

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Arza offered the following:

Substitute Amendment for Amendment (544323) (with title amendment)

Remove line(s) 4534-4648, and insert:

Section 58. Section 1012.47, Florida Statutes, is created to read:

1012.47 Employment of alternative school personnel.--All instructional and noninstructional personnel who are hired to fill positions requiring direct contact with students in an alternative school that operates under contract with a district school system shall, upon employment and according to conditions of the contract, file a complete set of fingerprints as required in s. 1012.32. Such personnel shall be subject to state and federal rules and regulations that govern public school personnel.

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27 Section 59. Paragraph (a) of subsection (1), subsection
28 (2), and paragraph (a) of subsection (3) of section 1012.585,
29 Florida Statutes, are amended to read:

30 1012.585 Process for renewal of professional
31 certificates.--

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

34 1. Each district school board shall renew state-issued
35 professional certificates for individuals who hold a state-
36 issued professional certificate ~~by this state~~ and are employed
37 by that district pursuant to criteria established in subsections
38 (2), (3), and (4) and rules of the State Board of Education.

39 2. The employing school district may charge the individual
40 an application fee not to exceed the amount charged by the
41 Department of Education for such services, including associated
42 late renewal fees. Each district school board shall transmit
43 monthly to the department a fee in an amount established by the
44 State Board of Education for each renewed certificate. The fee
45 shall not exceed the actual cost for maintenance and operation
46 of the statewide certification database and for the actual costs
47 incurred in printing and mailing such renewed certificates. As
48 defined in current rules of the state board, the department
49 shall contribute a portion of such fee for purposes of funding
50 the Educator Recovery Network established in s. 1012.798. The
51 department shall deposit all funds into the Educational
52 Certification Trust Fund for use as specified in s. 1012.59.

53 (2)(a) All professional certificates, except a
54 nonrenewable professional certificate, shall be renewable for
55 successive periods not to exceed 5 years after the date of

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56 submission of documentation of completion of the requirements
57 for renewal provided in subsection (3). Only one renewal may be
58 granted during each 5-year validity period of a professional
59 certificate.

60 (b) A teacher with national certification from the
61 National Board for Professional Teaching Standards is deemed to
62 meet state renewal requirements for the life of the teacher's
63 national certificate in the subject shown on the national
64 certificate. A complete renewal application and fee shall be
65 submitted. The Commissioner of Education shall notify teachers
66 of the renewal application and fee requirements.

67 (c) As authorized by State Board of Education rule, a
68 teacher with a valid certificate issued by the American Board
69 for Certification of Teacher Excellence is deemed to meet state
70 renewal requirements for the life of the teacher's American
71 Board certificate in the subject shown on the American Board
72 certificate. A complete renewal application and fee shall be
73 submitted.

74 (d)(e) If the renewal application form is not received by
75 the department or by the employing school district before the
76 expiration of the professional certificate, the application
77 form, application fee, and a late fee must be submitted before
78 July 1 of the year following expiration of the certificate in
79 order to renew the professional certificate.

80 (e)(d) The State Board of Education shall adopt rules to
81 allow a 1-year extension of the validity period of a
82 professional certificate in the event of serious illness,
83 injury, or other extraordinary extenuating circumstances of the
84 applicant. The department shall grant such 1-year extension upon

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85 written request by the applicant or by the district school
86 superintendent or the governing authority of a university lab
87 school, state-supported school, or private school that employs
88 the applicant.

