s. 231.17, F.S.;  
22          authorizing the use of an approved alternative  
23          certification program by a district other than  
24          that which developed the program, upon  
25          notification to the department and approval of  
26          any modifications; creating s. 231.1726, F.S.;  
27          providing for certification of adjunct  
28          educators; amending s. 231.262, F.S.; requiring  
29          each district school board to develop policies  
30          and procedures relating to the reporting of  
31          complaints against teachers; charging the

1 superintendent of schools with knowledge of  
2 such policies and procedures; stating that a  
3 superintendent is presumed to have knowledge of  
4 each legally sufficient complaint; authorizing  
5 the withholding of discretionary funds from a  
6 school district, and the imposition and  
7 collection of fines against a school district  
8 and superintendent, for noncompliance;  
9 authorizing the temporary suspension of a  
10 teaching certificate pending the completion of  
11 proceedings in order to protect the health,  
12 safety, and welfare of students; correcting  
13 cross references to conform; amending s.  
14 231.36, F.S.; including adjunct educators in  
15 provisions relating to contracts with  
16 instructional staff; requiring a school board,  
17 subject to applicable collective bargaining  
18 requirements, to recognize and accept years of  
19 satisfactory performance for purposes of pay  
20 and retirement; providing an exemption;  
21 amending s. 231.625, F.S.; requiring the  
22 Department of Education to develop and  
23 implement a system for posting teaching  
24 vacancies, establish a database of teacher  
25 applicants, develop a long-range plan for  
26 educator recruitment and retention, and  
27 identify best practices for retaining  
28 high-quality teachers; deleting the requirement  
29 that the department develop standardized  
30 resumes for teacher applicant data and review  
31 and recommend to the Legislature and school

1 districts incentives for attracting teachers to  
2 Florida; creating s. 231.675, F.S.;  
3 establishing the advanced placement instruction  
4 bonus program; specifying amounts of bonuses;  
5 limiting the amount awarded to a teacher  
6 annually; providing an appropriation; amending  
7 s. 231.700, F.S.; revising the Florida Mentor  
8 Teacher School Pilot Program to conform  
9 terminology; clarifying requirements for mentor  
10 teachers; repealing s. 236.081(1)(k) and (m),  
11 F.S., relating to calculations of additional  
12 full-time equivalent membership based on  
13 international baccalaureate examination scores  
14 of students and based on college board advanced  
15 placement scores of students; amending s.  
16 236.08106, F.S.; clarifying requirements  
17 relating to the amount of required mentoring or  
18 related services for receipt of an Excellent  
19 Teaching Program bonus; amending s. 231.261,  
20 F.S.; correcting a cross reference; amending  
21 ss. 230.2305, 231.045, 231.1725, 231.36,  
22 231.471, and 232.435, F.S., relating to  
23 standards for staff of prekindergarten early  
24 intervention programs; periodic criminal  
25 history record checks; employment of substitute  
26 teachers, teachers of adult education,  
27 nondegreed teachers of career education, and  
28 career specialists; professional service  
29 contracts; part-time teachers; and athletic  
30 trainers, respectively; revising provisions to  
31 include adjunct educators; amending s. 240.529,

1 F.S.; providing a waiver of 9 semester hours of  
2 professional education course requirements for  
3 certain teacher preparation program  
4 participants; providing an effective date.  
5

6 Be It Enacted by the Legislature of the State of Florida:  
7

8 Section 1. Paragraph (b) of subsection (9) of section  
9 121.091, Florida Statutes, is amended to read:

10 121.091 Benefits payable under the system.--Benefits  
11 may not be paid under this section unless the member has  
12 terminated employment as provided in s. 121.021(39)(a) or  
13 begun participation in the Deferred Retirement Option Program  
14 as provided in subsection (13), and a proper application has  
15 been filed in the manner prescribed by the department. The  
16 department may cancel an application for retirement benefits  
17 when the member or beneficiary fails to timely provide the  
18 information and documents required by this chapter and the  
19 department's rules. The department shall adopt rules  
20 establishing procedures for application for retirement  
21 benefits and for the cancellation of such application when the  
22 required information or documents are not received.

23 (9) EMPLOYMENT AFTER RETIREMENT; LIMITATION.--

24 (b)1. Any person who is retired under this chapter,  
25 except under the disability retirement provisions of  
26 subsection (4), may be reemployed by any private or public  
27 employer after retirement and receive retirement benefits and  
28 compensation from his or her employer without any limitations,  
29 except that a person, with the exception of school district  
30 instructional personnel, as defined by s. 228.041(9)(a)-(d)  
31 and administrative personnel as defined by s. 228.041(10) who

1 shall be reemployed pursuant to subparagraph 3., may not  
2 receive both a salary from reemployment with any agency  
3 participating in the Florida Retirement System and retirement  
4 benefits under this chapter for a period of 12 months  
5 immediately subsequent to the date of retirement. However, a  
6 DROP participant shall continue employment and receive a  
7 salary during the period of participation in the Deferred  
8 Retirement Option Program, as provided in subsection (13).  
9       2. Any person to whom the limitation in subparagraph  
10 1. applies who violates such reemployment limitation and who  
11 is reemployed with any agency participating in the Florida  
12 Retirement System before completion of the 12-month limitation  
13 period shall give timely notice of this fact in writing to the  
14 employer and to the division and shall have his or her  
15 retirement benefits suspended for the balance of the 12-month  
16 limitation period. Any person employed in violation of this  
17 paragraph and any employing agency which knowingly employs or  
18 appoints such person without notifying the Division of  
19 Retirement to suspend retirement benefits shall be jointly and  
20 severally liable for reimbursement to the retirement trust  
21 fund of any benefits paid during the reemployment limitation  
22 period. To avoid liability, such employing agency shall have  
23 a written statement from the retiree that he or she is not  
24 retired from a state-administered retirement system. Any  
25 retirement benefits received while reemployed during this  
26 reemployment limitation period shall be repaid to the  
27 retirement trust fund, and retirement benefits shall remain  
28 suspended until such repayment has been made. Benefits  
29 suspended beyond the reemployment limitation shall apply  
30 toward repayment of benefits received in violation of the  
31 reemployment limitation.

