

By the Committee on Education and Senator Sullivan

304-1706-01

1 A bill to be entitled
2 An act relating to education; amending s.
3 228.041, F.S.; revising the definition of
4 "other instructional staff" to include adjunct
5 educators; amending s. 230.23, F.S.; deleting
6 provisions relating to salary supplements
7 provided to teachers selected to teach at
8 certain low-performing schools; requiring a
9 review by the principal prior to reassigning a
10 teacher; amending s. 231.096, F.S.; requiring
11 assistance in accessing resources for teachers
12 teaching out-of-field; amending s. 231.15,
13 F.S.; deleting provision of part-time
14 certificate for athletic coach; amending s.
15 231.17, F.S.; authorizing continued employment
16 under specified circumstances; authorizing the
17 use of an approved alternative certification
18 program by a school district other than the
19 school district that developed the program,
20 upon notification to the department and
21 approval of any modifications; creating s.
22 231.1726, F.S.; providing for certification of
23 adjunct educators; amending s. 231.36, F.S.;
24 including adjunct educators in provisions
25 relating to contracts with instructional staff;
26 requiring a school board, subject to applicable
27 collective bargaining requirements, to
28 recognize and accept years of satisfactory
29 performance for purposes of pay and retirement;
30 providing an exemption; amending s. 231.625,
31 F.S.; requiring the Department of Education to

1 perform specified activities to improve teacher
2 recruitment and retention; amending s. 231.700,
3 F.S.; revising the Florida Mentor Teacher
4 School Pilot Program to conform terminology;
5 clarifying requirements for mentor teachers;
6 amending s. 236.08106, F.S.; clarifying
7 requirements relating to the amount of required
8 mentoring or related services for receipt of an
9 Excellent Teaching Program bonus; amending ss.
10 230.2305, 231.045, 231.1725, 231.471, 232.435,
11 F.S., relating to standards for staff of
12 prekindergarten early intervention programs,
13 periodic criminal history record checks, and
14 employment of specified teachers, part-time
15 teachers, and athletic trainers; revising
16 provisions to include adjunct educators;
17 providing an effective date.

18

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

20

21 Section 1. Paragraph (d) of subsection (9) of section
22 228.041, Florida Statutes, is amended to read:

23 228.041 Definitions.--Specific definitions shall be as
24 follows, and wherever such defined words or terms are used in
25 the Florida School Code, they shall be used as follows:

26 (9) INSTRUCTIONAL PERSONNEL.--"Instructional
27 personnel" means any staff member whose function includes the
28 provision of direct instructional services to students.
29 Instructional personnel also includes personnel whose
30 functions provide direct support in the learning process of

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1 students. Included in the classification of instructional
2 personnel are:

3 (d) Other instructional staff.--Other instructional
4 staff are staff members who are part of the instructional
5 staff but are not classified in one of the categories
6 specified in paragraphs (a)-(c). Included in this
7 classification are primary specialists, learning resource
8 specialists, instructional trainers, adjunct educators
9 certified pursuant to s. 231.1726, and similar positions.

10 Section 2. Paragraph (a) of subsection (5) and
11 paragraph (c) of subsection (16) of section 230.23, Florida
12 Statutes, are amended to read:

13 230.23 Powers and duties of school board.--The school
14 board, acting as a board, shall exercise all powers and
15 perform all duties listed below:

16 (5) PERSONNEL.--Designate positions to be filled,
17 prescribe qualifications for those positions, and provide for
18 the appointment, compensation, promotion, suspension, and
19 dismissal of employees as follows, subject to the requirements
20 of chapter 231:

21 (a) Positions, qualifications, and appointments.--Act
22 upon written recommendations submitted by the superintendent
23 of schools for positions to be filled and for minimum
24 qualifications for personnel for the various positions and act
25 upon written nominations of persons to fill such positions.
26 The superintendent of schools' recommendations for filling
27 instructional ~~institutional~~ positions at the school level must
28 consider nominations received from school principals of the
29 respective schools. Before transferring a teacher who holds a
30 professional teaching certificate from one school to another,
31 the superintendent shall consult with the principal of the

1 receiving school and allow the principal to review the
2 teacher's records and interview the teacher. If, in the
3 judgment of the principal, students would not benefit from the
4 placement, an alternative placement may be sought.The
5 district school board may reject for good cause any employee
6 nominated. If the third nomination by the superintendent of
7 schools for any position is rejected for good cause, if the
8 superintendent of schools fails to submit a nomination for
9 initial employment within a reasonable time as prescribed by
10 the district school board, or if the superintendent of schools
11 fails to submit a nomination for reemployment within the time
12 prescribed by law, the district school board may proceed on
13 its own motion to fill such position. The district school
14 board's decision to reject a person's nomination does not give
15 that person a right of action to sue over the rejection and
16 may not be used as a cause of action by the nominated
17 employee.