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

91 (a) The applicant must earn a minimum of 6 college credits
92 or 120 inservice points or a combination thereof. For each area
93 of specialization to be retained on a certificate, the applicant
94 must earn at least 3 of the required credit hours or equivalent
95 inservice points in the specialization area. Education in
96 "clinical educator" training pursuant to s. 1004.04(6)(b)
97 ~~1004.04(5)(b)~~ and credits or points that provide training in the
98 area of scientifically researched, knowledge-based reading
99 literacy and computational skills acquisition, exceptional
100 student education, normal child development, and the disorders
101 of development may be applied toward any specialization area.
102 Credits or points that provide training in the areas of drug
103 abuse, child abuse and neglect, strategies in teaching students
104 having limited proficiency in English, or dropout prevention, or
105 training in areas identified in the educational goals and
106 performance standards adopted pursuant to ss. 1000.03(5) and
107 1001.23 may be applied toward any specialization area. Credits
108 or points earned through approved summer institutes may be
109 applied toward the fulfillment of these requirements. Inservice
110 points may also be earned by participation in professional
111 growth components approved by the State Board of Education and
112 specified pursuant to s. 1012.98 in the district's approved
113 master plan for inservice educational training, including, but

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114 not limited to, serving as a trainer in an approved teacher
115 training activity, serving on an instructional materials
116 committee or a state board or commission that deals with
117 educational issues, or serving on an advisory council created
118 pursuant to s. 1001.452.

119 Section 60. Section 1012.586, Florida Statutes, is created
120 to read:

121 1012.586 Additions or changes to certificates; duplicate
122 certificates.--A school district may process via a Department of
123 Education website certificates for the following applications of
124 public school employees:

125 (1) Addition of a subject coverage or endorsement to a
126 valid Florida certificate on the basis of the completion of the
127 appropriate subject area testing requirements of s.
128 1012.56(4)(a) or the completion of the requirements of an
129 approved school district program or the inservice components for
130 an endorsement.

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

132 (3) A duplicate certificate to replace a lost or damaged
133 certificate.

134
135 The employing school district shall charge the employee a fee
136 not to exceed the amount charged by the Department of Education
137 for such services. Each district school board shall retain a
138 portion of the fee as defined in the rules of the State Board of
139 Education. The portion sent to the department shall be used for
140 maintenance of the technology system, the web application, and
141 posting and mailing of the certificate.

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142 Section 61. Paragraph (a) of subsection (2) of section
143 1012.61, Florida Statutes, is amended to read:

144 1012.61 Sick leave.--

145 (2) PROVISIONS GOVERNING SICK LEAVE.--The following
146 provisions shall govern sick leave:

147 (a) *Extent of leave*.--

148 1. Each member of the instructional staff employed on a
149 full-time basis is entitled to 4 days of sick leave as of the
150 first day of employment of each contract year and shall
151 thereafter earn 1 day of sick leave for each month of
152 employment, which shall be credited to the member at the end of
153 that month and which may not be used before it is earned and
154 credited to the member. Each other employee shall be credited
155 with 4 days of sick leave at the end of the first month of
156 employment of each contract year and shall thereafter be
157 credited for 1 day of sick leave for each month of employment,
158 which shall be credited to the employee at the end of the month
159 and which may not be used before it is earned and credited to
160 the employee. However, each member of the instructional staff
161 and each other employee is entitled to earn no more than 1 day
162 of sick leave times the number of months of employment during
163 the year of employment. If the employee terminates his or her
164 employment and has not accrued the 4 days of sick leave
165 available to him or her, the district school board may withhold
166 the average daily amount for the days of sick leave used but
167 unearned by the employee. Such leave may be taken only when
168 necessary because of sickness as prescribed in this section. The
169 sick leave shall be cumulative from year to year. There shall be
170 no limit on the number of days of sick leave which a member of

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171 the instructional staff or an educational support employee may
172 accrue, except that at least one-half of this cumulative leave
173 must be established within the district granting such leave.

174 2. A district school board may establish policies and
175 prescribe standards to permit an employee to be absent 6 days
176 each school year for personal reasons. However, such absences
177 for personal reasons must be charged only to accrued sick leave,
178 and leave for personal reasons is noncumulative.