1           3.a. A district school board may reemploy a retired  
2 member as a substitute or hourly teacher, education  
3 paraprofessional, transportation assistant, bus driver, or  
4 food service worker on a noncontractual basis after he or she  
5 has been retired for 1 calendar month, in accordance with s.  
6 121.021(39). Any retired member who is reemployed within 1  
7 calendar month after retirement shall void his or her  
8 application for retirement benefits. District school boards  
9 reemploying such teachers, education paraprofessionals,  
10 transportation assistants, bus drivers, or food service  
11 workers are subject to the retirement contribution required by  
12 subparagraph 7. Reemployment of a retired member as a  
13 substitute or hourly teacher, education paraprofessional,  
14 transportation assistant, bus driver, or food service worker  
15 is limited to 780 hours during the first 12 months of his or  
16 her retirement. Any retired member reemployed for more than  
17 780 hours during his or her first 12 months of retirement  
18 shall give timely notice in writing to the employer and to the  
19 division of the date he or she will exceed the limitation.  
20 The division shall suspend his or her retirement benefits for  
21 the remainder of the first 12 months of retirement. Any  
22 person employed in violation of this subparagraph and any  
23 employing agency which knowingly employs or appoints such  
24 person without notifying the Division of Retirement to suspend  
25 retirement benefits shall be jointly and severally liable for  
26 reimbursement to the retirement trust fund of any benefits  
27 paid during the reemployment limitation period. To avoid  
28 liability, such employing agency shall have a written  
29 statement from the retiree that he or she is not retired from  
30 a state-administered retirement system. Any retirement  
31 benefits received by a retired member while reemployed in

1 excess of 780 hours during the first 12 months of retirement  
2 shall be repaid to the Retirement System Trust Fund, and his  
3 or her retirement benefits shall remain suspended until  
4 repayment is made. Benefits suspended beyond the end of the  
5 retired member's first 12 months of retirement shall apply  
6 toward repayment of benefits received in violation of the  
7 780-hour reemployment limitation.

8 b. A district school board may reemploy a retired  
9 member as full-time instructional personnel as defined by s.  
10 228.041(9)(a)-(d) or full-time administrative personnel as  
11 defined by s. 228.041(10) after he or she has been retired for  
12 1 calendar month, in accordance with s. 121.021(39). Any  
13 retired member who is reemployed pursuant to this  
14 sub-subparagraph within 1 calendar month after retirement  
15 shall void his or her application for retirement benefits.  
16 District school boards reemploying such instructional or  
17 administrative personnel are subject to the retirement  
18 contribution required by subparagraph 7.

19 4. A community college board of trustees may reemploy  
20 a retired member as an adjunct instructor, that is, an  
21 instructor who is noncontractual and part-time, or as a  
22 participant in a phased retirement program within the Florida  
23 Community College System, after he or she has been retired for  
24 1 calendar month, in accordance with s. 121.021(39). Any  
25 retired member who is reemployed within 1 calendar month after  
26 retirement shall void his or her application for retirement  
27 benefits. Boards of trustees reemploying such instructors are  
28 subject to the retirement contribution required in  
29 subparagraph 7. A retired member may be reemployed as an  
30 adjunct instructor for no more than 780 hours during the first  
31 12 months of retirement. Any retired member reemployed for

1 more than 780 hours during the first 12 months of retirement  
2 shall give timely notice in writing to the employer and to the  
3 division of the date he or she will exceed the limitation.  
4 The division shall suspend his or her retirement benefits for  
5 the remainder of the first 12 months of retirement. Any  
6 person employed in violation of this subparagraph and any  
7 employing agency which knowingly employs or appoints such  
8 person without notifying the Division of Retirement to suspend  
9 retirement benefits shall be jointly and severally liable for  
10 reimbursement to the retirement trust fund of any benefits  
11 paid during the reemployment limitation period. To avoid  
12 liability, such employing agency shall have a written  
13 statement from the retiree that he or she is not retired from  
14 a state-administered retirement system. Any retirement  
15 benefits received by a retired member while reemployed in  
16 excess of 780 hours during the first 12 months of retirement  
17 shall be repaid to the Retirement System Trust Fund, and  
18 retirement benefits shall remain suspended until repayment is  
19 made. Benefits suspended beyond the end of the retired  
20 member's first 12 months of retirement shall apply toward  
21 repayment of benefits received in violation of the 780-hour  
22 reemployment limitation.

23         5. The State University System may reemploy a retired  
24 member as an adjunct faculty member or as a participant in a  
25 phased retirement program within the State University System  
26 after the retired member has been retired for 1 calendar  
27 month, in accordance with s. 121.021(39). Any retired member  
28 who is reemployed within 1 calendar month after retirement  
29 shall void his or her application for retirement benefits.  
30 The State University System is subject to the retired  
31 contribution required in subparagraph 7., as appropriate. A



1 retired member may be reemployed as an adjunct faculty member  
2 or a participant in a phased retirement program for no more  
3 than 780 hours during the first 12 months of his or her  
4 retirement. Any retired member reemployed for more than 780  
5 hours during the first 12 months of retirement shall give  
6 timely notice in writing to the employer and to the division  
7 of the date he or she will exceed the limitation. The  
8 division shall suspend his or her retirement benefits for the  
9 remainder of the first 12 months of retirement. Any person  
10 employed in violation of this subparagraph and any employing  
11 agency which knowingly employs or appoints such person without  
12 notifying the Division of Retirement to suspend retirement  
13 benefits shall be jointly and severally liable for  
14 reimbursement to the retirement trust fund of any benefits  
15 paid during the reemployment limitation period. To avoid  
16 liability, such employing agency shall have a written  
17 statement from the retiree that he or she is not retired from  
18 a state-administered retirement system. Any retirement  
19 benefits received by a retired member while reemployed in  
20 excess of 780 hours during the first 12 months of retirement  
21 shall be repaid to the Retirement System Trust Fund, and  
22 retirement benefits shall remain suspended until repayment is  
23 made. Benefits suspended beyond the end of the retired  
24 member's first 12 months of retirement shall apply toward  
25 repayment of benefits received in violation of the 780-hour  
26 reemployment limitation.

27         6. The Board of Trustees of the Florida School for the  
28 Deaf and the Blind may reemploy a retired member as a  
29 substitute teacher, substitute residential instructor, or  
30 substitute nurse on a noncontractual basis after he or she has  
31 been retired for 1 calendar month, in accordance with s.

