



HB 0901

2003

1 A bill to be entitled
2 An act relating to educational leadership; creating the
3 BEST Florida Teaching Act of 2003; creating s. 1000.041,
4 F.S.; providing legislative purposes and guiding
5 principles of the act; amending s. 1001.33, F.S.;
6 requiring cooperation to apply such guiding principles;
7 amending s. 1001.42, F.S.; requiring employment of certain
8 persons to perform tasks not related to classroom
9 instruction; requiring school district support of
10 authority; amending ss. 1001.51 and 1001.54, F.S.;
11 requiring cooperation and support of district school
12 superintendents and school principals; amending s.
13 1002.20, F.S.; providing student rights with respect to
14 classroom orderliness; amending s. 1002.42, F.S.;
15 correcting a cross reference; amending s. 1003.04, F.S.;
16 requiring specified student conduct; requiring parental
17 cooperation with school authority; amending s. 1003.31,
18 F.S.; requiring support of the authority of teachers and
19 bus drivers; amending s. 1003.32, F.S.; revising
20 provisions relating to teacher authority and
21 responsibility for control of students; designating a
22 school placement review committee to determine placement
23 for disruptive students; requiring reports; requiring
24 Commissioner of Education review of success in achieving
25 orderly classrooms and use of enforcement actions;
26 requiring reporting of knowledge or suspicion of crimes of
27 violence on school property and providing immunity;
28 amending s. 1004.04, F.S.; revising provisions relating to
29 state approval of teacher preparation programs; expanding
30 State Board of Education rules establishing core



HB 0901

2003

31 curricula; requiring teacher preparation programs to
32 incorporate certain instruction; providing for guarantee;
33 providing for additional teacher training under certain
34 circumstances; authorizing pay for student teacher
35 internships; authorizing additional standards for program
36 approval and certification; providing priority
37 consideration for participation in teacher education pilot
38 programs; amending ss. 1006.08 and 1006.09, F.S.;
39 requiring district school superintendent and school
40 principal support relating to student discipline; amending
41 s. 1009.59., F.S.; renaming and revising eligibility
42 criteria and loan reimbursement of the Critical Teacher
43 Shortage Student Loan Forgiveness Program; creating s.
44 1009.591, F.S.; creating the Teaching Fellows Program to
45 encourage certain graduate students to enter the teaching
46 profession; providing for stipends, signing bonuses upon
47 employment, and waiver of tuition and fees under certain
48 circumstances; providing repayment requirements; creating
49 s. 1011.63, F.S.; creating a categorical fund to provide
50 BEST Florida Teaching bonuses to top-performing teachers;
51 amending s. 1012.05, F.S.; requiring the Department of
52 Education to provide for one-stop shopping for teacher
53 career information and on-line support; authorizing use of
54 funds to recruit and prepare teachers; creating s.
55 1012.231, F.S.; requiring district school board plans for
56 compensation of beginning classroom teachers; providing
57 performance pay to fund differentiated teacher salaries;
58 providing requirements and incentives relating to teacher
59 assignments; amending ss. 1012.27 and 1012.28, F.S.;
60 providing duties of district school superintendents and



HB 0901

2003

61 school principals; amending s. 1012.56, F.S.; revising the
62 time period for which an official statement of status of
63 eligibility for certification is valid; revising
64 requirements for mastery of general knowledge, mastery of
65 subject area knowledge, and mastery of professional
66 preparation and education competence; revising provisions
67 relating to temporary certificates; amending s. 1012.57,
68 F.S.; requiring district school boards to adopt rules to
69 allow for the issuance of adjunct teaching certificates;
70 revising provisions relating to determination of expertise
71 in the subject area to be taught; amending s. 1012.585,
72 F.S.; revising certain requirements for renewal of
73 professional certificates; correcting a cross reference;
74 creating s. 1012.586, F.S.; authorizing school districts
75 to process certain applications via website; providing for
76 a fee and the uses thereof; amending s. 1012.72, F.S.;
77 expanding the Dale Hickam Excellent Teaching program to
78 provide incentives for teachers who seek or are issued
79 certain certification by the American Board for
80 Certification of Teacher Excellence; restricting bonuses
81 to certain teachers; amending s. 1012.73, F.S.; providing
82 that teacher career development does not require
83 graduation from a teacher preparation program; amending s.
84 1012.98, F.S.; revising provisions relating to the School
85 Community Professional Development Act; deleting
86 provisions relating to recruitment, preparation, and
87 professional development of school administrative
88 personnel; creating s. 1012.987, F.S.; authorizing a
89 principal leadership designation and incentives therefor;
90 requiring a system for recruitment, preparation, and



HB 0901

2003

91 education leadership development of school administrative
92 personnel; authorizing request of resignation of a school
93 principal and teachers under certain circumstances;
94 providing an effective date.

