

By Senator Lynn

7-1039-03

See HB 901

1 A bill to be entitled
2 An act relating to educational leadership;
3 creating the BEST Florida Teaching Act of 2003;
4 creating s. 1000.041, F.S.; providing
5 legislative purposes and guiding principles of
6 the act; amending s. 1001.33, F.S.; requiring
7 cooperation to apply such guiding principles;
8 amending s. 1001.42, F.S.; requiring employment
9 of certain persons to perform tasks not related
10 to classroom instruction; requiring school
11 district support of authority; amending ss.
12 1001.51 and 1001.54, F.S.; requiring
13 cooperation and support of district school
14 superintendents and school principals; amending
15 s. 1002.20, F.S.; providing student rights with
16 respect to classroom orderliness; amending s.
17 1002.42, F.S.; correcting a cross-reference;
18 amending s. 1003.04, F.S.; requiring specified
19 student conduct; requiring parental cooperation
20 with school authority; amending s. 1003.31,
21 F.S.; requiring support of the authority of
22 teachers and bus drivers; amending s. 1003.32,
23 F.S.; revising provisions relating to teacher
24 authority and responsibility for control of
25 students; designating a school placement review
26 committee to determine placement for disruptive
27 students; requiring reports; requiring
28 Commissioner of Education review of success in
29 achieving orderly classrooms and use of
30 enforcement actions; requiring reporting of
31 knowledge or suspicion of crimes of violence on

1 school property and providing immunity;
2 amending s. 1004.04, F.S.; revising provisions
3 relating to state approval of teacher
4 preparation programs; expanding State Board of
5 Education rules establishing core curricula;
6 requiring teacher preparation programs to
7 incorporate certain instruction; providing for
8 guarantee; providing for additional teacher
9 training under certain circumstances;
10 authorizing pay for student teacher
11 internships; authorizing additional standards
12 for program approval and certification;
13 providing priority consideration for
14 participation in teacher education pilot
15 programs; amending ss. 1006.08 and 1006.09,
16 F.S.; requiring district school superintendent
17 and school principal support relating to
18 student discipline; amending s. 1009.59., F.S.;
19 renaming and revising eligibility criteria and
20 loan reimbursement of the Critical Teacher
21 Shortage Student Loan Forgiveness Program;
22 creating s. 1009.591, F.S.; creating the
23 Teaching Fellows Program to encourage certain
24 graduate students to enter the teaching
25 profession; providing for stipends, signing
26 bonuses upon employment, and waiver of tuition
27 and fees under certain circumstances; providing
28 repayment requirements; creating s. 1011.63,
29 F.S.; creating a categorical fund to provide
30 BEST Florida Teaching bonuses to top-performing
31 teachers; amending s. 1012.05, F.S.; requiring

1 the Department of Education to provide for
2 one-stop shopping for teacher career
3 information and on-line support; authorizing
4 use of funds to recruit and prepare teachers;
5 creating s. 1012.231, F.S.; requiring district
6 school board plans for compensation of
7 beginning classroom teachers; providing
8 performance pay to fund differentiated teacher
9 salaries; providing requirements and incentives
10 relating to teacher assignments; amending ss.
11 1012.27 and 1012.28, F.S.; providing duties of
12 district school superintendents and school
13 principals; amending s. 1012.56, F.S.; revising
14 the time period for which an official statement
15 of status of eligibility for certification is
16 valid; revising requirements for mastery of
17 general knowledge, mastery of subject area
18 knowledge, and mastery of professional
19 preparation and education competence; revising
20 provisions relating to temporary certificates;
21 amending s. 1012.57, F.S.; requiring district
22 school boards to adopt rules to allow for the
23 issuance of adjunct teaching certificates;
24 revising provisions relating to determination
25 of expertise in the subject area to be taught;
26 amending s. 1012.585, F.S.; revising certain
27 requirements for renewal of professional
28 certificates; correcting a cross-reference;
29 creating s. 1012.586, F.S.; authorizing school
30 districts to process certain applications via
31 website; providing for a fee and the uses

1 thereof; amending s. 1012.72, F.S.; expanding
2 the Dale Hickam Excellent Teaching program to
3 provide incentives for teachers who seek or are
4 issued certain certification by the American
5 Board for Certification of Teacher Excellence;
6 restricting bonuses to certain teachers;
7 amending s. 1012.73, F.S.; providing that
8 teacher career development does not require
9 graduation from a teacher preparation program;
10 amending s. 1012.98, F.S.; revising provisions
11 relating to the School Community Professional
12 Development Act; deleting provisions relating
13 to recruitment, preparation, and professional
14 development of school administrative personnel;
15 creating s. 1012.987, F.S.; authorizing a
16 principal leadership designation and incentives
17 therefor; requiring a system for recruitment,
18 preparation, and education leadership
19 development of school administrative personnel;
20 authorizing request of resignation of a school
21 principal and teachers under certain
22 circumstances; providing an effective date.

23
24 Be It Enacted by the Legislature of the State of Florida:

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26 Section 1. This act shall be known by the popular name
27 "The BEST Florida Teaching Act of 2003."

28 Section 2. Section 1000.041, Florida Statutes, is
29 created to read:

30 1000.041 Better Educated Students and Teachers (BEST)
31 Florida Teaching Act of 2003; legislative purposes; guiding

1 principles.--The legislative purposes and guiding principles
2 of the BEST Florida Teaching Act of 2003 are:

3 (1) Teachers lead, students learn.

4 (2) Teachers maintain orderly, disciplined classrooms
5 conducive to student learning.

6 (3) Teachers are trained, recruited, well compensated,
7 and retained for quality.

8 (4) Teachers are well rewarded for their students'
9 high performance.

10 (5) Teachers are most effective when served by
11 exemplary school administrators.

12
13 Each teacher preparation program, each postsecondary
14 educational institution providing dual enrollment or other
15 acceleration programs, each district school board, and each
16 district and school-based administrator fully supports and
17 cooperates in the accomplishment of these purposes and guiding
18 principles.

19 Section 3. Section 1001.33, Florida Statutes, is
20 amended to read:

21 1001.33 Schools under control of district school board
22 and district school superintendent.--

23 (1) Except as otherwise provided by law, all public
24 schools conducted within the district shall be under the
25 direction and control of the district school board with the
26 district school superintendent as executive officer.

27 (2) Each district school board, each district school
28 superintendent, and each district and school-based
29 administrator shall cooperate to apply the following guiding
30 principles of the Better Educated Students and Teachers (BEST)
31 Florida Teaching Act of 2003:

- 1 (a) Teachers lead, students learn.
2 (b) Teachers maintain orderly, disciplined classrooms
3 conducive to student learning.
4 (c) Teachers are trained, recruited, well compensated,
5 and retained for quality.
6 (d) Teachers are well rewarded for their students'
7 high performance.
8 (e) Teachers are most effective when served by
9 exemplary school administrators.

10 Section 4. Subsections (5) and (6) of section 1001.42,
11 Florida Statutes, are amended to read:

12 1001.42 Powers and duties of district school
13 board.--The district school board, acting as a board, shall
14 exercise all powers and perform all duties listed below:

15 (5) PERSONNEL.--

16 (a) Designate positions to be filled, prescribe
17 qualifications for those positions, and provide for the
18 appointment, compensation, promotion, suspension, and
19 dismissal of employees, subject to the requirements of chapter
20 1012. Each district school board shall employ personnel who
21 are not classroom teachers to perform all paperwork and
22 recordkeeping requirements not directly related to classroom
23 instruction.

24 (b) Notwithstanding s. 1012.55 or any other provision
25 of law or rule to the contrary, the district school board may,
26 consistent with adopted district school board policy relating
27 to alternative certification for school principals, appoint
28 persons to the position of school principal who do not hold
29 educator certification.

30 (c) Fully support and cooperate in the application of
31 the guiding principles of the Better Educated Students and

1 Teachers (BEST) Florida Teaching Act of 2003, pursuant to s.
2 1000.041.

3 (6) STUDENT CHILD WELFARE.--

4 (a) In accordance with the provisions of chapters 1003
5 and 1006, provide for the proper accounting for all students
6 ~~children~~ of school age, for the attendance and control of
7 students at school, and for proper attention to health,
8 safety, and other matters relating to the welfare of students
9 ~~children~~.

10 (b) In accordance with the provisions of ss. 1003.31
11 and 1003.32, fully support the authority of each teacher and
12 school bus driver to remove disobedient, disrespectful,
13 violent, abusive, uncontrollable, or disruptive students from
14 the classroom and the school bus.

15 Section 5. Subsection (23) of section 1001.51, Florida
16 Statutes, is renumbered as subsection (25), and new
17 subsections (23) and (24) are added to that section to read:

18 1001.51 Duties and responsibilities of district school
19 superintendent.--The district school superintendent shall
20 exercise all powers and perform all duties listed below and
21 elsewhere in the law, provided that, in so doing, he or she
22 shall advise and counsel with the district school board. The
23 district school superintendent shall perform all tasks
24 necessary to make sound recommendations, nominations,
25 proposals, and reports required by law to be acted upon by the
26 district school board. All such recommendations, nominations,
27 proposals, and reports by the district school superintendent
28 shall be either recorded in the minutes or shall be made in
29 writing, noted in the minutes, and filed in the public records
30 of the district school board. It shall be presumed that, in
31 the absence of the record required in this section, the

1 recommendations, nominations, and proposals required of the
2 district school superintendent were not contrary to the action
3 taken by the district school board in such matters.

4 (23) QUALITY TEACHERS.--Fully support and cooperate in
5 the application of the guiding principles of the Better
6 Educated Students and Teachers (BEST) Florida Teaching Act of
7 2003, pursuant to s. 1000.041.

8 (24) ORDERLY CLASSROOMS AND SCHOOL BUSES.--Fully
9 support the authority of each teacher and school bus driver to
10 remove disobedient, disrespectful, violent, abusive,
11 uncontrollable, or disruptive students from the classroom and
12 the school bus.

13 Section 6. Subsection (1) of section 1001.54, Florida
14 Statutes, is amended to read:

15 1001.54 Duties of school principals.--

16 (1)(a) A district school board shall employ, through
17 written contract, public school principals.

18 (b) The school principal has authority over school
19 district personnel in accordance with s. 1012.28.

20 (c) The school principal shall fully support and
21 cooperate in the application of the guiding principles of the
22 Better Educated Students and Teachers (BEST) Florida Teaching
23 Act of 2003, pursuant to s. 1000.041.

24 (d) The school principal shall fully support the
25 authority of each teacher and school bus driver to remove
26 disobedient, disrespectful, violent, abusive, uncontrollable,
27 or disruptive students from the classroom and the school bus.

28 Section 7. Subsection (22) is added to section
29 1002.20, Florida Statutes, to read:

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1 1002.20 K-12 student and parent rights.--K-12 students
2 and their parents are afforded numerous statutory rights
3 including, but not limited to, the following:

4 (22) ORDERLY, DISCIPLINED CLASSROOMS.--Public school
5 students shall be in orderly, disciplined classrooms conducive
6 to learning without the distraction caused by disobedient,
7 disrespectful, violent, abusive, uncontrollable, or disruptive
8 students, in accordance with s. 1003.32.

9 Section 8. Subsection (13) of section 1002.42, Florida
10 Statutes, is amended to read:

11 1002.42 Private schools.--

12 (13) PROFESSIONAL DEVELOPMENT SYSTEM.--An organization
13 of private schools that has no fewer than 10 member schools in
14 this state may develop a professional development system to be
15 filed with the Department of Education in accordance with the
16 provisions of s. 1012.98(6)(7).