1 121.021(39). Any retired member who is reemployed within 1  
2 calendar month after retirement shall void his or her  
3 application for retirement benefits. The Board of Trustees of  
4 the Florida School for the Deaf and the Blind reemploying such  
5 teachers, residential instructors, or nurses is subject to the  
6 retirement contribution required by subparagraph 7.  
7 Reemployment of a retired member as a substitute teacher,  
8 substitute residential instructor, or substitute nurse is  
9 limited to 780 hours during the first 12 months of his or her  
10 retirement. Any retired member reemployed for more than 780  
11 hours during the first 12 months of retirement shall give  
12 timely notice in writing to the employer and to the division  
13 of the date he or she will exceed the limitation. The division  
14 shall suspend his or her retirement benefits for the remainder  
15 of the first 12 months of retirement. Any person employed in  
16 violation of this subparagraph and any employing agency which  
17 knowingly employs or appoints such person without notifying  
18 the Division of Retirement to suspend retirement benefits  
19 shall be jointly and severally liable for reimbursement to the  
20 retirement trust fund of any benefits paid during the  
21 reemployment limitation period. To avoid liability, such  
22 employing agency shall have a written statement from the  
23 retiree that he or she is not retired from a  
24 state-administered retirement system. Any retirement benefits  
25 received by a retired member while reemployed in excess of 780  
26 hours during the first 12 months of retirement shall be repaid  
27 to the Retirement System Trust Fund, and his or her retirement  
28 benefits shall remain suspended until payment is made.  
29 Benefits suspended beyond the end of the retired member's  
30 first 12 months of retirement shall apply toward repayment of  
31

1 benefits received in violation of the 780-hour reemployment  
2 limitation.

3           7. The employment by an employer of any retiree or  
4 DROP participant of any state-administered retirement system  
5 shall have no effect on the average final compensation or  
6 years of creditable service of the retiree or DROP  
7 participant. Prior to July 1, 1991, upon employment of any  
8 person, other than an elected officer as provided in s.  
9 121.053, who has been retired under any state-administered  
10 retirement program, the employer shall pay retirement  
11 contributions in an amount equal to the unfunded actuarial  
12 liability portion of the employer contribution which would be  
13 required for regular members of the Florida Retirement System.  
14 Effective July 1, 1991, contributions shall be made as  
15 provided in s. 121.122 for retirees with renewed membership or  
16 subsection (13) with respect to DROP participants.

17           8. Any person who has previously retired and who is  
18 holding an elective public office or an appointment to an  
19 elective public office eligible for the Elected Officers'  
20 Class on or after July 1, 1990, shall be enrolled in the  
21 Florida Retirement System as provided in s. 121.053(1)(b) or,  
22 if holding an elective public office that does not qualify for  
23 the Elected Officers' Class on or after July 1, 1991, shall be  
24 enrolled in the Florida Retirement System as provided in s.  
25 121.122, and shall continue to receive retirement benefits as  
26 well as compensation for the elected officer's service for as  
27 long as he or she remains in elective office. However, any  
28 retired member who served in an elective office prior to July  
29 1, 1990, suspended his or her retirement benefit, and had his  
30 or her Florida Retirement System membership reinstated shall,  
31 upon retirement from such office, have his or her retirement

1 benefit recalculated to include the additional service and  
2 compensation earned.

3           9. Any person who is holding an elective public office  
4 which is covered by the Florida Retirement System and who is  
5 concurrently employed in nonelected covered employment may  
6 elect to retire while continuing employment in the elective  
7 public office, provided that he or she shall be required to  
8 terminate his or her nonelected covered employment. Any  
9 person who exercises this election shall receive his or her  
10 retirement benefits in addition to the compensation of the  
11 elective office without regard to the time limitations  
12 otherwise provided in this subsection. No person who seeks to  
13 exercise the provisions of this subparagraph, as the same  
14 existed prior to May 3, 1984, shall be deemed to be retired  
15 under those provisions, unless such person is eligible to  
16 retire under the provisions of this subparagraph, as amended  
17 by chapter 84-11, Laws of Florida.

18           10. The limitations of this paragraph apply to  
19 reemployment in any capacity with an "employer" as defined in  
20 s. 121.021(10), irrespective of the category of funds from  
21 which the person is compensated.

22           11. From July 1, 1997, through December 31, 1998,  
23 notwithstanding the limitations of this subsection, except  
24 that any retiree who is reemployed within 1 calendar month  
25 after retirement shall void his or her application for  
26 retirement benefits, any retiree of the Florida Retirement  
27 System may be reemployed by a covered employer during the 2nd  
28 through 12th months of the reemployment limitation period  
29 without suspending his or her retirement benefits, provided  
30 that the reemployment is for the sole purpose of working on  
31 the technical aspects of correcting or replacing the computer

1 systems and programs necessary to resolve the year 2000 date  
2 problem for computing which confronts all public employers  
3 covered by the Florida Retirement System.

4 Section 2. Paragraph (d) of subsection (9) of section  
5 228.041, Florida Statutes, is amended to read:

6 228.041 Definitions.--Specific definitions shall be as  
7 follows, and wherever such defined words or terms are used in  
8 the Florida School Code, they shall be used as follows:

9 (9) INSTRUCTIONAL PERSONNEL.--"Instructional  
10 personnel" means any staff member whose function includes the  
11 provision of direct instructional services to students.  
12 Instructional personnel also includes personnel whose  
13 functions provide direct support in the learning process of  
14 students. Included in the classification of instructional  
15 personnel are:

16 (d) Other instructional staff.--Other instructional  
17 staff are staff members who are part of the instructional  
18 staff but are not classified in one of the categories  
19 specified in paragraphs (a)-(c). Included in this  
20 classification are primary specialists, learning resource  
21 specialists, instructional trainers, adjunct educators  
22 certified pursuant to s. 231.1726, and similar positions.

23 Section 3. Paragraph (a) of subsection (5) and  
24 paragraph (c) of subsection (16) of section 230.23, Florida  
25 Statutes, are amended to read:

26 230.23 Powers and duties of school board.--The school  
27 board, acting as a board, shall exercise all powers and  
28 perform all duties listed below:

29 (5) PERSONNEL.--Designate positions to be filled,  
30 prescribe qualifications for those positions, and provide for  
31 the appointment, compensation, promotion, suspension, and

1 dismissal of employees as follows, subject to the requirements  
2 of chapter 231:

3           (a) Positions, qualifications, and appointments.--Act  
4 upon written recommendations submitted by the superintendent  
5 of schools for positions to be filled and for minimum  
6 qualifications for personnel for the various positions and act  
7 upon written nominations of persons to fill such positions.  
8 The superintendent of schools' recommendations for filling  
9 instructional ~~institutional~~ positions at the school level must  
10 consider nominations received from school principals of the  
11 respective schools. The district school board shall not assign  
12 any instructional personnel or school administrator, as  
13 defined in s. 228.041(10)(c), to a school unless the principal  
14 of that school approves the assignment.The district school  
15 board may reject for good cause any employee nominated. If the  
16 third nomination by the superintendent of schools for any  
17 position is rejected for good cause, if the superintendent of  
18 schools fails to submit a nomination for initial employment  
19 within a reasonable time as prescribed by the district school  
20 board, or if the superintendent of schools fails to submit a  
21 nomination for reemployment within the time prescribed by law,  
22 the district school board may proceed on its own motion to  
23 fill such position. The district school board's decision to  
24 reject a person's nomination does not give that person a right  
25 of action to sue over the rejection and may not be used as a  
26 cause of action by the nominated employee.