18 (16) IMPLEMENT SCHOOL IMPROVEMENT AND
19 ACCOUNTABILITY.--Maintain a system of school improvement and
20 education accountability as provided by statute and State
21 Board of Education rule. This system of school improvement and
22 education accountability shall be consistent with, and
23 implemented through, the district's continuing system of
24 planning and budgeting required by this section and ss.
25 229.555 and 237.041. This system of school improvement and
26 education accountability shall include, but is not limited to,
27 the following:

28 (c) Assistance and intervention.--

29 1. Develop a 2-year plan of increasing individualized
30 assistance and intervention for each school in danger of not
31 meeting state standards or making adequate progress, as

1 defined pursuant to statute and State Board of Education rule,
2 toward meeting the goals and standards of its approved school
3 improvement plan.

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

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

19 ~~b. For initial implementation in 2000-2001 and until~~
20 ~~full implementation of an annual assessment of learning gains,~~
21 ~~a classroom teacher who is selected by the school principal~~
22 ~~based on his or her performance appraisal and student~~
23 ~~achievement data to teach at a school designated as~~
24 ~~performance grade category "D" or "F" or at an alternative~~
25 ~~that serves disruptive or violent youths shall receive a~~
26 ~~supplement of at least \$1,000, not to exceed \$3,500, as~~
27 ~~provided for annually in the General Appropriations Act, each~~
28 ~~year he or she teaches at a school designated as performance~~
29 ~~grade category "D" or "F" or at an alternative school that~~
30 ~~serves disruptive or violent youths.~~

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

11 ~~d. In the absence of an FCAT assessment, measurement~~
12 ~~of learning gains of students shall be as provided in s.~~
13 ~~229.57(12). The supplement received under this paragraph shall~~
14 ~~be in addition to any supplement or bonus received as a result~~
15 ~~of other local or state pay incentives based on performance.~~

16 ~~e. The Commissioner of Education shall adopt rules to~~
17 ~~determine the measures that define "teaching mastery" for~~
18 ~~purposes of this subparagraph.~~

19 4. District school boards are encouraged to prioritize
20 the expenditures of funds received from the supplemental
21 academic instruction categorical fund under s. 236.08104 to
22 improve student performance in schools that receive a
23 performance grade category designation of "D" or "F."

24 Section 3. Section 231.096, Florida Statutes, is
25 amended to read:

26 231.096 Teacher teaching out-of-field;
27 assistance.--Each district school board shall adopt and
28 implement a plan to assist any teacher teaching out-of-field,
29 and priority consideration in professional development
30 activities shall be given to teachers who are teaching
31 out-of-field. The district school board shall require that

1 such teachers participate in a certification or staff
2 development program designed to provide the teacher with the
3 competencies required for the assigned duties. The
4 board-approved assistance plan must include duties of
5 administrative personnel and other instructional personnel to
6 provide students with high-quality instructional services.
7 Each district school board shall contact its regional
8 workforce board, created pursuant to s. 445.007, to identify
9 and access resources that may assist teachers who are teaching
10 out-of-field and who are pursuing certification.

11 Section 4. Subsection (2) of section 231.15, Florida
12 Statutes, is amended to read:

13 231.15 Positions for which certificates required.--

14 (2) Each person who is employed and renders service as
15 an athletic coach in any public school in any district of this
16 state shall hold a valid ~~part-time, temporary, or~~ professional
17 certificate. The provisions of this subsection do not apply to
18 any athletic coach who voluntarily renders service and who is
19 not employed by any public school district of this state.

20 Section 5. Subsection (6) and paragraph (b) of
21 subsection (7) of section 231.17, Florida Statutes, are
22 amended to read:

23 231.17 Teacher certification requirements.--

24 (6) TYPES AND TERMS OF CERTIFICATION.--

25 (a) The Department of Education shall issue a
26 professional certificate for a period not to exceed 5 years to
27 any applicant who meets all the requirements outlined in
28 subsection (2).