17 Section 9. Section 1003.04, Florida Statutes, is
18 amended to read:

19 1003.04 Student conduct and parental involvement
20 goals.--

21 ~~(1) It is the goal of the Legislature and each~~
22 ~~district school board that~~ Each public K-12 student must
23 remain in attendance throughout the school year, unless
24 excused by the school for illness or other good cause, and
25 must comply fully with the school's code of conduct.

26 (2) The parent of each public K-12 student must
27 cooperate with the authority of the student's school board,
28 superintendent, principal, teachers, and school bus drivers to
29 remove the student from the classroom or the school bus
30 pursuant to ss. 1003.31 and 1003.32 if the student is

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1 disobedient, disrespectful, violent, abusive, uncontrollable,
2 or disruptive.

3 (3)~~(2)~~ It is the goal of the Legislature and each
4 district school board that the parent of each public K-12
5 student comply with the school's reasonable and
6 time-acceptable parental involvement requests.

7 Section 10. Subsection (1) of section 1003.31, Florida
8 Statutes, is amended to read:

9 1003.31 Students subject to control of school.--

10 (1) Subject to law and rules of the State Board of
11 Education and of the district school board, each student
12 enrolled in a school shall:

13 (a) During the time she or he is being transported to
14 or from school at public expense;

15 (b) During the time she or he is attending school;

16 (c) During the time she or he is on the school
17 premises participating with authorization in a
18 school-sponsored activity; and

19 (d) During a reasonable time before and after the
20 student is on the premises for attendance at school or for
21 authorized participation in a school-sponsored activity, and
22 only when on the premises,

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24 be under the control and direction of the principal or teacher
25 in charge of the school, and under the immediate control and
26 direction of the teacher or other member of the instructional
27 staff or of the bus driver to whom such responsibility may be
28 assigned by the principal. However, the State Board of
29 Education or the district school board may, by rules, subject
30 each student to the control and direction of the principal or
31 teacher in charge of the school during the time she or he is

1 otherwise en route to or from school or is presumed by law to
2 be attending school. Each district school board, each district
3 school superintendent, and each school principal shall fully
4 support the authority of teachers and school bus drivers to
5 remove disobedient, disrespectful, violent, abusive,
6 uncontrollable, or disruptive students from the classroom and
7 the school bus.

8 Section 11. Section 1003.32, Florida Statutes, is
9 amended to read:

10 1003.32 Authority of teacher; responsibility for
11 control of students; district school board and principal
12 duties.--Subject to law and to the rules of the district
13 school board, each teacher or other member of the staff of any
14 school shall have such authority for the control and
15 discipline of students as may be assigned to him or her by the
16 principal or the principal' s designated representative and
17 shall keep good order in the classroom and in other places in
18 which he or she is assigned to be in charge of students.

19 (1) In accordance with this section and within the
20 framework of the district school board's code of student
21 conduct, teachers and other instructional personnel shall have
22 the authority to undertake any of the following actions in
23 managing student behavior and ensuring the safety of all
24 students in their classes and school and their opportunity to
25 learn in an orderly and disciplined classroom:

26 (a) Establish classroom rules of conduct.

27 (b) Establish and implement consequences, designed to
28 change behavior, for infractions of classroom rules.

29 (c) Have disobedient, disrespectful, violent, abusive,
30 uncontrollable, or disruptive students temporarily or

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1 permanently removed from the classroom for behavior management
2 intervention.

3 (d) Have violent, abusive, uncontrollable, or
4 disruptive students directed for information or assistance
5 from appropriate school or district school board personnel.

6 (e) Assist in enforcing school rules on school
7 property, during school-sponsored transportation, and during
8 school-sponsored activities.

9 (f) Request and receive information as to the
10 disposition of any referrals to the administration for
11 violation of classroom or school rules.

12 (g) Request and receive immediate assistance in
13 classroom management if a student becomes uncontrollable or in
14 case of emergency.

15 (h) Request and receive training and other assistance
16 to improve skills in classroom management, violence
17 prevention, conflict resolution, and related areas.

18 (i) Press charges if a crime has been committed
19 ~~against the teacher or other instructional personnel~~ on school
20 property, during school-sponsored transportation, or during
21 school-sponsored activities.

22 (j) Use reasonable force, according to standards
23 adopted by the State Board of Education, to protect himself or
24 herself or others from injury.

25 (k) Use corporal punishment according to school board
26 policy and at least the following procedures, if a teacher
27 feels that corporal punishment is necessary:

28 1. The use of corporal punishment shall be approved in
29 principle by the principal before it is used, but approval is
30 not necessary for each specific instance in which it is used.
31 The principal shall prepare guidelines for administering such

1 punishment which identify the types of punishable offenses,
2 the conditions under which the punishment shall be
3 administered, and the specific personnel on the school staff
4 authorized to administer the punishment.

5 2. A teacher or principal may administer corporal
6 punishment only in the presence of another adult who is
7 informed beforehand, and in the student's presence, of the
8 reason for the punishment.

9 3. A teacher or principal who has administered
10 punishment shall, upon request, provide the student's parent
11 with a written explanation of the reason for the punishment
12 and the name of the other adult who was present.

13 (2) Teachers and other instructional personnel shall:

14 (a) Set and enforce reasonable classroom rules that
15 treat all students equitably.

16 (b) Seek professional development to improve classroom
17 management skills when data show that they are not effective
18 in handling minor classroom disruptions.

19 (c) Maintain an orderly and disciplined classroom with
20 a positive and effective learning environment that maximizes
21 learning and minimizes disruption.

22 (d) Work with parents and other school personnel to
23 solve discipline problems in their classrooms.

24 (3) A teacher may send a student to the principal's
25 office to maintain effective discipline in the classroom and
26 may recommend an appropriate consequence consistent with the
27 student code of conduct under s. 1006.07. The principal shall
28 respond by employing the teacher's recommended consequence or
29 a more serious disciplinary action if the student's history of
30 disruptive behavior warrants it. If the principal determines
31 that a lesser disciplinary action is appropriate, the

1 principal shall consult with the teacher prior to taking
2 disciplinary action ~~appropriate discipline-management~~
3 ~~techniques consistent with the student code of conduct under~~
4 ~~s. 1006.07.~~

5 (4) A teacher may remove from class a student whose
6 behavior the teacher determines interferes with the teacher's
7 ability to communicate effectively with the students in the
8 class or with the ability of the student's classmates to
9 learn. Each district school board, each district school
10 superintendent, and each school principal shall support the
11 authority of teachers to remove disobedient, violent, abusive,
12 uncontrollable, or disruptive students from the classroom.

13 (5) If a teacher removes a student from class under
14 subsection (4), the principal may place the student in another
15 appropriate classroom, in in-school suspension, or in a
16 dropout prevention and academic intervention program as
17 provided by s. 1003.53; or the principal may recommend the
18 student for out-of-school suspension or expulsion, as
19 appropriate. The student may be prohibited from attending or
20 participating in school-sponsored or school-related
21 activities. The principal may not return the student to that
22 teacher's class without the teacher's consent unless the
23 committee established under subsection (6) determines that
24 such placement is the best or only available alternative. The
25 teacher and the placement review committee must render
26 decisions within 5 days of the removal of the student from the
27 classroom.

28 (6)(a) Each school shall establish a placement review
29 committee to determine placement of a student when a teacher
30 withholds consent to the return of a student to the teacher's
31 class.

1 (b) The principal must report on a quarterly basis to
2 the district school superintendent and district school board
3 each incidence of a teacher's withholding consent for a
4 removed student to return to the teacher's class and the
5 disposition of the incident, and the superintendent must
6 annually report these data to the department.

7 (c) The Commissioner of Education shall annually
8 review each school district's compliance with this section,
9 and success in achieving orderly classrooms, and shall use all
10 appropriate enforcement actions up to and including the
11 withholding of disbursements from the Educational Enhancement
12 Trust Fund until full compliance is verified.

13 (d) Placement review committee membership must include
14 at least the following:

15 1.(a) Two teachers, one selected by the school's
16 faculty and one selected by the teacher who has removed the
17 student.

18 2.(b) One member from the school's staff who is
19 selected by the principal.

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21 The teacher who withheld consent to readmitting the student
22 may not serve on the committee. The teacher and the placement
23 review committee must render decisions within 5 days after the
24 removal of the student from the classroom. If the placement
25 review committee's decision is contrary to the decision of the
26 teacher to withhold consent to the return of the removed
27 student to the teacher's class, the teacher may appeal the
28 committee's decision to the district school superintendent.

29 (7) Any teacher who removes 25 percent of his or her
30 total class enrollment shall be required to complete
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1 professional development to improve classroom management
2 skills.

3 (8) Each teacher or other member of the staff of any
4 school who knows or has reason to suspect that any person has
5 committed, or has made a credible threat to commit, a crime of
6 violence on school property shall report such knowledge or
7 suspicion in accordance with the provisions of s. 1006.13.
8 Each district school superintendent and each school principal
9 shall fully support good-faith reporting in accordance with
10 the provisions of this subsection and s. 1006.13. Any person
11 who makes a report required by this subsection in good faith
12 shall be immune from civil or criminal liability for making
13 the report.

14 (9)(8) When knowledgeable of the likely risk of
15 physical violence in the schools, the district school board
16 shall take reasonable steps to ensure that teachers, other
17 school staff, and students are not at undue risk of violence
18 or harm.

19 Section 12. Section 1004.04, Florida Statutes, is
20 amended to read:

21 1004.04 Public accountability and state approval for
22 teacher preparation programs.--

23 (1) INTENT.--

24 (a) The Legislature recognizes that skilled teachers
25 make an important contribution to a system that allows
26 students to obtain a high-quality education.

27 (b) The intent of the Legislature is to require the
28 State Board of Education to attain ~~establish~~ a system for
29 development and approval of teacher preparation programs that
30 allows ~~will free~~ postsecondary teacher preparation
31 institutions to employ varied and innovative teacher

1 preparation techniques while being held accountable for
2 producing graduates with the competencies and skills necessary
3 to achieve the state education goals; help the state's diverse
4 student population, including students who have substandard
5 reading and computational skills and students with limited
6 English proficiency, meet high standards for academic
7 achievement; maintain safe, secure classroom learning
8 environments; and sustain the state system of school
9 improvement and education accountability established pursuant
10 to ss. 1000.03(5) and 1008.345.

11 (2) UNIFORM CORE CURRICULA.--

12 (a) The State Board of Education shall adopt rules
13 pursuant to ss. 120.536(1) and 120.54 that establish uniform
14 core curricula for each state-approved teacher preparation
15 program.

16 (b) The rules to establish uniform core curricula for
17 each state-approved teacher preparation program must include,
18 but are not limited to, a State Board of Education identified
19 foundation in scientifically researched, knowledge-based
20 reading literacy and computational skills acquisition;
21 classroom management; school safety; professional ethics;
22 educational law; human development and learning; and
23 understanding of the Sunshine State Standards content measured
24 by state achievement tests, reading and interpretation of
25 data, and use of data to improve student achievement.

26 (c) These rules shall not require an additional period
27 of time-to-degree but may be phased in to enable teacher
28 preparation programs to supplant state board identified
29 pedagogy courses with the courses identified pursuant to
30 paragraph (b).

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1 ~~(3)(2)~~ DEVELOPMENT OF TEACHER PREPARATION PROGRAMS.--A
2 system developed by the Department of Education in
3 collaboration with postsecondary educational institutions
4 shall assist departments and colleges of education in the
5 restructuring of their programs in accordance with this
6 section to meet the need for producing quality teachers now
7 and in the future.

8 (a) The system must be designed to assist teacher
9 educators in conceptualizing, developing, implementing, and
10 evaluating programs that meet state-adopted standards. These
11 standards shall emphasize quality indicators drawn from
12 research, professional literature, recognized guidelines,
13 Florida essential teaching competencies and
14 educator-accomplished practices, effective classroom
15 practices, and the outcomes of the state system of school
16 improvement and education accountability, as well as
17 performance measures.