27           (16) IMPLEMENT SCHOOL IMPROVEMENT AND  
28 ACCOUNTABILITY.--Maintain a system of school improvement and  
29 education accountability as provided by statute and State  
30 Board of Education rule. This system of school improvement and  
31 education accountability shall be consistent with, and

1 implemented through, the district's continuing system of  
2 planning and budgeting required by this section and ss.  
3 229.555 and 237.041. This system of school improvement and  
4 education accountability shall include, but is not limited to,  
5 the following:

6 (c) Assistance and intervention.--

7 1. Develop a 2-year plan of increasing individualized  
8 assistance and intervention for each school in danger of not  
9 meeting state standards or making adequate progress, as  
10 defined pursuant to statute and State Board of Education rule,  
11 toward meeting the goals and standards of its approved school  
12 improvement plan.

13 2. A school that is identified as being in performance  
14 grade category "D" pursuant to s. 229.57 is in danger of  
15 failing and must be provided assistance and intervention.

16 ~~3.a.~~ Each district school board shall develop a plan  
17 to encourage teachers with demonstrated mastery in improving  
18 student performance to remain at or transfer to a school  
19 designated as performance grade category "D" or "F" or to an  
20 alternative school that serves disruptive or violent youths.  
21 If a classroom teacher, as defined by s. 228.041(9)(a), who  
22 meets the definition of teaching mastery developed according  
23 to the provisions of this paragraph, requests assignment to a  
24 school designated as performance grade category "D" or "F" or  
25 to an alternative school that serves disruptive or violent  
26 youths, the district school board shall make every practical  
27 effort to grant the request.

28 ~~b. For initial implementation in 2000-2001 and until~~  
29 ~~full implementation of an annual assessment of learning gains,~~  
30 ~~a classroom teacher who is selected by the school principal~~  
31 ~~based on his or her performance appraisal and student~~

1 ~~achievement data to teach at a school designated as~~  
2 ~~performance grade category "D" or "F" or at an alternative~~  
3 ~~that serves disruptive or violent youths shall receive a~~  
4 ~~supplement of at least \$1,000, not to exceed \$3,500, as~~  
5 ~~provided for annually in the General Appropriations Act, each~~  
6 ~~year he or she teaches at a school designated as performance~~  
7 ~~grade category "D" or "F" or at an alternative school that~~  
8 ~~serves disruptive or violent youths.~~

9       ~~c. Beginning with the full implementation of an annual~~  
10 ~~assessment of learning gains, a classroom teacher whose~~  
11 ~~effectiveness has been proven based upon positive learning~~  
12 ~~gains of his or her students as measured by annual FCAT~~  
13 ~~assessments pursuant to s. 229.57, is eligible for an annual~~  
14 ~~supplement of at least \$1,000, not to exceed \$3,500, as~~  
15 ~~provided for annually in the General Appropriations Act, each~~  
16 ~~year he or she teaches at a school designated as performance~~  
17 ~~grade category "D" or "F" or at an alternative school that~~  
18 ~~serves disruptive or violent youths.~~

19       ~~d. In the absence of an FCAT assessment, measurement~~  
20 ~~of learning gains of students shall be as provided in s.~~  
21 ~~229.57(12). The supplement received under this paragraph shall~~  
22 ~~be in addition to any supplement or bonus received as a result~~  
23 ~~of other local or state pay incentives based on performance.~~

24       ~~e. The Commissioner of Education shall adopt rules to~~  
25 ~~determine the measures that define "teaching mastery" for~~  
26 ~~purposes of this subparagraph.~~

27       4. District school boards are encouraged to prioritize  
28 the expenditures of funds received from the supplemental  
29 academic instruction categorical fund under s. 236.08104 to  
30 improve student performance in schools that receive a  
31 performance grade category designation of "D" or "F."



1           Section 4. Paragraph (a) of subsection (7) of section  
2 230.33, Florida Statutes, is amended to read:

3           230.33 Duties and responsibilities of superintendent  
4 of schools.--The superintendent of schools shall exercise all  
5 powers and perform all duties listed below and elsewhere in  
6 the law; provided, that in so doing he or she shall advise and  
7 counsel with the district school board. The superintendent of  
8 schools shall perform all tasks necessary to make sound  
9 recommendations, nominations, proposals, and reports required  
10 by law to be acted upon by the district school board. All  
11 such recommendations, nominations, proposals, and reports by  
12 the superintendent of schools shall be either recorded in the  
13 minutes or shall be made in writing, noted in the minutes, and  
14 filed in the public records of the district school board. It  
15 shall be presumed that, in the absence of the record required  
16 in this paragraph, the recommendations, nominations, and  
17 proposals required of the superintendent of schools were not  
18 contrary to the action taken by the district school board in  
19 such matters.

20           (7) PERSONNEL.--Be responsible, as required herein,  
21 for directing the work of the personnel, subject to the  
22 requirements of chapter 231, and in addition the  
23 superintendent of schools shall have the following duties:

24           (a) Positions, qualifications, and  
25 nominations.--Recommend to the district school board duties  
26 and responsibilities which need to be performed and positions  
27 which need to be filled to make possible the development of an  
28 adequate school program in the district; recommend minimum  
29 qualifications of personnel for these various positions; and  
30 nominate in writing persons to fill such positions. The  
31 nominations of persons to fill instructional positions at each

1 of the district's schools must consider recommendations  
2 received from principals of the respective schools. The  
3 superintendent of schools shall not recommend the assignment  
4 of any instructional personnel or school administrator, as  
5 defined in s. 228.041(10)(c), to a school unless the principal  
6 of that school approves the assignment.