29 (b) The department shall issue a temporary certificate
30 to any applicant who completes the requirements outlined in
31 paragraphs (2)(a)-(f) and:

1 1. Until July 1, 2002, completes the subject area
2 content requirements specified in state board rule.

3 2. Beginning July 1, 2002, completes the subject area
4 content requirements specified in state board rule or achieves
5 a passing score on the subject area examinations required by
6 state board rule.

7 (c) The department shall issue one nonrenewable 2-year
8 temporary certificate and one nonrenewable 5-year professional
9 certificate to a qualified applicant who holds a bachelor's
10 degree in the area of speech-language impairment to allow for
11 completion of a master's degree program in speech-language
12 impairment.

13
14 Each temporary certificate is valid for 3 school fiscal years
15 and is nonrenewable. However, the requirement in paragraph
16 (2)(g) must be met within 1 calendar year of the date of
17 employment under the temporary certificate. Individuals who
18 are employed under contract at the end of the 1 calendar year
19 time period may continue to be employed through the end of the
20 year in which they have been contracted.A school district
21 shall not employ, or continue the employment of, an individual
22 in a position for which a temporary certificate is required
23 beyond this the 1 calendar year time period for satisfying who
24 has not met the requirement of paragraph (2)(g). However, the
25 school district may continue to employ an individual who has
26 not met the requirement of paragraph (2)(g) as a substitute
27 teacher, pursuant to ss. 231.1725 and 231.47.The State Board
28 of Education shall adopt rules to allow the department to
29 extend the validity period of a temporary certificate for 2
30 years when the requirements for the professional certificate,
31 not including the requirement in paragraph (2)(g), were not

1 completed due to the serious illness or injury of the
2 applicant or other extraordinary extenuating circumstances.
3 The department shall reissue the temporary certificate for 2
4 additional years upon approval by the Commissioner of
5 Education. A written request for reissuance of the certificate
6 shall be submitted by the superintendent of schools, the
7 governing authority of a developmental research school, the
8 governing authority of a state-supported school, or the
9 governing authority of a nonpublic school.

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 the school district that developed the
22 program. A district school board choosing to adopt an
23 alternative certification program approved for another school
24 district shall provide written notification of such action to
25 the department. However, any modifications to an approved
26 program shall be submitted to the department for approval.
27 Each approved program must include methods for identifying
28 each applicant's entry-level teaching competencies and must
29 require 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 the provisions of ss. 231.02,
20 231.15, and 231.17, or any other provision of law or rule to
21 the contrary, district school boards may issue an adjunct
22 teaching certificate to any applicant who fulfills the
23 requirements of s. 231.17(2)(a)-(f) and who has expertise, as
24 determined by district school board policy, in the subject
25 area to be taught. The adjunct teaching certificate shall be
26 used for part-time teaching positions. District school boards
27 shall assign a peer teacher to assist the adjunct teaching
28 certificateholder during the certificateholder's first year of
29 teaching. District school boards shall provide the adjunct
30 teaching certificateholder an orientation in classroom
31 management prior to assigning the certificateholder to a

1 school. Each adjunct teaching certificate is valid for 5
2 school years and is renewable if:

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

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

12 (2) Individuals who are certified and employed
13 pursuant to this section shall have the same rights and
14 protection of laws as teachers certified pursuant to s.
15 231.17.

16 Section 7. Paragraph (a) of subsection (1) of section
17 231.36, Florida Statutes, is amended, and paragraph (g) is
18 added to subsection (3) of that section, to read:

19 231.36 Contracts with instructional staff,
20 supervisors, and principals.--

21 (1)(a) Each person employed as a member of the
22 instructional staff in any district school system shall be
23 properly certificated pursuant to s. 231.17 or s. 231.1726 or
24 employed pursuant to s. 231.1725 and shall be entitled to and
25 shall receive a written contract as specified in chapter 230.
26 All such contracts, except continuing contracts as specified
27 in subsection (4), shall contain provisions for dismissal
28 during the term of the contract only for just cause. Just
29 cause includes, but is not limited to, the following
30 instances, as defined by rule of the State Board of Education:
31 misconduct in office, incompetency, gross insubordination,

1 willful neglect of duty, or conviction of a crime involving
2 moral turpitude.