179 3. District school boards may adopt rules permitting the
180 annual payment for accumulated sick leave that is earned for
181 that year and that is unused at the end of the school year,
182 based on the daily rate of pay of the employee multiplied by up
183 to 80 percent. Days for which such payment is received shall be
184 deducted from the accumulated leave balance. ~~Such annual payment~~
185 ~~may apply only to instructional staff and educational support~~
186 ~~employees.~~

187 4. A district school board may establish policies to
188 provide terminal pay for accumulated sick leave to instructional
189 staff and educational support employees of the district school
190 board. If termination of employment is by death of the employee,
191 any terminal pay to which the employee may have been entitled
192 may be made to his or her beneficiary. However, such terminal
193 pay may not exceed an amount determined as follows:

194 a. During the first 3 years of service, the daily rate of
195 pay multiplied by 35 percent times the number of days of
196 accumulated sick leave.

197 b. During the next 3 years of service, the daily rate of
198 pay multiplied by 40 percent times the number of days of
199 accumulated sick leave.

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200 c. During the next 3 years of service, the daily rate of
201 pay multiplied by 45 percent times the number of days of
202 accumulated sick leave.

203 d. During the next 3 years of service, the daily rate of
204 pay multiplied by 50 percent times the number of days of
205 accumulated sick leave.

206 e. During and after the 13th year of service, the daily
207 rate of pay multiplied by 100 percent times the number of days
208 of accumulated sick leave.

209 5. A district school board may establish policies to
210 provide terminal pay for accumulated sick leave to any full-time
211 employee of the district school board other than instructional
212 staff or educational support employees ~~as defined in this~~
213 ~~section~~. If termination of the employee is by death of the
214 employee, any terminal pay to which the employee may have been
215 entitled may be made to the employee's beneficiary. For terminal
216 pay purposes, sick leave accrued after June 30, 2003, shall be
217 compensated at no more than the daily rate of pay applicable at
218 the time sick leave was earned.

219 ~~a. Terminal pay may not exceed one-fourth of all unused~~
220 ~~sick leave accumulated on or after July 1, 2001, and may not~~
221 ~~exceed a maximum of 60 days of actual payment. This limit does~~
222 ~~not impair any contractual agreement established before July 1,~~
223 ~~2001; however, a previously established contract renewed on or~~
224 ~~after July 1, 2001, constitutes a new contract.~~

225 ~~b. For unused sick leave accumulated before July 1, 2001,~~
226 ~~terminal payment shall be made pursuant to a district school~~
227 ~~board's policies, contracts, or rules that are in effect on June~~
228 ~~30, 2001.~~

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229 ~~e. If an employee has an accumulated sick leave balance of~~
230 ~~60 days of actual payment or more prior to July 1, 2001, sick~~
231 ~~leave earned after that date may not be accumulated for terminal~~
232 ~~pay purposes until the accumulated leave balance for leave~~
233 ~~earned before July 1, 2001, is less than 60 days.~~

234
235 For purposes of this section, "educational support employee"
236 means any person employed by a district school board as a
237 teacher assistant; an education paraprofessional; a member of
238 the transportation, operations, maintenance, or food service
239 department; a secretary; or a clerical employee.

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

244 Remove line(s) 199-204, and insert:
245 school principals; creating s. 1012.47, F.S.; requiring certain
246 personnel in an alternative school that operates under contract
247 with a district school system to file a set of fingerprints;
248 requiring personnel to be subject to state and federal rules and
249 regulations; amending s. 1012.585, F.S.; revising certain
250 requirements for renewal of professional certificates;
251 correcting a cross reference; creating s. 1012.586, F.S.;
252 authorizing school districts to process certain applications via
253 website; providing for a fee and the uses thereof; amending s.
254 1012.61, F.S.; deleting restriction that permits annual payment
255 for accumulated sick leave only to instructional staff and
256 educational support employees; revising restrictions regarding
257 terminal pay for accumulated sick leave to employees other than

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258 instructional staff or educational support employees; defining
259 "educational support employee"; amending s. 1012.72, F.S.;
260 expanding the