18 (b) Departments and colleges of education shall
19 emphasize the state system of school improvement and education
20 accountability concepts and standards, including Sunshine
21 State Standards.

22 (c) State-approved teacher preparation programs must
23 incorporate:

24 1. Appropriate English for Speakers of Other Languages
25 instruction so that program graduates will have completed the
26 requirements for teaching limited English proficient students
27 in Florida public schools.

28 2. Scientifically researched, knowledge-based reading
29 literacy and computational skills instruction so that program
30 graduates will be able to provide the necessary academic

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1 foundations for their students at whatever grade levels they
2 choose to teach.

3 (4)~~(3)~~ INITIAL STATE PROGRAM APPROVAL.--

4 (a) A program approval process based on standards
5 adopted pursuant to subsections ~~subsection~~ (2) and (3) must be
6 established for postsecondary teacher preparation programs,
7 phased in according to timelines determined by the Department
8 of Education, and fully implemented for all teacher
9 preparation programs in the state. Each program shall be
10 approved by the department, consistent with the intent set
11 forth in subsection (1) and based primarily upon significant,
12 objective, and quantifiable graduate performance measures.

13 (b) Each teacher preparation program approved by the
14 Department of Education, as provided for by this section,
15 shall require students to meet the following as prerequisites
16 for admission into the program:

17 1. Have a grade point average of at least 2.5 on a 4.0
18 scale for the general education component of undergraduate
19 studies or have completed the requirements for a baccalaureate
20 degree with a minimum grade point average of 2.5 on a 4.0
21 scale from any college or university accredited by a regional
22 accrediting association as defined by State Board of Education
23 rule or otherwise approved pursuant to State Board of
24 Education rule.

25 2. Demonstrate mastery of general knowledge, including
26 the ability to read, write, and compute, by passing the
27 College Level Academic Skills Test, a corresponding component
28 of the National Teachers Examination series, or a similar test
29 pursuant to rules of the State Board of Education.

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1 Each teacher preparation program may waive these admissions
2 requirements for up to 10 percent of the students admitted.
3 Programs shall implement strategies to ensure that students
4 admitted under a waiver receive assistance to demonstrate
5 competencies to successfully meet requirements for
6 certification.

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

15 (a) Continued approval of specific teacher preparation
16 programs at each public and nonpublic postsecondary
17 educational institution within the state is contingent upon
18 the passing of the written examination required by s. 1012.56
19 by at least 90 percent of the graduates of the program who
20 take the examination. On request of an institution, the
21 Department of Education shall provide an analysis of the
22 performance of the graduates of such institution with respect
23 to the competencies assessed by the examination required by s.
24 1012.56.

25 (b) Additional criteria for continued program approval
26 for public institutions may be approved by the State Board of
27 Education. Such criteria must emphasize instruction in
28 classroom management and must provide for the evaluation of
29 the teacher candidates' performance in this area. The criteria
30 shall also require instruction in working with underachieving
31 students. Program evaluation procedures must include, but are

1 not limited to, program graduates' satisfaction with
2 instruction and the program's responsiveness to local school
3 districts. Additional criteria for continued program approval
4 for nonpublic institutions shall be developed in the same
5 manner as for public institutions; however, such criteria must
6 be based upon significant, objective, and quantifiable
7 graduate performance measures. Responsibility for collecting
8 data on outcome measures through survey instruments and other
9 appropriate means shall be shared by the postsecondary
10 educational institutions and the Department of Education. By
11 January 1 of each year, the Department of Education shall
12 report this information for each postsecondary educational
13 institution that has state-approved programs of teacher
14 education to the Governor, the State Board of Education, the
15 Commissioner of Education, the President of the Senate, the
16 Speaker of the House of Representatives, all Florida
17 postsecondary teacher preparation programs, and interested
18 members of the public. This report must analyze the data and
19 make recommendations for improving teacher preparation
20 programs in the state.

21 (c) Continued approval for a teacher preparation
22 program is contingent upon the results of annual reviews of
23 the program conducted by the postsecondary educational
24 institution, using procedures and criteria outlined in an
25 institutional program evaluation plan approved by the
26 Department of Education. This plan must incorporate the
27 criteria established in paragraphs (a) and (b) and include
28 provisions for involving primary stakeholders, such as program
29 graduates, district school personnel, classroom teachers,
30 principals, community agencies, and business representatives
31 in the evaluation process. Upon request by an institution, the

1 department shall provide assistance in developing, enhancing,
2 or reviewing the institutional program evaluation plan and
3 training evaluation team members.

4 (d) Continued approval for a teacher preparation
5 program is contingent upon standards being in place that are
6 designed to adequately prepare elementary, middle, and high
7 school teachers to instruct their students in reading and
8 higher-level mathematics concepts and in the use of technology
9 at the appropriate grade level.

10 (e) Continued approval of teacher preparation programs
11 is contingent upon compliance with the student admission
12 requirements of subsection~~(4)~~(3)and upon the receipt of at
13 least a satisfactory rating from public schools and private
14 schools that employ graduates of the program. Each teacher
15 preparation program shall guarantee the high quality of its
16 graduates during the first 2 years immediately following
17 graduation from the program or following initial
18 certification, whichever occurs first. Any educator in a
19 Florida school who fails to demonstrate the essential skills
20 specified in subparagraphs 1.-5. shall be provided additional
21 training by the teacher preparation program at no expense to
22 the educator or the employer. Such training must consist of an
23 individualized plan agreed upon by the school district and the
24 postsecondary educational institution that includes specific
25 learning outcomes. The postsecondary educational institution
26 assumes no responsibility for the educator's employment
27 contract with the employer.Employer satisfaction shall be
28 determined by an annually administered survey instrument
29 approved by the Department of Education that, at a minimum,
30 must include employer satisfaction of the graduates' ability
31 to do the following:

1 1. Write and speak in a logical and understandable
2 style with appropriate grammar.

3 2. Recognize signs of students' difficulty with the
4 reading and computational process and apply appropriate
5 measures to improve students' reading and computational
6 performance.

7 3. Use and integrate appropriate technology in
8 teaching and learning processes.

9 4. Demonstrate knowledge and understanding of Sunshine
10 State Standards.

11 5. Maintain an orderly and disciplined classroom
12 conducive to student learning.

13 (f)1. Each Florida public and private institution that
14 offers a state-approved teacher preparation program must
15 annually report information regarding these programs to the
16 state and the general public. This information shall be
17 reported in a uniform and comprehensible manner that is
18 consistent with definitions and methods approved by the
19 Commissioner of the National Center for Educational Statistics
20 and that is approved by the State Board of Education. This
21 information must include, at a minimum:

22 a. The percent of graduates obtaining full-time
23 teaching employment within the first year of graduation.

24 b. The average length of stay of graduates in their
25 full-time teaching positions.

26 c. Satisfaction ratings required in paragraph (e).

27 2. Each public and private institution offering
28 training for school readiness related professions, including
29 training in the fields of child care and early childhood
30 education, whether offering technical credit, associate in
31 applied science degree programs, associate in science degree

1 programs, or associate in arts degree programs, shall annually
2 report information regarding these programs to the state and
3 the general public in a uniform and comprehensible manner that
4 conforms with definitions and methods approved by the State
5 Board of Education. This information must include, at a
6 minimum:

- 7 a. Average length of stay of graduates in their
8 positions.
9 b. Satisfaction ratings of graduates' employers.

10

11 This information shall be reported through publications,
12 including college and university catalogs and promotional
13 materials sent to potential applicants, secondary school
14 guidance counselors, and prospective employers of the
15 institution's program graduates.

16 (6)~~(5)~~ PRESERVICE FIELD EXPERIENCE.--All postsecondary
17 instructors, school district personnel and instructional
18 personnel, and school sites preparing instructional personnel
19 through preservice field experience courses and internships
20 shall meet special requirements. District school boards are
21 authorized to pay student teachers during their internships.

22 (a) All instructors in postsecondary teacher
23 preparation programs who instruct or supervise preservice
24 field experience courses or internships shall have at least
25 one of the following: specialized training in clinical
26 supervision; a valid professional teaching certificate
27 pursuant to ss. 1012.56 and 1012.585; or at least 3 years of
28 successful teaching experience in prekindergarten through
29 grade 12.

30 (b) All school district personnel and instructional
31 personnel who supervise or direct teacher preparation students

1 during field experience courses or internships must have
2 evidence of "clinical educator" training and must successfully
3 demonstrate effective classroom management strategies that
4 consistently result in improved student performance. The State
5 Board of Education shall approve the training requirements.

6 (c) Preservice field experience programs must provide
7 specific guidance and demonstration of effective classroom
8 management strategies, strategies for incorporating technology
9 into classroom instruction, and ways to link instructional
10 plans to the Sunshine State Standards, as appropriate. The
11 length of structured field experiences may be extended to
12 ensure that candidates achieve the competencies needed to meet
13 certification requirements.

14 (d) Postsecondary teacher preparation programs in
15 cooperation with district school boards and approved private
16 school associations shall select the school sites for
17 preservice field experience activities. These sites must
18 represent the full spectrum of school communities, including,
19 but not limited to, schools located in urban settings. In
20 order to be selected, school sites must demonstrate commitment
21 to the education of public school students and to the
22 preparation of future teachers.

23 (7)~~(6)~~ STANDARDS OF EXCELLENCE.--The State Board of
24 Education shall approve standards of excellence for teacher
25 preparation. These standards must exceed the requirements for
26 program approval pursuant to subsection(4)~~(3)~~and must
27 incorporate state and national recommendations for exemplary
28 teacher preparation programs.

29 (8)~~(7)~~ NATIONAL BOARD STANDARDS.--The State Board of
30 Education shall review standards and recommendations developed
31 by the National Board for Professional Teaching Standards and

1 the American Board for Certification of Teacher Excellence and
2 may incorporate those parts deemed appropriate into criteria
3 for continued state program approval, standards of excellence,
4 and requirements for inservice education.

5 (9)~~(8)~~ COMMUNITY COLLEGES.--To the extent practical,
6 postsecondary educational institutions offering teacher
7 preparation programs shall establish articulation agreements
8 on a core of liberal arts courses and introductory
9 professional courses with field experience components which
10 shall be offered at community colleges.

11 (10)~~(9)~~ PRETEACHER AND TEACHER EDUCATION PILOT
12 PROGRAMS.--State universities and community colleges may
13 establish preteacher education and teacher education pilot
14 programs to encourage promising minority students to prepare
15 for a career in education. These pilot programs shall be
16 designed to recruit and provide additional academic, clinical,
17 and counseling support for students whom the institution
18 judges to be potentially successful teacher education
19 candidates, but who may not meet teacher education program
20 admission standards. Priority consideration shall be given to
21 those pilot programs that are jointly submitted by community
22 colleges and state universities.

23 (a) These pilot programs shall be approved by the
24 State Board of Education and shall be designed to provide help
25 and support for program participants during the preteacher
26 education period of general academic preparation at a
27 community college or state university and during professional
28 preparation in a state-approved teacher education program.
29 Emphasis shall be placed on development of the basic skills
30 needed by successful teachers.

31

1 (b) State universities and community colleges may
2 admit into the pilot program those incoming students who
3 demonstrate an interest in teaching as a career, but who may
4 not meet the requirements for entrance into an approved
5 teacher education program.

6 1. Flexibility may be given to colleges of education
7 to develop and market innovative teacher training programs
8 directed at specific target groups such as graduates from the
9 colleges of arts and sciences, employed education
10 paraprofessionals, substitute teachers, early federal
11 retirees, and nontraditional college students. Programs must
12 be submitted to the State Board of Education for approval.