7 Section 5. Paragraph (b) of subsection (7) of section  
8 231.17, Florida Statutes, is amended to read:

9 231.17 Teacher certification requirements.--

10 (7) PROFESSIONAL PREPARATION AND EDUCATION COMPETENCY  
11 PROGRAM.--

12 (b) Until July 1, 2002, each school district may use  
13 ~~develop and maintain~~ an alternative certification program by  
14 which members of the district's instructional staff may  
15 satisfy the professional education course requirements  
16 specified in rules of the state board for issuance of a  
17 professional certificate. The state board must adopt, by rule,  
18 standards and guidelines for the approval of alternative  
19 certification programs. Any program approved for use in a  
20 school district may be adopted and implemented by a school  
21 district other than that which developed the program. A  
22 district school board choosing to adopt an alternative  
23 certification program approved for another school district  
24 shall provide written notification of such action to the  
25 department. However, any modifications to an approved program  
26 shall be submitted to the department for approval.Each  
27 approved program must include methods for identifying each  
28 applicant's entry-level teaching competencies and must require  
29 each applicant to:

30 1. Have expertise in the subject and meet requirements  
31 for specialization in a subject area for which a professional

1 certificate may be issued under this chapter and rules of the  
2 state board.

3 2. Complete training in only those competency areas in  
4 which deficiencies are identified.

5 3. Complete the program within 2 years after initial  
6 employment as a member of the district's instructional staff.

7 4. Achieve passing scores on the professional  
8 education competency examination required by state board rule.

9

10 Each district school board may expend educational training  
11 funds provided under ss. 231.600 and 236.081 to implement the  
12 provisions of this paragraph. The department must approve  
13 programs and systems developed to demonstrate professional  
14 preparation and education competence authorized by this  
15 paragraph.

16 Section 6. Section 231.1726, Florida Statutes, is  
17 created to read:

18 231.1726 Certification of adjunct educators.--

19 (1) Notwithstanding ss. 231.02, 231.15, and 231.17, or  
20 any other provision of law or rule to the contrary, district  
21 school boards may issue an adjunct teaching certificate to any  
22 applicant who fulfills the requirements of s. 231.17(2)(a)-(f)  
23 and who has expertise, as determined by district school board  
24 policy, in the subject area to be taught. District school  
25 boards shall assign a peer teacher to assist the adjunct  
26 teaching certificateholder during the certificateholder's  
27 first year of teaching. District school boards shall provide  
28 the adjunct teaching certificateholder an orientation in  
29 classroom management prior to assigning the certificateholder  
30 to a school. Each adjunct teaching certificate is valid for 5  
31 school years and is renewable, if:

1       (a) The applicant completes a minimum of 60 inservice  
2 points or 3 semester hours of college credit. The earned  
3 credits must include instruction in classroom management,  
4 district school board procedures, school culture, and other  
5 activities that enhance the professional teaching skills of  
6 the certificateholder.

7       (b) The applicant has received satisfactory  
8 performance evaluations during each year of teaching under  
9 adjunct certification.

10       (2) Individuals who are certified and employed  
11 pursuant to this section shall have the same rights and  
12 protection of laws as teachers certified pursuant to s.  
13 231.17.

14       Section 7. Paragraphs (a) and (c) of subsection (1)  
15 and subsection (4) of section 231.262, Florida Statutes, are  
16 amended, new subsection (5) is added to said section, present  
17 subsection (5) of said section is renumbered and amended, and  
18 present subsections (6) through (8) of said section are  
19 renumbered as subsections (7) through (9), respectively, to  
20 read:

21       231.262 Complaints against teachers and  
22 administrators; procedure; penalties.--

23       (1)(a) The Department of Education shall cause to be  
24 investigated expeditiously any complaint filed before it or  
25 otherwise called to its attention which, if legally  
26 sufficient, contains grounds for the revocation or suspension  
27 of a certificate or any other appropriate penalty as set forth  
28 in subsection (7)~~(6)~~. The complaint is legally sufficient if  
29 it contains the ultimate facts which show a violation has  
30 occurred as provided in s. 231.2615. The department may  
31 investigate or continue to investigate and take appropriate

1 action in a complaint even though the original complainant  
2 withdraws the complaint or otherwise indicates a desire not to  
3 cause it to be investigated or prosecuted to completion. The  
4 department may investigate or continue to investigate and take  
5 action on a complaint filed against a person whose teaching  
6 certificate has expired if the act or acts which are the basis  
7 for the complaint were allegedly committed while that person  
8 possessed a teaching certificate.

9 (c) Each school district shall file in writing with  
10 the department all legally sufficient complaints within 30  
11 days after the date on which subject matter of the complaint  
12 comes to the attention of the school district. The school  
13 district shall include all information relating to the  
14 complaint which is known to the school district at the time of  
15 filing. Each district school board shall develop policies and  
16 procedures to comply with this reporting requirement and to  
17 ensure that the superintendent of schools is promptly informed  
18 of each legally sufficient complaint. The superintendent of  
19 schools is charged with knowledge of these policies and  
20 procedures and is presumed to have knowledge of each legally  
21 sufficient complaint. If either the district school board or  
22 the superintendent of schools fails to comply with the  
23 requirements of this subsection, in addition to other actions  
24 against certificateholders authorized by law, the Commissioner  
25 of Education may, in his or her discretion, permanently  
26 withhold all or a portion of discretionary funds that might  
27 otherwise be available to such school district during the  
28 period of noncompliance, and may also impose and collect a  
29 fine against such school district and superintendent of  
30 schools in an amount not to exceed \$1,000 for each day of  
31 noncompliance. The school district and superintendent of

1 schools shall be jointly and severally liable for such fine.

2 This paragraph does not limit or restrict the power and duty  
3 of the department to investigate complaints as provided in  
4 paragraphs (a) and (b), regardless of the school district's  
5 untimely filing, or failure to file, complaints and followup  
6 reports.