3 (3)

4 (g) Beginning July 1, 2001, for each employee who
5 enters into a written contract, pursuant to this section, in a
6 school district in which the employee was not employed as of
7 June 30, 2001, for purposes of pay and retirement a school
8 board must, subject to any applicable collective bargaining
9 requirements, recognize and accept each year of full-time
10 teaching service, as reported for purposes of the Florida
11 Retirement System, for which the employee received a
12 satisfactory performance evaluation. Instructional personnel
13 employed pursuant to s. 121.091(9)(b)3. are exempt from the
14 provisions of this paragraph.

15 Section 8. Subsection (2) of section 231.625, Florida
16 Statutes, is amended to read:

17 231.625 Teacher recruitment and retention.--

18 (2) The Department of Education shall:

19 (a) Develop and implement a system for posting
20 teaching vacancies and establish a database of teacher
21 applicants that is accessible within and outside the state
22 ~~Advertise teacher positions in targeted states.~~

23 (b) Advertise in major newspapers, national
24 professional publications, and other professional publications
25 and in schools of education.

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

27 ~~(d) Develop standardized resumes for teacher applicant~~
28 ~~data.~~

29 ~~(d)(e)~~ Conduct periodic communications with district
30 personnel directors regarding applicants.

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1 (e)~~(f)~~ Provide district access to the applicant
2 database by computer or telephone.

3 (f)~~(g)~~ Develop and distribute promotional materials
4 related to teaching as a career.

5 (g)~~(h)~~ Publish and distribute information pertaining
6 to employment opportunities, application procedures, teacher
7 certification, and teacher salaries.

8 (h)~~(i)~~ Provide information related to certification
9 procedures.

10 (i)~~(j)~~ Develop and sponsor the Florida Future Educator
11 of America Program throughout the state.

12 (j) Develop a long-range plan for educator recruitment
13 and retention.

14 (k) Identify best practices for retaining high-quality
15 teachers ~~Review and recommend to the Legislature and school~~
16 ~~districts incentives for attracting teachers to this state.~~

17 (l) Conduct quarterly communications with Workforce
18 Florida, Inc., and regional workforce boards, created pursuant
19 to ss. 445.004 and 445.007, respectively, to access available
20 federal, state, and local resources to improve teacher
21 recruitment and retention.

22 (m) Seek waivers or reductions in matching
23 contributions that may be required of district school boards
24 to access workforce funding.

25 Section 9. Paragraphs (b) through (e) of subsection
26 (3) of section 231.700, Florida Statutes, are amended to read:

27 231.700 Florida Mentor Teacher School Pilot Program.--

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

30 (b) Associate teacher.--An associate teacher must hold
31 a bachelor's degree from an institution of higher learning and

1 a valid Florida ~~professional~~ teaching certificate as provided
2 by s. 231.17.

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

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

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

20 1. Hold a bachelor's degree or higher from an
21 institution of higher learning and a valid Florida
22 professional teaching certificate.†

23 2. Have a minimum of 5 years' full-time teaching
24 experience.†

25 3. Document exemplary teaching performance.†

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

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

1 6. Demonstrate expertise as a staff developer.

2 Section 10. Paragraph (d) of subsection (2) of section
3 236.08106, Florida Statutes, is amended to read:

4 236.08106 Excellent Teaching Program.--

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

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

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

14 Section 11. Paragraph (f) of subsection (3) of section
15 230.2305, Florida Statutes, is amended to read:

16 230.2305 Prekindergarten early intervention program.--

17 (3) STANDARDS.--

18 (f) All staff must meet the following minimum
19 requirements:

20 1. The minimum level of training is to be the
21 completion of a 30-clock-hour training course planned jointly
22 by the Department of Education and the Department of Children
23 and Family Services to include the following areas: state and
24 local rules that govern child care, health, safety, and
25 nutrition; identification and report of child abuse and
26 neglect; child growth and development; use of developmentally
27 appropriate early childhood curricula; and avoidance of
28 income-based, race-based, and gender-based stereotyping.

29 2. When individual classrooms are staffed by certified
30 teachers, those teachers must be certified for the appropriate
31 grade levels under s. 231.17 and State Board of Education

1 rules. Teachers who are not certified for the appropriate
2 grade levels must obtain proper certification within 2 years.
3 However, the commissioner may make an exception on an
4 individual basis when the requirements are not met because of
5 serious illness, injury, or other extraordinary, extenuating
6 circumstance.