13 2. Academically successful graduates in the fields of
14 liberal arts and science may be encouraged to embark upon a
15 career in education.

16 3. Models may be developed to provide a positive
17 initial experience in teaching in order to encourage
18 retention. Priority should be given to models that encourage
19 minority graduates.

20 (c) In order to be certified, a graduate from a pilot
21 program shall meet all requirements for teacher certification
22 specified by s. 1012.56. Should a graduate of a pilot program
23 not meet the requirements of s. 1012.56, that person shall not
24 be included in the calculations required by paragraph
25 (5)~~(4)~~(a) and State Board of Education rules for continued
26 program approval, or in the statutes used by the State Board
27 of Education in deciding which teacher education programs to
28 approve.

29 (d) Institutions participating in the pilot program
30 shall submit an annual report evaluating the success of the
31 program to the Commissioner of Education by March 1 of each

1 year. The report shall include, at a minimum,~~contain, but~~
2 ~~shall not be limited to:~~the number of pilot program
3 participants, including the number participating in general
4 education and the number admitted to approved teacher
5 education programs, the number of pilot program graduates, and
6 the number of pilot program graduates who met the requirements
7 of s. 1012.56. The commissioner shall consider the number of
8 participants recruited, the number of graduates, and the
9 number of graduates successfully meeting the requirements of
10 s. 1012.56 reported by each institution, and shall make an
11 annual recommendation to the State Board of Education
12 regarding the institution's continued participation in the
13 pilot program.

14 (11)~~(10)~~ TEACHER EDUCATION PILOT PROGRAMS FOR
15 HIGH-ACHIEVING STUDENTS.--Pilot teacher preparation programs
16 shall be established at the University of Central Florida, the
17 University of North Florida, and the University of South
18 Florida. These programs shall include a year-long paid
19 teaching assignment and competency-based learning experiences
20 and shall be designed to encourage high-achieving students, as
21 identified by the institution, to pursue a career in
22 education. Priority consideration shall be given to students
23 obtaining academic degrees in mathematics, science,
24 engineering, reading, or identified critical shortage areas.
25 Students chosen to participate in the pilot programs shall
26 agree to teach for at least 1 year after they receive their
27 degrees. Criteria for identifying high-achieving students
28 shall be developed by the institution and shall include, at a
29 minimum, requirements that the student have a 3.3 grade point
30 average or above and that the student has demonstrated mastery
31 of general knowledge pursuant to s. 1012.56. The year-long

1 paid teaching assignment shall begin after completion of the
2 equivalent of 3 years of the state university teacher
3 preparation program.

4 (a) Each pilot program shall be designed to include:

5 1. A year-long paid teaching assignment at a
6 low-performing ~~specified~~ school site during the fourth year of
7 the state university teacher preparation program, which
8 includes intense supervision by a support team trained in
9 clinical education. The support team shall include a state
10 university supervisor and experienced school-based mentors. A
11 mentor teacher shall be assigned to each fourth year employed
12 teacher to implement an individualized learning plan. This
13 mentor teacher will be considered an adjunct professor for
14 purposes of this program and may receive credit for time spent
15 as a mentor teacher in the program. The mentor teacher must
16 have a master's degree or above, a minimum of 3 years of
17 teaching experience, and clinical education training or
18 certification by the National Board for ~~of~~ Professional
19 Teaching Standards or the American Board for Certification of
20 Teacher Excellence. Experiences and instruction may be
21 delivered by other mentors, assigned teachers, professors,
22 individualized learning, and demonstrations. Students in this
23 paid teaching assignment shall assume full responsibility of
24 all teaching duties.

25 2. Professional education curriculum requirements that
26 address the educator-accomplished practices and other
27 competencies specified in state board rule.

28 3. A modified instructional delivery system that
29 provides onsite training during the paid teaching assignment
30 in the professional education areas and competencies specified
31 in this subsection. The institutions participating in this

1 pilot program shall be given a waiver to provide a modified
2 instructional delivery system meeting criteria that allows
3 earned credit through nontraditional approaches. The modified
4 system may provide for an initial evaluation of the
5 candidate's competencies to determine an appropriate
6 individualized professional development plan and may provide
7 for earned credit by:

- 8 a. Internet learning and competency acquisition.
- 9 b. Learning acquired by observing demonstrations and
10 being observed in application.
- 11 c. Independent study or instruction by mentor teachers
12 or adjunct teachers.
- 13 4. Satisfactory demonstration of the
14 educator-accomplished practices and content area competencies
15 for program completion.
- 16 5. For program completion, required achievement of
17 passing scores on all tests required for certification by
18 State Board of Education rules.

19 (b) Beginning in July 2003, each institution
20 participating in the pilot program shall submit to the
21 Commissioner of Education an annual report evaluating the
22 effectiveness of the program. The report shall include, but
23 shall not be limited to, the number of students selected for
24 the pilot program, the number of students successfully
25 completing the pilot program, the number of program
26 participants who passed all required examinations, the number
27 of program participants who successfully demonstrated all
28 required competencies, and a followup study to determine the
29 number of pilot program completers who were employed in a
30 teaching position and employers' satisfaction with the
31 performance of pilot program completers.

1 (c) This subsection shall be implemented to the extent
2 specifically funded in the General Appropriations Act.

3 (12)~~(11)~~ RULES.--The State Board of Education shall
4 adopt necessary rules pursuant to ss. 120.536(1) and 120.54 to
5 implement this section.

6 Section 13. Subsection (1) of section 1006.08, Florida
7 Statutes, is amended to read:

8 1006.08 District school superintendent duties relating
9 to student discipline and school safety.--

10 (1) The district school superintendent shall recommend
11 plans to the district school board for the proper accounting
12 for all students of school age, for the attendance and control
13 of students at school, and for the proper attention to health,
14 safety, and other matters which will best promote the welfare
15 of students. Each district school superintendent shall fully
16 support the authority of his or her principals, teachers, and
17 school bus drivers to remove disobedient, disrespectful,
18 violent, abusive, uncontrollable, or disruptive students from
19 the classroom and the school bus.When the district school
20 superintendent makes a recommendation for expulsion to the
21 district school board, he or she shall give written notice to
22 the student and the student's parent of the recommendation,
23 setting forth the charges against the student and advising the
24 student and his or her parent of the student's right to due
25 process as prescribed by ss. 120.569 and 120.57(2). When
26 district school board action on a recommendation for the
27 expulsion of a student is pending, the district school
28 superintendent may extend the suspension assigned by the
29 principal beyond 10 school days if such suspension period
30 expires before the next regular or special meeting of the
31 district school board.

1 Section 14. Paragraph (a) of subsection (1) of section
2 1006.09, Florida Statutes, is amended to read:

3 1006.09 Duties of school principal relating to student
4 discipline and school safety.--

5 (1)(a) Subject to law and to the rules of the State
6 Board of Education and the district school board, the
7 principal in charge of the school or the principal's designee
8 shall develop policies for delegating to any teacher or other
9 member of the instructional staff or to any bus driver
10 transporting students of the school responsibility for the
11 control and direction of students. Each school principal shall
12 fully support the authority of his or her teachers and school
13 bus drivers to remove disobedient, disrespectful, violent,
14 abusive, uncontrollable, or disruptive students from the
15 classroom and the school bus.The principal or the principal's
16 designee must give full consideration to ~~shall consider~~ the
17 recommendation for discipline made by a teacher, other member
18 of the instructional staff, or a bus driver when making a
19 decision regarding student referral for discipline.

20 Section 15. Section 1009.59, Florida Statutes, is
21 amended to read:

22 1009.59 ~~Critical Teacher Shortage~~ Student Loan
23 Reimbursement Forgiveness Program.--

24 (1) The ~~Critical Teacher Shortage~~ Student Loan
25 Reimbursement Forgiveness Program is established to encourage
26 qualified personnel with undergraduate or graduate degrees in
27 mathematics, science, engineering, reading, or State Board of
28 Education designated critical teacher shortage areas to seek
29 employment as teachers in Florida's publicly funded schools ~~in~~
30 ~~subject areas in which critical teacher shortages exist, as~~
31 ~~identified annually by the State Board of Education.~~ The

1 primary purpose function of the program is to enhance the
2 quality of Florida's teacher workforce by making ~~make~~
3 repayments toward loans received by the selected students from
4 federal programs or commercial lending institutions for the
5 support of postsecondary education study. Repayments are
6 intended to be made to qualified applicants with undergraduate
7 or graduate degrees in mathematics, science, engineering,
8 reading, or State Board of Education designated critical
9 teacher shortage areas ~~who begin teaching for the first time~~
10 ~~in designated subject areas, and~~ who apply during their first
11 full year of teaching in a publicly funded school in Florida
12 as certified teachers in these subject areas. Repayment shall
13 be prorated if a teacher teaches at least 90 days during the
14 first year of teaching.

15 (2) From the funds available, the Department of
16 Education may make loan principal repayments on behalf of
17 persons with degrees in mathematics, science, engineering,
18 reading, or state board designated critical teacher shortage
19 areas who are certified to teach in Florida public schools.
20 The repayments may be made as follows:

21 (a) Up to \$1,500 the first year the person is employed
22 as a teacher in a publicly funded school in Florida ~~\$2,500 a~~
23 ~~year for up to 4 years on behalf of selected graduates of~~
24 ~~state-approved undergraduate postsecondary teacher preparation~~
25 ~~programs, persons certified to teach pursuant to any~~
26 ~~applicable teacher certification requirements, or selected~~
27 ~~teacher preparation graduates from any state participating in~~
28 ~~the Interstate Agreement on the Qualification of Educational~~
29 ~~Personnel.~~

30 (b) Up to \$2,500 for the second year the person is
31 employed as a teacher in a publicly funded school in Florida

1 ~~\$5,000 a year for up to 2 years on behalf of selected~~
2 ~~graduates of state-approved graduate postsecondary teacher~~
3 ~~preparation programs, persons with graduate degrees certified~~
4 ~~to teach pursuant to any applicable teacher certification~~
5 ~~requirements, or selected teacher preparation graduates from~~
6 ~~any state participating in the Interstate Agreement on the~~
7 ~~Qualification of Educational Personnel.~~

8 (c) Up to \$3,500 for the third year the person is
9 employed as a teacher in a publicly funded school in Florida.

10 (d) Up to \$4,500 for the fourth year and each
11 subsequent year, up to a maximum of 10 years, the person is
12 employed as a teacher in a publicly funded school in Florida.

13 (e)(c) All repayments shall be contingent on continued
14 proof of satisfactory employment in a teacher position the
15 designated subject areas in a publicly funded school in this
16 state and shall be made directly to the holder of the loan or
17 the applicant. The state shall not bear responsibility for the
18 collection of any interest charges or other remaining balance.
19 ~~In the event that designated critical teacher shortage subject~~
20 ~~areas are changed by the State Board of Education, A teacher~~
21 shall continue to be eligible for loan reimbursement in
22 accordance with paragraphs (a)-(d) for up to the maximum of 10
23 years if forgiveness as long as he or she continues to teach
24 in a subject area or in a critical shortage area pursuant to
25 this section at a publicly funded school in Florida in the
26 subject area for which the original loan repayment was made
27 and otherwise meets all conditions of eligibility.

28 (3) Students receiving a state scholarship loan or a
29 fellowship loan are not eligible to participate in the
30 ~~Critical Teacher Shortage~~ Student Loan Reimbursement
31 ~~Forgiveness~~ Program.

1 (4) The Department of Education must advertise the
2 availability of this program and must advise school districts,
3 postsecondary educational institutions, and the public of the
4 criteria and application procedures.

5 ~~(5)(4)~~ The State Board of Education may adopt rules
6 pursuant to ss. 120.536(1) and 120.54 necessary for the
7 administration of this program.