7           (4) The complaint and all information obtained  
8 pursuant to the investigation by the department shall be  
9 confidential and exempt from the provisions of s. 119.07(1)  
10 until the conclusion of the preliminary investigation of the  
11 complaint, until such time as the preliminary investigation  
12 ceases to be active, or until such time as otherwise provided  
13 by s. 231.263(6). However, the complaint and all material  
14 assembled during the investigation may be inspected and copied  
15 by the certificateholder under investigation, or the  
16 certificateholder's designee, after the investigation is  
17 concluded, but prior to the determination of probable cause by  
18 the commissioner. If the preliminary investigation is  
19 concluded with the finding that there is no probable cause to  
20 proceed, the complaint and information shall be open  
21 thereafter to inspection pursuant to s. 119.07(1). If the  
22 preliminary investigation is concluded with the finding that  
23 there is probable cause to proceed and a complaint is filed  
24 pursuant to subsection(6)~~(5)~~, the complaint and information  
25 shall be open thereafter to inspection pursuant to s.  
26 119.97(1). If the preliminary investigation ceases to be  
27 active, the complaint and all such material shall be open  
28 thereafter to inspection pursuant to s. 119.07(1), except as  
29 otherwise provided pursuant to s. 231.263(6)(d). For the  
30 purpose of this subsection, a preliminary investigation shall  
31 be considered active as long as it is continuing with a

1 reasonable, good faith anticipation that an administrative  
2 finding will be made in the foreseeable future.

3 (5) In order to protect the health, safety, and  
4 welfare of a minor student, the commissioner is authorized to  
5 temporarily suspend the certificate of a certificateholder  
6 pending the completion of the proceedings and the  
7 determination of sanctions, if any, pursuant to this section  
8 and s. 231.2615. The certificateholder may at any time request  
9 in writing that the commissioner set aside the temporary  
10 suspension, and the commissioner may do so with or without  
11 conditions. If the commissioner refuses to set aside the  
12 temporary suspension, or if the certificateholder contends  
13 that the commissioner's conditions are unreasonable, a  
14 certificateholder whose certificate is suspended under this  
15 subsection may seek review of the temporary suspension by the  
16 Education Practices Commission. The Education Practices  
17 Commission shall conduct a formal review of the matter and  
18 issue an order sustaining or overturning the temporary  
19 suspension, or setting it aside under specified conditions.

20 ~~(6)(5)~~ Upon the finding of probable cause, the  
21 commissioner shall file a formal complaint and prosecute the  
22 complaint pursuant to the provisions of chapter 120. An  
23 administrative law judge shall be assigned by the Division of  
24 Administrative Hearings of the Department of Management  
25 Services to hear the complaint if there are disputed issues of  
26 material fact. The administrative law judge shall make  
27 recommendations in accordance with the provisions of  
28 subsection ~~(7)(6)~~ to the appropriate Education Practices  
29 Commission panel which shall conduct a formal review of such  
30 recommendations and other pertinent information and issue a  
31

1 final order. The commission shall consult with its legal  
2 counsel prior to issuance of a final order.

3 Section 8. Paragraph (a) of subsection (1) of section  
4 231.36, Florida Statutes, is amended, and paragraph (g) is  
5 added to subsection (3) of said section, to read:

6 231.36 Contracts with instructional staff,  
7 supervisors, and principals.--

8 (1)(a) Each person employed as a member of the  
9 instructional staff in any district school system shall be  
10 properly certificated pursuant to s. 231.17 or s. 231.1726 or  
11 employed pursuant to s. 231.1725 and shall be entitled to and  
12 shall receive a written contract as specified in chapter 230.  
13 All such contracts, except continuing contracts as specified  
14 in subsection (4), shall contain provisions for dismissal  
15 during the term of the contract only for just cause. Just  
16 cause includes, but is not limited to, the following  
17 instances, as defined by rule of the State Board of Education:  
18 misconduct in office, incompetency, gross insubordination,  
19 willful neglect of duty, or conviction of a crime involving  
20 moral turpitude.

21 (3)

22 (g) Beginning July 1, 2001, for each employee who  
23 enters into a written contract, pursuant to this section, in a  
24 school district in which the employee was not employed as of  
25 June 30, 2001, for purposes of pay and retirement a school  
26 board must, subject to any applicable collective bargaining  
27 requirements, recognize and accept each year of full-time  
28 teaching service, as reported for purposes of the Florida  
29 Retirement System, for which an employee received a  
30 satisfactory performance evaluation. Instructional personnel  
31



1 employed pursuant to s. 121.091(9)(b)3.b. are exempt from the  
2 provisions of this paragraph.

3 Section 9. Subsection (2) of section 231.625, Florida  
4 Statutes, is amended to read:

5 231.625 Teacher recruitment and retention.--

6 (2) The Department of Education shall:

7 (a) Develop and implement a system for posting  
8 teaching vacancies and establish a database of teacher  
9 applicants that is accessible within and outside the state  
10 ~~Advertise teacher positions in targeted states.~~

11 (b) Advertise in major newspapers, national  
12 professional publications, and other professional publications  
13 and in schools of education.

14 (c) Utilize state and nationwide toll-free numbers.

15 ~~(d) Develop standardized resumes for teacher applicant~~  
16 ~~data.~~

17 (d)(e) Conduct periodic communications with district  
18 personnel directors regarding applicants.

19 (e)(f) Provide district access to the applicant  
20 database by computer or telephone.

21 (f)(g) Develop and distribute promotional materials  
22 related to teaching as a career.

23 (g)(h) Publish and distribute information pertaining  
24 to employment opportunities, application procedures, teacher  
25 certification, and teacher salaries.

26 (h)(i) Provide information related to certification  
27 procedures.

28 (i)(j) Develop and sponsor the Florida Future Educator  
29 of America Program throughout the state.

30 ~~(k) Review and recommend to the Legislature and school~~  
31 ~~districts incentives for attracting teachers to this state.~~

1       (j) Develop a long-range plan for educator recruitment  
2 and retention.

3       (k) Identify best practices for retaining high-quality  
4 teachers.

5       Section 10. Section 231.675, Florida Statutes, is  
6 created to read:

7       231.675 Advanced placement instruction bonus  
8 program.--

9       (1) Each school district shall distribute to each  
10 classroom teacher who provided advanced placement instruction  
11 during the previous school year:

12       (a) A bonus in the amount of \$50 for each student  
13 taught by the Advanced Placement teacher in each advanced  
14 placement course who receives a score of 3 or higher on the  
15 College Board Advanced Placement Examination.

16       (b) An additional bonus of \$500 to each Advanced  
17 Placement teacher in a school designated performance grade  
18 category "D" or "F" who has at least one student scoring 3 or  
19 higher on the College Board Advanced Placement Examination,  
20 regardless of the number of classes taught or of the number of  
21 students scoring a 3 or higher on the College Board Advanced  
22 Placement Examination.

23       (2) Bonuses awarded to a teacher according to this  
24 section shall not exceed \$2,000 in any given school year and  
25 shall be in addition to any regular wage or other bonus the  
26 teacher received or is scheduled to receive.