7 3. When individual classrooms are staffed by
8 noncertified teachers, there must be a program director or
9 lead teacher who is eligible for certification or certified
10 for the appropriate grade levels pursuant to s. 231.17 and
11 State Board of Education rules in regularly scheduled direct
12 contact with each classroom. Notwithstanding s. 231.15, such
13 classrooms must be staffed by at least one person who has, at
14 a minimum, a child development associate credential (CDA) or
15 an amount of training determined by the commissioner to be
16 equivalent to or to exceed the minimum, such as an associate
17 in science degree in the area of early childhood education.

18 4. Principals and other school district administrative
19 and supervisory personnel with direct responsibility for the
20 program must demonstrate knowledge of prekindergarten
21 education programs that increase children's chances of
22 achieving future educational success and becoming productive
23 members of society in a manner established by the State Board
24 of Education by rule.

25 5. All personnel who are not certified under s. 231.17
26 or s. 231.1726 must comply with screening requirements under
27 s. 231.02.

28 Section 12. Section 231.045, Florida Statutes, is
29 amended to read:

30 231.045 Periodic criminal history record checks.--In
31 cooperation with the Florida Department of Law Enforcement,

1 the department may periodically perform a criminal history
2 record check on individuals who hold a certificate pursuant to
3 s. 231.17 or s. 231.1726.

4 Section 13. Subsection (1) of section 231.1725,
5 Florida Statutes, is amended to read:

6 231.1725 Employment of substitute teachers, teachers
7 of adult education, nondegreed teachers of career education,
8 and career specialists; students performing clinical field
9 experience.--

10 (1) Notwithstanding ss. 231.02, 231.15, ~~and~~ 231.17,
11 and 231.1726, or any other provision of law or rule to the
12 contrary, each district school board shall establish the
13 minimal qualifications for:

14 (a) Substitute teachers to be employed pursuant to s.
15 231.47. The qualifications shall require the filing of a
16 complete set of fingerprints in the same manner as required by
17 s. 231.02.

18 (b) Part-time and full-time teachers in adult
19 education programs. The qualifications shall require the
20 filing of a complete set of fingerprints in the same manner as
21 required by s. 231.02. Faculty employed solely to conduct
22 postsecondary instruction may be exempted from this
23 requirement.

24 (c) Part-time and full-time nondegreed teachers of
25 vocational programs. Qualifications shall be established for
26 agriculture, business, health occupations, family and consumer
27 sciences, industrial, marketing, career specialist, and public
28 service education teachers, based primarily on successful
29 occupational experience rather than academic training. The
30 qualifications for such teachers shall require:

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

5 2. Documentation of education and successful
6 occupational experience including documentation of:

7 a. A high school diploma or the equivalent.

8 b. Completion of 6 years of full-time successful
9 occupational experience or the equivalent of part-time
10 experience in the teaching specialization area. Alternate
11 means of determining successful occupational experience may be
12 established by the district school board.

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

15 d. For full-time teachers, completion of professional
16 education training in teaching methods, course construction,
17 lesson planning and evaluation, and teaching special needs
18 students. This training may be completed through coursework
19 from a standard institution or an approved district teacher
20 education program.

21 e. Demonstration of successful teaching performance.

22 Section 14. Subsection (1) of section 231.471, Florida
23 Statutes, is amended to read:

24 231.471 Part-time teachers.--

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

29 Section 15. Paragraph (a) of subsection (3) of section
30 232.435, Florida Statutes, is amended to read:

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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 Section 16. This act shall take effect July 1, 2001.

1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 SB 1704
4 The Committee substitute differs from the bill in that it:
5 Does not authorize teachers to retire and return to the
6 classroom without losing retirement benefits or salary
7 benefits.
8 Does not authorize adjunct educators to teach full-time
9 without subject area expertise. They must be part-time
10 employees. The school district must verify that they have
11 expertise in the subjects they teach.
12 Does not give principals veto power over the assignment of
13 teachers. The principal may review and interview a teacher who
14 is to be transferred into his or her school, and the teacher
15 may be given a different placement based on the principal's
16 recommendation. The superintendent makes the final decision.
17 Does not amend laws relating to complaints against teachers.
18 Does not amend laws relating to bonuses for Advanced Placement
19 teachers.
20 Does not eliminate payment to school districts for successful
21 students in Advanced Placement and International Baccalaureate
22 programs.
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