8 ~~(6)(5)~~ This section shall be implemented only to the
9 extent as specifically funded and authorized by law.

10 Section 16. Section 1009.591, Florida Statutes, is
11 created to read:

12 1009.591 Teaching Fellows Program.--There is created
13 the Teaching Fellows Program to encourage graduate students in
14 mathematics, science, or engineering disciplines or state
15 board designated critical teacher shortage areas to enter the
16 teaching profession in public schools in Florida. The program
17 shall be administered by the Department of Education.

18 (1) The Teaching Fellows Program shall provide an
19 annual stipend of \$5,000 for each approved teaching fellow who
20 is enrolled full-time in one of Florida's public or private
21 universities in a graduate program in a mathematics, science,
22 or engineering discipline or a state board designated critical
23 teacher shortage area and commits to teach in a publicly
24 funded school in Florida for 5 consecutive years immediately
25 following completion of the graduate program.

26 (2) It is the intent of the Legislature that the total
27 amount appropriated annually for the program be sufficient to
28 provide 200 teaching fellows with stipends of \$5,000 per year
29 and to provide a \$5,000 signing bonus to each fellow upon
30 initial employment as a teacher in a Florida public school
31 graded "A," "B," or "C," or a \$10,000 signing bonus upon

1 employment in a Florida public school graded "D" or "F" with
2 \$5,000 at initial employment and \$5,000 upon completion of the
3 first year of teaching.

4 (3) A teaching fellow may receive a stipend from the
5 program for up to 4 consecutive years if the teaching fellow
6 remains enrolled full-time in an eligible program and makes
7 satisfactory progress toward a graduate degree in a program in
8 a mathematics, science, or engineering discipline or a state
9 board designated critical teacher shortage area.

10 (4) A teaching fellow who receives a stipend pursuant
11 to this section and attends a state university shall also
12 receive a waiver of tuition and out-of-state fees, if
13 applicable, at that university.

14 (5) If a teaching fellow graduates and is employed
15 following graduation as a teacher in a publicly funded school
16 in Florida for 5 consecutive years, the teaching fellow is not
17 required to repay the amount received as stipends, bonus, or
18 tuition and fee waivers pursuant to this program.

19 (6) If a teaching fellow does not obtain a graduate
20 degree within 4 years, or if the fellow graduates but does not
21 teach in a publicly funded school in Florida for 5 consecutive
22 years following graduation, the teaching fellow must repay the
23 Department of Education, on a schedule to be determined by the
24 department, the total amount awarded for stipends, bonus, and
25 tuition and fee waivers received pursuant to this program plus
26 annual interest of 8 percent accruing from the date of the
27 scholarship payment. Moneys repaid shall be deposited into the
28 State Student Financial Assistance Trust Fund established in
29 s. 1010.73. However, the department may provide additional
30 time for repayment if the department finds that circumstances

31

1 beyond the control of the recipient caused or contributed to
2 default on the repayment.

3 (7) Recipients under this program are not eligible to
4 participate in the Teacher Student Loan Reimbursement Program.

5 (8) The department must advertise the availability of
6 this program and advise school districts, postsecondary
7 educational institutions, and the public of the criteria and
8 application procedures.

9 (9) The State Board of Education may adopt rules
10 pursuant to ss. 120.536(1) and 120.54 necessary for the
11 administration of this program.

12 (10) This section shall be implemented only to the
13 extent as specifically funded and authorized by law.

14 Section 17. Section 1011.63, Florida Statutes, is
15 created to read:

16 1011.63 Better Educated Students and Teachers (BEST)
17 Florida Teaching bonuses; categorical fund.--

18 (1) There is created a categorical fund to provide
19 performance bonuses to reward the top-performing 10 percent of
20 classroom teachers in each school district with an annual
21 performance bonus based on outstanding performance pursuant to
22 s. 1012.34(3)(a).

23 (2) Categorical funds for BEST Florida Teaching
24 bonuses shall be allocated annually to each school district in
25 the amount provided in the General Appropriations Act. These
26 funds shall be in addition to the funds appropriated on the
27 basis of full-time equivalent student membership in the
28 Florida Education Finance Program and shall be included in the
29 total potential funds of each school district. These funds
30 shall be used only to provide BEST Florida Teaching bonuses to
31

1 full-time K-12 classroom teachers who demonstrate outstanding
2 performance in each category itemized in s. 1012.34(3)(a)1.-7.

3 (3) To be eligible for categorical funds, each
4 district school superintendent shall submit to the
5 Commissioner of Education, and receive the commissioner's
6 approval of, a plan detailing the school district's
7 methodology for selecting the teachers who receive the
8 bonuses.

9 (4) Each BEST Florida Teaching bonus shall be in the
10 amount of \$5,000, unless the teacher has taught for the full
11 school year in a school that was graded "D" or "F" the prior
12 school year, in which case the bonus shall be in the amount of
13 \$10,000. Any teacher who is not a mentor teacher and who
14 receives a bonus 2 years in a 4-year period shall be promoted
15 to the next higher classroom teacher category which reflects
16 differentiated salary levels, pursuant to s. 1012.231(2).

17 Section 18. Section 1012.05, Florida Statutes, is
18 amended to read:

19 1012.05 Teacher recruitment and retention.--

20 (1) The Department of Education, in cooperation with
21 teacher organizations, district personnel offices, and
22 schools, colleges, and departments of all ~~education in~~ public
23 and nonpublic postsecondary educational institutions, shall
24 concentrate on the recruitment of qualified teachers.

25 (2) The Department of Education shall:

26 (a) Develop and implement a system for posting
27 teaching vacancies and establish a database of teacher
28 applicants that is accessible within and outside the state.

29 (b) Advertise in major newspapers, national
30 professional publications, and other professional publications

31

- 1 and in public and nonpublic postsecondary educational
2 institutions ~~schools of education.~~
- 3 (c) Utilize state and nationwide toll-free numbers.
- 4 (d) Conduct periodic communications with district
5 personnel directors regarding applicants.
- 6 (e) Provide district access to the applicant database
7 by computer or telephone.
- 8 (f) Develop and distribute promotional materials
9 related to teaching as a career.
- 10 (g) Publish and distribute information pertaining to
11 employment opportunities, application procedures, all routes
12 toward teacher certification, in Florida, and teacher
13 salaries.
- 14 (h) Provide information related to certification
15 procedures.
- 16 (i) Develop and sponsor the Florida Future Educator of
17 America Program throughout the state.
- 18 (j) Develop, in consultation with school district
19 staff including, but not limited to, district school
20 superintendents, district school board members, and district
21 human resources personnel, a long-range plan for educator
22 recruitment and retention.
- 23 (k) Identify best practices for retaining high-quality
24 teachers.
- 25 (l) Develop, in consultation with Workforce Florida,
26 Inc., and the Agency for Workforce Innovation, created
27 pursuant to ss. 445.004 and 20.50, respectively, a plan for
28 accessing and identifying available resources in the state's
29 workforce system for the purpose of enhancing teacher
30 recruitment and retention.
- 31

1 (m) Develop and implement a First Response Center to
2 provide educator candidates one-stop shopping for information
3 on teaching careers in Florida and establish the Teacher
4 Lifeline Network to provide on-line support to beginning
5 teachers.

6 (3) The Department of Education, in cooperation with
7 district personnel offices, shall sponsor a job fair in a
8 central part of the state to match in-state educators and
9 potential educators and out-of-state educators and potential
10 educators with teaching opportunities in this state.

11 (4) Subject to proviso in the General Appropriations
12 Act, the Commissioner of Education may use funds appropriated
13 by the Legislature and funds from federal grants and other
14 sources to provide incentives for teacher recruitment and
15 preparation programs. The purpose of the use of such funds is
16 to recruit and prepare individuals who do not graduate from
17 state-approved teacher preparation programs to teach in a
18 Florida public school. The commissioner may contract with
19 entities other than, and including, approved teacher
20 preparation programs to provide intensive teacher training
21 leading to passage of the required certification exams for the
22 desired subject area or coverage. The commissioner shall
23 survey school districts to evaluate the effectiveness of such
24 programs.

25 Section 19. Section 1012.231, Florida Statutes, is
26 created to read:

27 1012.231 Teacher compensation; assignment of
28 teachers.--

29 (1) STARTING SALARY.--Beginning with the 2003-2004
30 academic year, each district school board shall develop, and
31 shall present to the State Board of Education by June 30,

1 2004, a plan, to be implemented beginning with the 2004-2005
2 academic year, for compensation of beginning classroom
3 teachers at no less than the amount of \$31,000, in 2003
4 dollars, indexed to the Consumer Price Index thereafter,
5 pursuant to legislative appropriations. The plan shall provide
6 for phased-in incremental implementation that maintains
7 separation between years of service for each differentiated
8 classroom teacher category as required pursuant to subsection
9 (2). Effective the 2004-2005 academic year, this minimum
10 beginning salary shall be considered a statewide minimum
11 standard similar to minimum number of school days, designation
12 of duties of instructional personnel, and minimum
13 certification standards, and as such shall not be subject to
14 collective bargaining under chapter 447.

15 (2) PERFORMANCE PAY.--Beginning with the 2003-2004
16 academic year, each district school board shall use a portion
17 of its teacher salary supplement categorical to fund
18 differentiated teacher salaries, with the highest level of
19 differentiation based on outstanding performance and
20 assignment of additional duties. Performance shall be defined
21 as designated in s. 1012.34(3) and shall also include course
22 pretests and posttests to determine student learning gains in
23 grades and classes not measured by the FCAT. District school
24 boards shall designate categories of classroom teachers
25 reflecting these differentiated salary levels as follows:

26 (a) Associate Teacher.--Classroom teachers who have
27 not yet fully validated all essential teaching competencies,
28 including the educator-accomplished practices as established
29 in State Board of Education rule, or who have not qualified
30 through reciprocal certification options identified in s.
31 1012.56(4).

1 (b) Teacher.--Classroom teachers who have fully
2 validated all essential teaching competencies, including the
3 educator-accomplished practices as established in State Board
4 of Education rule, or who have qualified through reciprocal
5 certification options identified in s. 1012.56(4).

6 (c) Senior Teacher.--Classroom teachers who have
7 demonstrated outstanding performance as evidenced by improved
8 student achievement and who are responsible for leading others
9 in the school as department chair, lead teacher, grade-level
10 leader, intern coordinator, or professional development
11 coordinator. Senior teachers must serve as faculty for
12 professional development activities as determined by the State
13 Board of Education.

14 (d) Mentor Teacher.--Classroom teachers who have
15 demonstrated sustained outstanding performance as evidenced by
16 improved student achievement and other factors as defined by
17 the State Board of Education and who serve as regular mentors
18 to other teachers who are either not performing satisfactorily
19 or who strive to become more proficient. Mentor teachers must
20 serve as faculty-based professional development coordinators
21 and regularly demonstrate and share their expertise with other
22 teachers in order to remain mentor teachers.

23 (3) TEACHER ASSIGNMENT.--School districts may not
24 assign a higher percentage of first-time teachers, temporarily
25 certified teachers, teachers in need of improvement, or
26 out-of-field teachers to schools with above the school
27 district average of minority and economically disadvantaged
28 students or schools that are graded "D" or "F." District
29 school boards are authorized to provide salary incentives to
30 meet this requirement. No district school board shall sign a
31

1 collective bargaining agreement that fails to provide
2 sufficient incentives to meet this requirement.