27       (3) The Legislature shall annually appropriate to the  
28 Department of Education an amount sufficient to carry out the  
29 provisions of this section.

30       Section 11. Paragraphs (b) through (e) of subsection  
31 (3) of section 231.700, Florida Statutes, are amended to read:

1           231.700 Florida Mentor Teacher School Pilot Program.--

2           (3) The five teacher career development positions and  
3 minimum requirements are:

4           (b) Associate teacher.--An associate teacher must hold  
5 a bachelor's degree from an institution of higher learning and  
6 a valid Florida ~~professional~~ teaching certificate as provided  
7 by s. 231.17.

8           (c) Teacher.--A teacher must hold a bachelor's degree  
9 or higher from an institution of higher learning and a valid  
10 Florida ~~professional~~ teaching certificate, have a minimum of 3  
11 years' full-time teaching experience, document satisfactory  
12 teaching performance, and document evidence of positive  
13 student learning gains, when ~~that~~ data become ~~becomes~~  
14 available.

15           (d) Lead teacher.--A lead teacher must hold a  
16 bachelor's degree or higher from an institution of higher  
17 learning and a valid Florida professional teaching  
18 certificate, have a minimum of 3 years' full-time teaching  
19 experience, document exemplary teaching performance, and  
20 document evidence of significant positive student learning  
21 gains, when ~~that~~ data become ~~becomes~~ available. A lead teacher  
22 shall provide intensive support for associate teachers and  
23 teachers.

24           (e) Mentor teacher.--A mentor teacher must:

25           1. Hold a bachelor's degree or higher from an  
26 institution of higher learning and a valid Florida  
27 professional teaching certificate.†

28           2. Have a minimum of 5 years' full-time teaching  
29 experience.†

30           3. Document exemplary teaching performance.†

31

1           4. Document evidence of significant positive student  
2 learning gains, when ~~that~~ data become ~~becomes~~ available.†

3           5. Hold a valid National Board for Professional  
4 Teaching Standards certificate; have been selected as a  
5 school, district, or state teacher of the year;†~~or~~ hold an  
6 equivalent status as determined by the commissioner.†~~and~~

7           6. Demonstrate expertise as a staff developer.

8           Section 12. Paragraphs (k) and (m) of subsection (1)  
9 of section 236.081, Florida Statutes, are repealed.

10           Section 13. Paragraph (d) of subsection (2) of section  
11 236.08106, Florida Statutes, is amended to read:

12           236.08106 Excellent Teaching Program.--

13           (2) The Excellent Teaching Program is created to  
14 provide categorical funding for monetary incentives and  
15 bonuses for teaching excellence. The Department of Education  
16 shall distribute to each school district or to the NBPTS an  
17 amount as prescribed annually by the Legislature for the  
18 Excellent Teaching Program. For purposes of this section, the  
19 Florida School for the Deaf and the Blind shall be considered  
20 a school district. Unless otherwise provided in the General  
21 Appropriations Act, each distribution shall be the sum of the  
22 amounts earned for the following incentives and bonuses:

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

1 mentoring and related services for the year. It is not the  
2 intent of the Legislature to remove excellent teachers from  
3 their assigned classrooms; therefore, credit may not be  
4 granted by a school district or public school for mentoring or  
5 related services provided during student contact time ~~the~~  
6 ~~regular school day or~~ during the 196 days of required service  
7 for the school year.

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

22 Section 14. Subsection (10) of section 231.261,  
23 Florida Statutes, is amended to read:

24 231.261 Education Practices Commission;  
25 organization.--

26 (10) The commission shall be financed from the  
27 following: certification fees; fines, penalties, and costs  
28 collected pursuant to s. 231.262(9)~~(8)~~; and general revenue.

29 Section 15. Paragraph (f) of subsection (3) of section  
30 230.2305, Florida Statutes, is amended to read:

31 230.2305 Prekindergarten early intervention program.--

1           (3) STANDARDS.--

2           (f) All staff must meet the following minimum  
3 requirements:

4           1. The minimum level of training is to be the  
5 completion of a 30-clock-hour training course planned jointly  
6 by the Department of Education and the Department of Children  
7 and Family Services to include the following areas: state and  
8 local rules that govern child care, health, safety, and  
9 nutrition; identification and report of child abuse and  
10 neglect; child growth and development; use of developmentally  
11 appropriate early childhood curricula; and avoidance of  
12 income-based, race-based, and gender-based stereotyping.

13           2. When individual classrooms are staffed by certified  
14 teachers, those teachers must be certified for the appropriate  
15 grade levels under s. 231.17 and State Board of Education  
16 rules. Teachers who are not certified for the appropriate  
17 grade levels must obtain proper certification within 2 years.  
18 However, the commissioner may make an exception on an  
19 individual basis when the requirements are not met because of  
20 serious illness, injury, or other extraordinary, extenuating  
21 circumstance.

22           3. When individual classrooms are staffed by  
23 noncertified teachers, there must be a program director or  
24 lead teacher who is eligible for certification or certified  
25 for the appropriate grade levels pursuant to s. 231.17 and  
26 State Board of Education rules in regularly scheduled direct  
27 contact with each classroom. Notwithstanding s. 231.15, such  
28 classrooms must be staffed by at least one person who has, at  
29 a minimum, a child development associate credential (CDA) or  
30 an amount of training determined by the commissioner to be  
31

1 equivalent to or to exceed the minimum, such as an associate  
2 in science degree in the area of early childhood education.

3 4. Principals and other school district administrative  
4 and supervisory personnel with direct responsibility for the  
5 program must demonstrate knowledge of prekindergarten  
6 education programs that increase children's chances of  
7 achieving future educational success and becoming productive  
8 members of society in a manner established by the State Board  
9 of Education by rule.

10 5. All personnel who are not certified under s. 231.17  
11 or s. 231.1726 must comply with screening requirements under  
12 s. 231.02.

13 Section 16. Section 231.045, Florida Statutes, is  
14 amended to read:

15 231.045 Periodic criminal history record checks.--In  
16 cooperation with the Florida Department of Law Enforcement,  
17 the department may periodically perform a criminal history  
18 record check on individuals who hold a certificate pursuant to  
19 s. 231.17 or s. 231.1726.

