

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 2380

SPONSOR: Education Committee and Senator Bullard

SUBJECT: Educational Personnel/Certification

DATE: April 17, 2003 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>deMarsh-Mathues</u>	<u>O'Farrell</u>	<u>ED</u>	<u>Favorable/CS</u>
2.	<u>Wilson</u>	<u>Wilson</u>	<u>GO</u>	<u>Favorable</u>
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The bill provides the following as an acceptable means of demonstrating knowledge (general and subject area) and professional preparation and education competence for educator certification:

- Holding a valid standard teaching certificate from another state; or
- Holding a valid certificate from the National Board for Professional Teaching Standards.

This bill substantially amends s. 1012.56, F.S.

The bill provides an effective date of upon becoming a law.

II. Present Situation:

Educator Certification

Subpart C of part III of chapter 1012, F.S., provides requirements for instructional and noninstructional personnel. Subpart D relates to public school educator certification. Current law (s. 1012.56, F.S.) provides for eligibility criteria, mastery of general and subject area knowledge, mastery of professional preparation and education competence, the types and terms of certification, as well as examinations. Other provisions of law provide for the certification of adjunct educators by district school boards.

The State Board of Education must designate the certification subject areas and certification requirements for all school-based personnel, as well as adopt rules for the department to issue professional, temporary, and part-time certificates to qualified applicants. The Department of Education is responsible for initial certification of eligible applicants. The department must issue a certificate or statement of eligibility status within 90 calendar days after receipt of the

completed application. The law allows the State Board to adopt rules authorizing district school boards to employ selected personnel who are not certified.

Individuals with a valid certificate from another state and who meet Florida's eligibility criteria may meet the mastery of knowledge (general and subject area) and professional preparation and education competence by:

- Holding a valid standard teaching certificate from another state that requires an examination of mastery of general or subject area knowledge or an examination of mastery of professional education competence;
- Holding a valid standard teaching certificate from another state and a valid certificate from the National Board for Professional Teaching standards; or
- Holding a valid standard teaching certificate from another state and documentation of 2 years of continuous successful teaching or administrative experience during the 5-year period immediately preceding the date of the application for certification.

Individuals from other states are exempt from the examination requirements in s. 1012.56(3),(4), and (5), F.S., if the other state requires an examination of mastery of general or subject area knowledge or an examination of mastery of professional education competence.

The Commissioner's role in the certification process is limited to the provisions of s. 1012.56(14), F.S., for making decisions regarding an applicant's certification under extenuating circumstances not otherwise established in law or by rule. However, an applicant approved for certification by the Commissioner must still possess the necessary credentials, knowledge, and skills.

Renewal of Certification

Section 1012.585, F.S., provides for the renewal of state-issued professional certificates by district school boards.

Interstate Compact on Qualifications of Educational Personnel

Current law (part VI of chapter 1012, F.S) provides a framework for an interstate compact to facilitate the movement of teachers and other personnel among member states. The Commissioner of Education is the "designated state official" for certain purposes of the agreement and the Commissioner of Education must enter into certain contracts only with the approval of the State Board of Education.

According to the Florida Department of Education, these provisions serve as the authority for an existing contract between Florida and other members of the National Association of State Directors of Teacher Education and Certification (NASDTEC).¹ The association represents professional standards boards, commissions and state departments of education in all 50 states, the District of Columbia, the Department of Defense Dependent Schools, the U.S. Territories, New Zealand, and British Columbia. The members are responsible for the preparation, licensure and discipline of educational personnel in their respective jurisdictions.

¹ The Department of Education noted that Florida has agreements with 40 other states, under the authority in s. 1012.99, F.S.

Under the contract, receiving states may impose certain special requirements which must be met. Member states must notify the NASDTEC Educator Information Clearinghouse immediately upon denial, suspension, revocation, or surrender of an educator's certificate. If certification is subsequently reinstated, timely notice to the Clearinghouse is required.²

Disciplinary Action/Denial of Certification

Current law (s. 1012.795, F.S.) provides grounds for disciplinary action and authorizes the Education Practices Commission to take disciplinary action against certificate holders. The department may deny a certificate to an applicant if he or she has committed an act or if a situation exists that would result in certificate revocation by the Education Practices Commission. However, the department's decision to deny a certificate is subject to review by the Commission, upon written request of the applicant.

III. Effect of Proposed Changes:

Section 1. The bill amends s. 1012.56, F.S., to provide the following as an acceptable means of demonstrating knowledge (general and subject area) and professional preparation and education competence for educator certification:

- Holding a valid standard teaching certificate from another state; or
- Holding a valid certificate from the National Board for Professional Teaching Standards.

Section 2. The bill provides an effective date of upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Individuals who hold either a valid standard teaching certificate from another state or a valid certificate from the National Board for Professional Teaching Standards will be able

² <http://www.nasdtec.org/about.tpl>

to demonstrate mastery of knowledge and professional preparation and education competence based on these credentials. According to the Southern Regional Education Board (SREB), North Carolina, Florida, and South Carolina lead the nation in the number of teachers with certification from the National Board for Professional Teaching Standards. SREB noted that member states are among the top 10 states in the number of nationally certified teachers produced each year.³

C. Government Sector Impact:

The pool of available teachers may be expanded, to the extent that individuals who hold the credentials specified in the bill become certified.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

³ Southern Regional Education Board, *SREB States Continue to Lead the Nation in National Board Certified Teachers*, January 2003.