3 Section 20. Section 1012.27, Florida Statutes, is
4 amended to read:

5 1012.27 Public school personnel; powers and duties of
6 district school superintendent.--The district school
7 superintendent is ~~shall be~~ responsible, ~~as required herein,~~
8 for directing the work of the personnel, subject to the
9 requirements of this chapter, and in addition the district
10 school superintendent shall perform ~~have~~ the following ~~duties~~:

11 (1) POSITIONS, QUALIFICATIONS, AND NOMINATIONS.--

12 (a) Recommend to the district school board duties and
13 responsibilities which need to be performed and positions
14 which need to be filled to make possible the development of an
15 adequate school program in the district. Beginning with the
16 2003-2004 academic year, this recommendation shall provide for
17 the employment of OPS personnel who are not classroom teachers
18 to perform all paperwork and recordkeeping requirements not
19 directly related to classroom instruction.

20 (b) Recommend minimum qualifications of personnel for
21 these various positions, and nominate in writing persons to
22 fill such positions.

23
24 The district school superintendent's recommendations for
25 filling instructional positions at the school level must
26 consider nominations received from school principals of the
27 respective schools. Before transferring a teacher who holds a
28 professional teaching certificate from one school to another,
29 the district school superintendent shall consult with the
30 principal of the receiving school and allow the principal to
31 review the teacher's records and interview the teacher. If, in

1 the judgment of the principal, students would not benefit from
2 the placement, an alternative placement may be sought.

3 (2) COMPENSATION AND SALARY SCHEDULES.--Prepare and
4 recommend to the district school board for adoption a salary
5 schedule or salary schedules. The district school
6 superintendent must recommend a salary schedule for
7 instructional personnel which bases a portion of each
8 employee's compensation on performance demonstrated under s.
9 1012.34. In developing the recommended salary schedule, the
10 district school superintendent shall include input from
11 parents, teachers, and representatives of the business
12 community. Beginning with the 2003-2004 academic year, the
13 recommended salary schedule for classroom teachers shall be
14 consistent with the requirements of s. 1012.231.

15 (3) CONTRACTS AND TERMS OF SERVICE.--Recommend to the
16 district school board terms for contracting with employees and
17 prepare such contracts as are approved.

18 (4) TRANSFER.--Recommend employees for transfer and
19 transfer any employee during any emergency and report the
20 transfer to the district school board at its next regular
21 meeting.

22 (5) SUSPENSION AND DISMISSAL.--Suspend members of the
23 instructional staff and other school employees during
24 emergencies for a period extending to and including the day of
25 the next regular or special meeting of the district school
26 board and notify the district school board immediately of such
27 suspension. When authorized to do so, serve notice on the
28 suspended member of the instructional staff of charges made
29 against him or her and of the date of hearing. Recommend
30 employees for dismissal under the terms prescribed herein.

31

1 (6) DIRECT WORK OF EMPLOYEES AND SUPERVISE
2 INSTRUCTION.--Direct or arrange for the proper direction and
3 improvement, under rules of the district school board, of the
4 work of all members of the instructional staff and other
5 employees of the district school system, supervise or arrange
6 under rules of the district school board for the supervision
7 of instruction in the district, and take such steps as are
8 necessary to bring about continuous improvement.

9 Section 21. Subsections (3) and (4) of section
10 1012.28, Florida Statutes, are amended to read:

11 1012.28 Public school personnel; duties of school
12 principals.--

13 (3) Each school principal is responsible for the
14 performance of all personnel employed by the district school
15 board and assigned to the school to which the principal is
16 assigned. The school principal shall faithfully and
17 effectively apply the personnel assessment system approved by
18 the district school board pursuant to s. 1012.34 and,
19 beginning with the 2003-2004 academic year, s. 1012.231.

20 (4) Each school principal shall assist the teachers
21 within the school to use student assessment data, as measured
22 by student learning gains pursuant to s. 1008.22, for
23 self-evaluation. Each school principal shall also ensure that
24 OPS school personnel who are not classroom teachers perform
25 all paperwork and recordkeeping requirements not directly
26 related to classroom instruction.

27 Section 22. Subsections (1) through (6) of section
28 1012.56, Florida Statutes, are amended to read:

29 1012.56 Educator certification requirements.--

30 (1) APPLICATION.--Each person seeking certification
31 pursuant to this chapter shall submit a completed application

1 containing the applicant's social security number to the
2 Department of Education and remit the fee required pursuant to
3 s. 1012.59 and rules of the State Board of Education. Pursuant
4 to the federal Personal Responsibility and Work Opportunity
5 Reconciliation Act of 1996, each party is required to provide
6 his or her social security number in accordance with this
7 section. Disclosure of social security numbers obtained
8 through this requirement is ~~shall be~~ limited to the purpose of
9 administration of the Title IV-D program of the Social
10 Security Act for child support enforcement. Pursuant to s.
11 120.60, the department shall issue within 90 calendar days
12 after the stamped receipted date of the completed application:

13 (a) A certificate covering the classification, level,
14 and area for which the applicant is deemed qualified; or

15 (b) An official statement of status of eligibility.

16 The statement of status of eligibility must advise the
17 applicant of any qualifications that must be completed to
18 qualify for certification. Each statement of status of
19 eligibility is valid for 3 ~~2~~ years after its date of issuance,
20 except as provided in paragraph (2)(d). ~~A statement of status
21 of eligibility may be reissued for one additional 2-year
22 period if application is made while the initial statement of
23 status of eligibility is valid or within 1 year after the
24 initial statement expires, and if the certification subject
25 area is authorized to be issued by the state board at the time
26 the application requesting a reissued statement of status of
27 eligibility is received.~~

28 (2) ELIGIBILITY CRITERIA.--To be eligible to seek
29 certification ~~pursuant to this chapter~~, a person must:

30 (a) Be at least 18 years of age.

31

1 (b) File a written statement, under oath, that the
2 applicant subscribes to and will uphold the principles
3 incorporated in the Constitution of the United States and the
4 Constitution of the State of Florida.

5 (c) Document receipt of a bachelor's or higher degree
6 from an accredited institution of higher learning, or a
7 nonaccredited institution of higher learning that the
8 Department of Education has identified as having a quality
9 program resulting in a bachelor's degree, or higher. Each
10 applicant seeking initial certification must have attained at
11 least a 2.5 overall grade point average on a 4.0 scale in the
12 applicant's major field of study. The applicant may document
13 the required education by submitting official transcripts from
14 institutions of higher education or by authorizing the direct
15 submission of such official transcripts through established
16 electronic network systems. The bachelor's or higher degree
17 may not be required in areas approved in rule by the State
18 Board of Education as nondegreed areas.

19 (d) Submit to a fingerprint check from the Department
20 of Law Enforcement and the Federal Bureau of Investigation
21 pursuant to s. 1012.32. If the fingerprint reports indicate a
22 criminal history or if the applicant acknowledges a criminal
23 history, the applicant's records shall be referred to the
24 Bureau of Educator Standards for review and determination of
25 eligibility for certification. If the applicant fails to
26 provide the necessary documentation requested by the Bureau of
27 Educator Standards within 90 days after the date of the
28 receipt of the certified mail request, the statement of
29 eligibility and pending application shall become invalid.

30 (e) Be of good moral character.

31

1 (f) Be competent and capable of performing the duties,
2 functions, and responsibilities of an educator.

3 (g) Demonstrate mastery of general knowledge, pursuant
4 to subsection (3).

5 (h) Demonstrate mastery of subject area knowledge,
6 pursuant to subsection (4).

7 (i) Demonstrate mastery of professional preparation
8 and education competence, pursuant to subsection (5).

9 (3) MASTERY OF GENERAL KNOWLEDGE.--Acceptable means of
10 demonstrating mastery of general knowledge are:

11 (a) Achievement of passing scores on basic skills
12 examination required by state board rule;

13 (b) Achievement of passing scores on the College Level
14 Academic Skills Test earned prior to July 1, 2002;

15 (c) A valid professional standard teaching certificate
16 issued by another state ~~that requires an examination of~~
17 ~~mastery of general knowledge;~~

18 (d) A ~~valid standard teaching certificate issued by~~
19 ~~another state and~~ valid certificate issued by the National
20 Board for Professional Teaching Standards or other such
21 nationally recognized organization as determined by the State
22 Board of Education; or

23 (e) Documentation of two semesters of successful
24 teaching in a community college, state university, or private
25 college or university that awards an associate or higher
26 degree and is an accredited institution or an institution of
27 higher education identified by the Department of Education as
28 having a quality program. ~~A valid standard teaching~~
29 ~~certificate issued by another state and documentation of 2~~
30 ~~years of continuous successful full-time teaching or~~

31

1 ~~administrative experience during the 5-year period immediately~~
2 ~~preceding the date of application for certification.~~

3 (4) MASTERY OF SUBJECT AREA KNOWLEDGE.--Acceptable
4 means of demonstrating mastery of subject area knowledge are:

5 (a) Achievement of passing scores on subject area
6 examinations required by state board rule;

7 (b) Completion of the subject area specialization
8 requirements specified in state board rule and verification of
9 the attainment of the essential subject matter competencies by
10 the district school superintendent of the employing school
11 district or chief administrative officer of the employing
12 state-supported or private school for a subject area for which
13 a subject area examination has not been developed and required
14 by state board rule;

15 (c) Completion of the ~~graduate level~~ subject area
16 specialization requirements specified in state board rule for
17 a subject coverage requiring a master's or higher degree and
18 achievement of a passing score on the subject area examination
19 specified in state board rule;

20 (d) A valid professional standard teaching certificate
21 issued by another state ~~that requires an examination of~~
22 ~~mastery of subject area knowledge; or~~

23 (e) A ~~valid standard teaching certificate issued by~~
24 ~~another state and~~ valid certificate issued by the National
25 Board for Professional Teaching Standards or other such
26 nationally recognized organization as determined by the State
27 Board of Education. ~~† or~~

28 (f) ~~A valid standard teaching certificate issued by~~
29 ~~another state and documentation of 2 years of continuous~~
30 ~~successful full-time teaching or administrative experience~~

31

1 ~~during the 5-year period immediately preceding the date of~~
2 ~~application for certification.~~

3 (5) MASTERY OF PROFESSIONAL PREPARATION AND EDUCATION
4 COMPETENCE.--Acceptable means of demonstrating mastery of
5 professional preparation and education competence are:

6 (a) Completion of an approved teacher preparation
7 program at a postsecondary educational institution within this
8 state and achievement of a passing score on the professional
9 education competency examination required by state board rule;

10 (b) Completion of a teacher preparation program at a
11 postsecondary educational institution outside Florida and
12 achievement of a passing score on the professional education
13 competency examination required by state board rule;

14 (c) A valid professional standard teaching certificate
15 issued by another state ~~that requires an examination of~~
16 ~~mastery of professional education competence;~~

17 (d) ~~A valid standard teaching certificate issued by~~
18 ~~another state and~~ valid certificate issued by the National
19 Board for Professional Teaching Standards or other such
20 nationally recognized organization as determined by the State
21 Board of Education;

22 (e) Documentation of two semesters of successful
23 teaching in a community college, state university, or private
24 college or university that awards an associate or higher
25 degree and is an accredited institution or an institution of
26 higher education identified by the Department of Education as
27 having a quality program ~~A valid standard teaching certificate~~
28 ~~issued by another state and documentation of 2 years of~~
29 ~~continuous successful full-time teaching or administrative~~
30 ~~experience during the 5-year period immediately preceding the~~
31 ~~date of application for certification;~~

1 (f) Completion of professional preparation courses as
2 specified in state board rule, successful completion of a
3 professional education competence demonstration program
4 pursuant to paragraph (7)(b), and achievement of a passing
5 score on the professional education competency examination
6 required by state board rule; or

7 (g) Successful completion of a professional
8 preparation alternative certification and education competency
9 program, outlined in paragraph (7)(a).

10
11 State Board of Education rule governing mastery of
12 professional preparation and education competence shall be
13 revised as necessary in accordance with s. 1004.04(2).