20 Section 17. Subsection (1) of section 231.1725,  
21 Florida Statutes, is amended to read:

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

26 (1) Notwithstanding ss. 231.02, 231.15, ~~and~~ 231.17,  
27 and 231.1726, or any other provision of law or rule to the  
28 contrary, each district school board shall establish the  
29 minimal 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 district 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 Section 18. Paragraph (a) of subsection (1) of section  
7 231.36, Florida Statutes, is amended to read:

8 231.36 Contracts with instructional staff,  
9 supervisors, and principals.--

10 (1)(a) Each person employed as a member of the  
11 instructional staff in any district school system shall be  
12 properly certificated pursuant to s. 231.17 or s. 231.1726 or  
13 employed pursuant to s. 231.1725 and shall be entitled to and  
14 shall receive a written contract as specified in chapter 230.  
15 All such contracts, except continuing contracts as specified  
16 in subsection (4), shall contain provisions for dismissal  
17 during the term of the contract only for just cause. Just  
18 cause includes, but is not limited to, the following  
19 instances, as defined by rule of the State Board of Education:  
20 misconduct in office, incompetency, gross insubordination,  
21 willful neglect of duty, or conviction of a crime involving  
22 moral turpitude.

23 Section 19. Subsection (1) of section 231.471, Florida  
24 Statutes, is amended to read:

25 231.471 Part-time teachers.--

26 (1) District school boards may hire certified and  
27 qualified personnel as provided in ~~ss.~~s.231.1725 and  
28 231.1726 to teach a specified number of periods, which may be  
29 less than a full school day or less than a full school year.

30 Section 20. Paragraph (a) of subsection (3) of section  
31 232.435, Florida Statutes, is amended to read:

1           232.435 Extracurricular athletic activities; athletic  
2 trainers.--

3           (3)(a) To the extent practicable, a school district  
4 program should include the following employment classification  
5 and advancement scheme:

6           1. Teacher apprentice trainer I.--To qualify as a  
7 teacher apprentice trainer I, a person must possess a  
8 professional, temporary, part-time, adjunct, or substitute  
9 certificate pursuant to s. 231.17 or s. 231.1726, be certified  
10 in first aid and cardiopulmonary resuscitation, and have  
11 earned a minimum of 6 semester hours or the equivalent number  
12 of inservice education points in the basic prevention and care  
13 of athletic injuries.

14           2. Teacher apprentice trainer II.--To qualify as a  
15 teacher apprentice trainer II, a person must meet the  
16 requirements of teacher apprentice trainer I and also have  
17 earned a minimum of 15 additional semester hours or the  
18 equivalent number of inservice education points in such  
19 courses as anatomy, physiology, use of modalities, nutrition,  
20 counseling, and other courses approved by the Commissioner of  
21 Education.

22           3. Teacher athletic trainer.--To qualify as a teacher  
23 athletic trainer, a person must meet the requirements of  
24 teacher apprentice trainer II, be certified by the Department  
25 of Education or a nationally recognized athletic trainer  
26 association, and perform one or more of the following  
27 functions: preventing athletic injuries; recognizing,  
28 evaluating, managing, treating, and rehabilitating athletic  
29 injuries; administering an athletic training program; and  
30 educating and counseling athletes.

31

1           Section 21. Paragraph (c) is added to subsection (3)  
2 of section 240.529, Florida Statutes, to read:

3           240.529 Public accountability and state approval for  
4 teacher preparation programs.--

5           (3) INITIAL STATE PROGRAM APPROVAL.--

6           (c) Each teacher preparation program approved by the  
7 Department of Education, as provided for by this section,  
8 shall provide a waiver of 9 semester hours' credit of the  
9 professional education course requirements in the program for  
10 an individual admitted to the program who has completed 3  
11 years of successful full-time experience as an educational  
12 paraprofessional in a public school in this state. The 9  
13 semester hours of waived college credit shall include:

14           1. Three semester hours in human development and  
15 learning, and

16           2. Three semester hours in the integration of  
17 classroom management, school safety, professional ethics, and  
18 educational law.

19           Section 22. This act shall take effect July 1, 2001.  
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HOUSE SUMMARY

Revises provisions relating to the reemployment of retired members of the Florida Retirement System as school district personnel. Revises the definition of "other instructional staff" to include adjunct educators. Prohibits both a superintendent from recommending the assignment of any instructional personnel or school administrator to a school and a district school board from assigning any instructional personnel or school administrator to a school, unless the principal of that school approves the assignment. Deletes provisions relating to salary supplements provided to teachers selected to teach at certain low-performing schools. Authorizes the use of an approved alternative certification program by a district other than that which developed the program, upon notification to the department and approval of any modifications. Creates provisions relating to certification of adjunct educators. Requires each district school board to develop policies and procedures relating to the reporting of complaints against teachers. Charges the superintendent of schools with knowledge of such policies and procedures. States that a superintendent is presumed to have knowledge of each legally sufficient complaint. Authorizes the withholding of discretionary funds from a school district, and the imposition and collection of fines against a school district and superintendent, for noncompliance. Authorizes the temporary suspension of a teaching certificate pending the completion of proceedings in order to protect the health, safety, and welfare of students. Includes adjunct educators in provisions relating to contracts with instructional staff. Requires a school board, subject to applicable collective bargaining requirements, to recognize and accept years of satisfactory performance for purposes of pay and retirement. Requires the Department of Education to develop and implement a system for posting teaching vacancies, establish a database of teacher applicants, develop a long-range plan for educator recruitment and retention, and identify best practices for retaining high-quality teachers. Deletes the requirement that the department develop standardized resumes for teacher applicant data and review and recommend to the Legislature and school districts incentives for attracting teachers to Florida. Establishes the advanced placement instruction bonus program, specifies amounts of bonuses, limits the amount awarded to a teacher annually, and requires an appropriation. Revises the Florida Mentor Teacher School Pilot Program to conform terminology. Clarifies requirements for mentor teachers. Repeals s. 236.081(1)(k) and (m), F.S., relating to calculations of additional full-time equivalent membership based on international baccalaureate examination scores of students and based on college board advanced placement scores of students. Clarifies requirements relating to the amount of required mentoring or related services for receipt of an Excellent Teaching Program bonus. Amends provisions relating to standards for staff of

**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

742-100A-01

1 prekindergarten early intervention programs; periodic  
2 criminal history record checks; employment of substitute  
3 teachers, teachers of adult education, nondegreed  
4 teachers of career education, and career specialists;  
5 professional service contracts; part-time teachers; and  
6 athletic trainers to include adjunct educators. Provides  
7 a waiver of nine semester hours of professional education  
8 course requirements for certain teacher preparation  
9 program participants.  
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