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

15 (a) The Department of Education shall issue a
16 professional certificate for a period not to exceed 5 years to
17 any applicant who meets all the requirements outlined in
18 subsection (2).

19 (b) The department shall issue a temporary certificate
20 to any applicant who completes the requirements outlined in
21 paragraphs (2)(a)-(f) and completes the subject area content
22 requirements specified in state board rule or demonstrates
23 mastery of subject area knowledge pursuant to subsection (4)
24 and holds an accredited degree or a degree approved by the
25 Department of Education at the level required for the subject
26 area specialization in state board rule.

27 (c) The department shall issue one nonrenewable 2-year
28 temporary certificate and one nonrenewable 5-year professional
29 certificate to a qualified applicant who holds a bachelor's
30 degree in the area of speech-language impairment to allow for
31

1 completion of a master's degree program in speech-language
2 impairment.

3
4 Each temporary certificate is valid for 3 school fiscal years
5 and is nonrenewable. ~~However, the requirement in paragraph~~
6 ~~(2)(g) must be met within 1 calendar year of the date of~~
7 ~~employment under the temporary certificate. Individuals who~~
8 ~~are employed under contract at the end of the 1 calendar year~~
9 ~~time period may continue to be employed through the end of the~~
10 ~~school year in which they have been contracted. A school~~
11 ~~district shall not employ, or continue the employment of, an~~
12 ~~individual in a position for which a temporary certificate is~~
13 ~~required beyond this time period if the individual has not met~~
14 ~~the requirement of paragraph (2)(g).~~The State Board of
15 Education shall adopt rules to allow the department to extend
16 the validity period of a temporary certificate for 2 years
17 when the requirements for the professional certificate, ~~not~~
18 ~~including the requirement in paragraph (2)(g),~~were not
19 completed due to the serious illness or injury of the
20 applicant or other extraordinary extenuating circumstances.
21 Based on emergency need,the department shall reissue the
22 temporary certificate for 2 additional years upon approval by
23 the Commissioner of Education. A written request for such
24 reissuance must first of the certificate shall be submitted,
25 stating the basis for the emergency need,by the district
26 school superintendent, the governing authority of a university
27 lab school, the governing authority of a state-supported
28 school, or the governing authority of a private school.

29 Section 23. Subsection (1) of section 1012.57, Florida
30 Statutes, is amended to read:

31 1012.57 Certification of adjunct educators.--

1 (1) Notwithstanding the provisions of ss. 1012.32,
2 1012.55, and 1012.56, or any other provision of law or rule to
3 the contrary, district school boards shall adopt rules to
4 allow for the issuance of ~~may issue~~ an adjunct teaching
5 certificate to any applicant who fulfills the requirements of
6 s. 1012.56(2)(a)-(f) and who has expertise in the subject area
7 to be taught. An applicant shall be considered to have
8 expertise in the subject area to be taught if the applicant
9 has at least a major ~~minor~~ in the subject area or demonstrates
10 sufficient subject area mastery through passage of a subject
11 area test ~~as determined by district school board policy~~. The
12 adjunct teaching certificate shall be used for part-time
13 teaching positions. The intent of this provision is to allow
14 school districts to tap the wealth of talent and expertise
15 represented in Florida's citizens who may wish to teach
16 part-time in a Florida public school by permitting school
17 districts to issue adjunct certificates to qualified
18 applicants. Adjunct certificateholders should be used as a
19 strategy to reduce the teacher shortage; thus, adjunct
20 certificateholders should supplement a school's instructional
21 staff, not supplant it. Each school principal shall assign an
22 experienced peer mentor to assist the adjunct teaching
23 certificateholder during the certificateholder's first year of
24 teaching, and an adjunct certificateholder may participate in
25 a district's new teacher training program. District school
26 boards shall provide the adjunct teaching certificateholder an
27 orientation in classroom management prior to assigning the
28 certificateholder to a school. Each adjunct teaching
29 certificate is valid for 5 school years and is renewable if:
30 (a) The applicant completes a minimum of 60 inservice
31 points or 3 semester hours of college credit. The earned

1 credits must include instruction in classroom management,
2 district school board procedures, school culture, and other
3 activities that enhance the professional teaching skills of
4 the certificateholder.

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

8 Section 24. Paragraph (a) of subsection (1),
9 subsection (2), and paragraph (a) of subsection (3) of section
10 1012.585, Florida Statutes, are amended to read:

11 1012.585 Process for renewal of professional
12 certificates.--

13 (1)(a) District school boards ~~in this state~~ shall
14 renew state-issued professional certificates as follows:

15 1. Each district school board shall renew state-issued
16 professional certificates for individuals who hold a
17 state-issued professional certificate ~~by this state~~ and are
18 employed by that district pursuant to criteria established in
19 subsections (2), (3), and (4) and rules of the State Board of
20 Education.

21 2. The employing school district may charge the
22 individual an application fee not to exceed the amount charged
23 by the Department of Education for such services, including
24 associated late renewal fees. Each district school board shall
25 transmit monthly to the department a fee in an amount
26 established by the State Board of Education for each renewed
27 certificate. The fee shall not exceed the actual cost for
28 maintenance and operation of the statewide certification
29 database and for the actual costs incurred in printing and
30 mailing such renewed certificates. As defined in current rules
31 of the state board, the department shall contribute a portion

1 of such fee for purposes of funding the Educator Recovery
2 Network established in s. 1012.798. The department shall
3 deposit all funds into the Educational Certification Trust
4 Fund for use as specified in s. 1012.59.

5 (2)(a) All professional certificates, except a
6 nonrenewable professional certificate, shall be renewable for
7 successive periods not to exceed 5 years after the date of
8 submission of documentation of completion of the requirements
9 for renewal provided in subsection (3). Only one renewal may
10 be granted during each 5-year validity period of a
11 professional certificate.

12 (b) A teacher with national certification from the
13 National Board for Professional Teaching Standards is deemed
14 to meet state renewal requirements for the life of the
15 teacher's national certificate in the subject shown on the
16 national certificate. A complete renewal application and fee
17 shall be submitted.

18 (c) As authorized by State Board of Education rule, a
19 teacher with a valid certificate issued by the American Board
20 for Certification of Teacher Excellence is deemed to meet
21 state renewal requirements for the life of the teacher's
22 American Board certificate in the subject shown on the
23 American Board certificate. A complete renewal application and
24 fee shall be submitted.

25 ~~(d)(e)~~ If the renewal application form is not received
26 by the department or by the employing school district before
27 the expiration of the professional certificate, the
28 application form, application fee, and a late fee must be
29 submitted before July 1 of the year following expiration of
30 the certificate in order to renew the professional
31 certificate.

1 (e)~~(d)~~ The State Board of Education shall adopt rules
2 to allow a 1-year extension of the validity period of a
3 professional certificate in the event of serious illness,
4 injury, or other extraordinary extenuating circumstances of
5 the applicant. The department shall grant such 1-year
6 extension upon written request by the applicant or by the
7 district school superintendent or the governing authority of a
8 university lab school, state-supported school, or private
9 school that employs the applicant.

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

12 (a) The applicant must earn a minimum of 6 college
13 credits or 120 inservice points or a combination thereof. For
14 each area of specialization to be retained on a certificate,
15 the applicant must earn at least 3 of the required credit
16 hours or equivalent inservice points in the specialization
17 area. Education in "clinical educator" training pursuant to s.
18 1004.04(6)(b)~~1004.04(5)(b)~~ and credits or points that provide
19 training in the area of exceptional student education, normal
20 child development, and the disorders of development may be
21 applied toward any specialization area. Credits or points that
22 provide training in the areas of drug abuse, child abuse and
23 neglect, strategies in teaching students having limited
24 proficiency in English, or dropout prevention, or training in
25 areas identified in the educational goals and performance
26 standards adopted pursuant to ss. 1000.03(5) and 1001.23 may
27 be applied toward any specialization area. Credits or points
28 earned through approved summer institutes may be applied
29 toward the fulfillment of these requirements. Inservice points
30 may also be earned by participation in professional growth
31 components approved by the State Board of Education and

1 specified pursuant to s. 1012.98 in the district's approved
2 master plan for inservice educational training, including, but
3 not limited to, serving as a trainer in an approved teacher
4 training activity, serving on an instructional materials
5 committee or a state board or commission that deals with
6 educational issues, or serving on an advisory council created
7 pursuant to s. 1001.452.

8 Section 25. Section 1012.586, Florida Statutes, is
9 created to read:

10 1012.586 Additions or changes to certificates;
11 duplicate certificates.--A school district may process via a
12 Department of Education website certificates for the following
13 applications of public school employees:

14 (1) Addition of a subject coverage or endorsement to a
15 valid Florida certificate on the basis of the completion of
16 the appropriate subject area testing requirements of s.
17 1012.56(4)(a) or the completion of the requirements of an
18 approved school district program or the inservice components
19 for an endorsement.

20 (2) A reissued certificate to reflect a name change.

21 (3) A duplicate certificate to replace a lost or
22 damaged certificate.

23
24 The employing school district shall charge the employee a fee
25 not to exceed the amount charged by the Department of
26 Education for such services. Each district school board shall
27 retain a portion of the fee as defined in the rules of the
28 State Board of Education. The portion sent to the department
29 shall be used for maintenance of the technology system, the
30 web application, and posting and mailing of the certificate.

31

1 Section 26. Subsections (1) and (2) and paragraph (a)
2 of subsection (3) of section 1012.72, Florida Statutes, are
3 amended to read:

4 1012.72 Dale Hickam Excellent Teaching Program.--

5 (1) The Legislature recognizes that teachers play a
6 critical role in preparing students to achieve the high levels
7 of academic performance expected by the Sunshine State
8 Standards. The Legislature further recognizes the importance
9 of identifying and rewarding teaching excellence and of
10 encouraging good teachers to become excellent teachers. The
11 Legislature finds that the National Board for ~~of~~ Professional
12 Teaching Standards (NBPTS) has established high and rigorous
13 standards for accomplished teaching and has developed a
14 national voluntary system for assessing and certifying
15 teachers who demonstrate teaching excellence by meeting those
16 standards. It is therefore the Legislature' s intent to
17 provide incentives for teachers to seek NBPTS certification
18 and to reward teachers who demonstrate teaching excellence by
19 attaining NBPTS certification and sharing their expertise with
20 other teachers. Contingent upon approval by the State Board of
21 Education, the incentives and privileges extended to the NBPTS
22 and to a teacher who holds a valid certificate issued by the
23 NBPTS shall be extended to the American Board for
24 Certification of Teacher Excellence (ABCTE) and to a teacher
25 who holds a valid Master Teacher Certificate issued by the
26 ABCTE.

27 (2) The Dale Hickam Excellent Teaching Program is
28 created to provide categorical funding for monetary incentives
29 and bonuses for teaching excellence. The Department of
30 Education shall distribute to each school district or to the
31 NBPTS, or to the ABCTE if approved by the State Board of

1 Education, an amount as prescribed annually by the Legislature
2 for the Dale Hickam Excellent Teaching Program. For purposes
3 of this section, the Florida School for the Deaf and the Blind
4 shall be considered a school district. Unless otherwise
5 provided in the General Appropriations Act, each distribution
6 shall be the sum of the amounts earned for the following
7 incentives and bonuses:

8 (a) A fee subsidy to be paid by the Department of
9 Education to the NBPTS, or to the ABCTE if approved by the
10 State Board of Education, on behalf of each individual who is
11 an employee of a district school board or a public school
12 within the school district, who is certified by the district
13 to have demonstrated satisfactory teaching performance
14 pursuant to s. 1012.34 and who satisfies the prerequisites for
15 participating in the NBPTS certification program, or the ABCTE
16 master teacher certification program if approved by the State
17 Board of Education, and who agrees, in writing, to pay 10
18 percent of the NBPTS or ABCTE participation fee and to
19 participate in the NBPTS certification program, or the ABCTE
20 master teacher certification program if approved by the State
21 Board of Education, during the school year for which the fee
22 subsidy is provided. The fee subsidy for each eligible
23 participant shall be an amount equal to 90 percent of the fee
24 charged for participating in the NBPTS certification program.
25 The fee subsidy is a one-time award and may not be duplicated
26 for any individual.

27 (b) A portfolio-preparation incentive of \$150 paid by
28 the Department of Education to each teacher employed by a
29 district school board or a public school within a school
30 district who is participating in the NBPTS certification
31 program, or the ABCTE master teacher certification program if

1 approved by the State Board of Education. The
2 portfolio-preparation incentive is a one-time award paid
3 during the school year for which the ~~NBPTS~~ fee subsidy is
4 provided.

5 (c) An annual bonus equal to 10 percent of the prior
6 fiscal year's statewide average salary for classroom teachers
7 to be distributed to the school district to be paid to each
8 individual who holds NBPTS certification, or ABCTE master
9 teacher certification if approved by the State Board of
10 Education, and is employed by the district school board or by
11 a public school within the school district. The district
12 school board shall distribute the annual bonus to each
13 individual who meets the requirements of this paragraph and
14 who is certified annually by the district to have demonstrated
15 satisfactory teaching performance pursuant to s. 1012.34. The
16 annual bonus may be paid as a single payment or divided into
17 not more than three payments.

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

1 related services provided during student contact time during
2 the 196 days of required service for the school year.

3
4 Beginning with the 2003-2004 academic year, annual bonuses
5 pursuant to this section shall be limited to teachers who
6 demonstrate outstanding performance in teaching subjects in
7 student performance measurable areas, as measured by the FCAT,
8 and who also demonstrate significant successful efforts in
9 mentoring beginning or struggling teachers.A teacher for whom
10 the state pays the certification fee and who does not complete
11 the certification program or does not teach in a public school
12 of this state for at least 1 year after completing the
13 certification program must repay the amount of the
14 certification fee to the state. However, a teacher who
15 completes the certification program but fails to be awarded
16 NBPTS certification, or ABCTE master teacher certification if
17 approved by the State Board of Education,is not required to
18 repay the amount of the certification fee if the teacher meets
19 the 1-year teaching requirement. Repayment is not required of
20 a teacher who does not complete the certification program or
21 fails to fulfill the teaching requirement because of the
22 teacher's death or disability or because of other extenuating
23 circumstances as determined by the State Board of Education.

24 (3)(a) In addition to any other remedy available under
25 the law, any person who is a recipient of a certification fee
26 subsidy paid to the NBPTS, or the ABCTE if approved by the
27 State Board of Education,and who is an employee of the state
28 or any of its political subdivisions is considered to have
29 consented, as a condition of employment, to the voluntary or
30 involuntary withholding of wages to repay to the state the
31 amount of such a certification fee subsidy awarded under this

1 section. Any such employee who defaults on the repayment of
2 such a certification fee subsidy must, within 60 days after
3 service of a notice of default by the Department of Education
4 to the employee, establish a repayment schedule which must be
5 agreed to by the department and the employee, for repaying the
6 defaulted sum through payroll deductions. The department may
7 not require the employee to pay more than 10 percent of the
8 employee's pay per pay period under such a repayment schedule
9 or plan. If the employee fails to establish a repayment
10 schedule within the specified period of time or fails to meet
11 the terms and conditions of the agreed upon or approved
12 repayment schedule as authorized by this subsection, the
13 employee has breached an essential condition of employment and
14 is considered to have consented to the involuntary withholding
15 of wages or salary for the repayment of the certification fee
16 subsidy.

17 Section 27. Subsection (3) of section 1012.73, Florida
18 Statutes, is amended to read:

19 1012.73 Florida Mentor Teacher School Pilot Program.--

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

22 (a) Education paraprofessional learning guide.--An
23 education paraprofessional learning guide must hold an
24 associate degree from a postsecondary educational institution
25 and must demonstrate appropriate writing, speaking, and
26 computation skills.

27 (b) Associate teacher.--An associate teacher must hold
28 a bachelor's degree from a postsecondary educational
29 institution and a valid Florida teaching certificate as
30 provided by s. 1012.56.

31

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

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

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

16 1. Hold a bachelor's degree or higher from a
17 postsecondary educational institution and a valid Florida
18 professional teaching certificate.

19 2. Have a minimum of 5 years' full-time teaching
20 experience.

21 3. Document exemplary teaching performance.

22 4. Document evidence of significant positive student
23 learning gains, when data become available.

24 5. Hold a valid National Board for Professional
25 Teaching Standards certificate; have been selected as a
26 school, district, or state teacher of the year; or hold an
27 equivalent status as determined by the commissioner.

28 6. Demonstrate expertise as a staff developer.

29
30 Teacher career development does not require graduation from a
31 teacher preparation program.

1 Section 28. Subsection (2), paragraph (b) of
2 subsection (3), and subsections (5) through (10) of section
3 1012.98, Florida Statutes, are amended to read:

4 1012.98 School Community Professional Development
5 Act.--

6 (2) The school community includes students and
7 parents, administrative personnel, managers, instructional
8 personnel, support personnel, members of district school
9 boards, members of school advisory councils, ~~parents~~, business
10 partners, and personnel that provide health and social
11 services to students ~~school children~~. ~~School districts may~~
12 ~~identify and include additional members of the school~~
13 ~~community in the professional development activities required~~
14 ~~by this section.~~

15 (3) The activities designed to implement this section
16 must:

17 (b) Assist the school community in providing
18 stimulating, scientifically research-based educational
19 activities that encourage and motivate students to achieve at
20 the highest levels and to become active learners.

21 ~~(5)(a) The Department of Education shall provide a~~
22 ~~system for the recruitment, preparation, and professional~~
23 ~~development of school administrative personnel. This system~~
24 ~~shall:~~

25 1. ~~Identify the knowledge, competencies, and skills~~
26 ~~necessary for effective school management and instructional~~
27 ~~leadership that align with student performance standards and~~
28 ~~accountability measures.~~

29 2. ~~Include performance evaluation methods.~~

30 3. ~~Provide for alternate means for preparation of~~
31 ~~school administrative personnel which may include programs~~

1 ~~designed by school districts and postsecondary educational~~
2 ~~institutions pursuant to guidelines developed by the~~
3 ~~commissioner. Such preparation programs shall be approved by~~
4 ~~the Department of Education.~~

5 ~~4. Provide for the hiring of qualified out-of-state~~
6 ~~school administrative personnel.~~

7 ~~5. Provide advanced educational opportunities for~~
8 ~~school-based instructional leaders.~~

9 ~~(b) The Commissioner of Education shall appoint a task~~
10 ~~force that includes a district school superintendent, a~~
11 ~~district school board member, a principal, an assistant~~
12 ~~principal, a teacher, a dean of a college of education, and~~
13 ~~parents. The task force shall convene periodically to provide~~
14 ~~recommendations to the department in the areas of recruitment,~~
15 ~~certification, preparation, professional development, and~~
16 ~~evaluation of school administrators.~~

17 (5)~~(6)~~ Each district school board shall provide
18 funding for the professional development system as required by
19 s. 1011.62 and the General Appropriations Act, and shall
20 direct expenditures from other funding sources to strengthen
21 the system and make it uniform and coherent. A school district
22 may coordinate its professional development program with that
23 of another district, with an educational consortium, or with a
24 community college or university, especially in preparing and
25 educating personnel. Each district school board shall make
26 available inservice activities to instructional personnel of
27 nonpublic schools in the district and the state certified
28 teachers who are not employed by the district school board on
29 a fee basis not to exceed the cost of the activity per all
30 participants.

31

1 (6)~~(7)~~ An organization of private schools which has no
2 fewer than 10 member schools in this state, which publishes
3 and files with the Department of Education copies of its
4 standards, and the member schools of which comply with the
5 provisions of part II of chapter 1003, relating to compulsory
6 school attendance, may also develop a professional development
7 system that includes a master plan for inservice activities.
8 The system and inservice plan must be submitted to the
9 commissioner for approval pursuant to rules of the State Board
10 of Education.

11 (7)~~(8)~~ The Department of Education shall design
12 methods by which the state and district school boards may
13 evaluate and improve the professional development system. The
14 evaluation must include an annual assessment of data that
15 indicate progress or lack of progress of all students. If the
16 review of the data indicates progress, the department shall
17 identify the best practices that contributed to the progress.
18 If the review of the data indicates a lack of progress, the
19 department shall investigate the causes of the lack of
20 progress, provide technical assistance, and require the school
21 district to employ a different approach to professional
22 development. The department shall report annually to the State
23 Board of Education and the Legislature any school district
24 that, in the determination of the department, has failed to
25 provide an adequate professional development system. This
26 report must include the results of the department's
27 investigation and of any intervention provided.

28 (8)~~(9)~~ The State Board of Education may adopt rules
29 pursuant to ss. 120.536(1) and 120.54 to administer this
30 section.

31

1 ~~(9)(10)~~ This section does not limit or discourage a
2 district school board from contracting with independent
3 entities for professional development services and inservice
4 education if the district school board can demonstrate to the
5 Commissioner of Education ~~believes~~ that, through such a
6 contract, a better product can be acquired or its goals for
7 education improvement can be better met.

8 ~~(10)(11)~~ For teachers, managers, and administrative
9 personnel who have been evaluated as less than satisfactory, a
10 district school board shall require participation in specific
11 professional development programs as part of the improvement
12 prescription.

13 Section 29. Section 1012.987, Florida Statutes, is
14 created to read:

15 1012.987 Education leadership development.--

16 ~~(1)~~ The State Board of Education shall adopt rules
17 through which school principals may earn a principal
18 leadership designation based on teacher retention, overall
19 student performance, and school grade. The State Board of
20 Education must designate incentives available to personnel who
21 earn a principal leadership designation including, but not
22 limited to, merit pay, expanded discretionary spending
23 flexibility, relaxed regulation or reporting requirements,
24 additional professional development resources, and public
25 recognition.

26 ~~(2)(a)~~ The Department of Education shall provide a
27 system for the recruitment, preparation, and education
28 leadership development of school administrative personnel.
29 This system shall be based on standards adopted by the State
30 Board of Education that include, but are not limited to:

31 1. Improved student achievement.

1 2. Increased emphasis on reading using the latest
2 scientific knowledge-based research in reading and the
3 administrator's role as a successful school leader in reading
4 reform efforts.

5 3. Instructional leadership.

6 4. Data analysis.

7 5. School safety.

8 6. Community and family involvement.

9 7. Operational management.

10 8. School finance.

11 (b) Each education leadership development program must
12 provide all program participants full information on not less
13 than an annual basis to update the participants on the status
14 of, and rationale for changes to, state and federal law and
15 funding policies.

16 (c) Education leadership development programs must be
17 consistent with standards adopted by the State Board of
18 Education and must be approved by the department.

19 (d) Alternative education leadership development
20 programs that meet the standards of, and are approved by, the
21 Department of Education may be offered by a school district or
22 postsecondary educational institution.

23 (e) The Commissioner of Education may conduct K-20
24 education leadership institutes for the purpose of
25 communicating the state's education priorities, best
26 practices, and other related research and facilitating the
27 formation of a K-20 partnership.

28 Section 30. Notwithstanding any provision of law to
29 the contrary, when a school is graded "F" or receives a second
30 consecutive grade of "D," the elected district school
31 superintendent, or if the district school superintendent is

1 appointed, the district school board, may request the
2 resignation of the school principal and teachers.
3 Section 31. This act shall take effect upon becoming a
4 law.
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