95

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

97

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

100 Section 2. Section 1000.041, Florida Statutes, is created
101 to read:

102 1000.041 Better Educated Students and Teachers (BEST)
103 Florida Teaching Act of 2003; legislative purposes; guiding
104 principles.--The legislative purposes and guiding principles of
105 the BEST Florida Teaching Act of 2003 are:

106 (1) Teachers lead, students learn.

107 (2) Teachers maintain orderly, disciplined classrooms
108 conducive to student learning.

109 (3) Teachers are trained, recruited, well compensated, and
110 retained for quality.

111 (4) Teachers are well rewarded for their students' high
112 performance.

113 (5) Teachers are most effective when served by exemplary
114 school administrators.

115

116 Each teacher preparation program, each postsecondary educational
117 institution providing dual enrollment or other acceleration
118 programs, each district school board, and each district and
119 school-based administrator fully supports and cooperates in the
120 accomplishment of these purposes and guiding principles.



HB 0901

2003

121 Section 3. Section 1001.33, Florida Statutes, is amended
122 to read:

123 1001.33 Schools under control of district school board and
124 district school superintendent.--

125 (1) Except as otherwise provided by law, all public
126 schools conducted within the district shall be under the
127 direction and control of the district school board with the
128 district school superintendent as executive officer.

129 (2) Each district school board, each district school
130 superintendent, and each district and school-based administrator
131 shall cooperate to apply the following guiding principles of the
132 Better Educated Students and Teachers (BEST) Florida Teaching
133 Act of 2003:

134 (a) Teachers lead, students learn.

135 (b) Teachers maintain orderly, disciplined classrooms
136 conducive to student learning.

137 (c) Teachers are trained, recruited, well compensated, and
138 retained for quality.

139 (d) Teachers are well rewarded for their students' high
140 performance.

141 (e) Teachers are most effective when served by exemplary
142 school administrators.

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

145 1001.42 Powers and duties of district school board.--The
146 district school board, acting as a board, shall exercise all
147 powers and perform all duties listed below:

148 (5) PERSONNEL.--

149 (a) Designate positions to be filled, prescribe
150 qualifications for those positions, and provide for the



HB 0901

2003

151 appointment, compensation, promotion, suspension, and dismissal
 152 of employees, subject to the requirements of chapter 1012. Each
 153 district school board shall employ personnel who are not
 154 classroom teachers to perform all paperwork and recordkeeping
 155 requirements not directly related to classroom instruction.

156 (b) Notwithstanding s. 1012.55 or any other provision of
 157 law or rule to the contrary, the district school board may,
 158 consistent with adopted district school board policy relating to
 159 alternative certification for school principals, appoint persons
 160 to the position of school principal who do not hold educator
 161 certification.

162 (c) Fully support and cooperate in the application of the
 163 guiding principles of the Better Educated Students and Teachers
 164 (BEST) Florida Teaching Act of 2003, pursuant to s. 1000.041.

165 (6) STUDENT CHILD WELFARE.--

166 (a) In accordance with the provisions of chapters 1003 and
 167 1006, provide for the proper accounting for all students
 168 ~~children~~ of school age, for the attendance and control of
 169 students at school, and for proper attention to health, safety,
 170 and other matters relating to the welfare of students ~~children~~.

171 (b) In accordance with the provisions of ss. 1003.31 and
 172 1003.32, fully support the authority of each teacher and school
 173 bus driver to remove disobedient, disrespectful, violent,
 174 abusive, uncontrollable, or disruptive students from the
 175 classroom and the school bus.

176 Section 5. Subsection (23) of section 1001.51, Florida
 177 Statutes, is renumbered as subsection (25), and new subsections
 178 (23) and (24) are added to said section to read:

179 1001.51 Duties and responsibilities of district school
 180 superintendent.--The district school superintendent shall



HB 0901

2003

181 exercise all powers and perform all duties listed below and
182 elsewhere in the law, provided that, in so doing, he or she
183 shall advise and counsel with the district school board. The
184 district school superintendent shall perform all tasks necessary
185 to make sound recommendations, nominations, proposals, and
186 reports required by law to be acted upon by the district school
187 board. All such recommendations, nominations, proposals, and
188 reports by the district school superintendent shall be either
189 recorded in the minutes or shall be made in writing, noted in
190 the minutes, and filed in the public records of the district
191 school board. It shall be presumed that, in the absence of the
192 record required in this section, the recommendations,
193 nominations, and proposals required of the district school
194 superintendent were not contrary to the action taken by the
195 district school board in such matters.

196 (23) QUALITY TEACHERS.--Fully support and cooperate in the
197 application of the guiding principles of the Better Educated
198 Students and Teachers (BEST) Florida Teaching Act of 2003,
199 pursuant to s. 1000.041.

200 (24) ORDERLY CLASSROOMS AND SCHOOL BUSES.--Fully support
201 the authority of each teacher and school bus driver to remove
202 disobedient, disrespectful, violent, abusive, uncontrollable, or
203 disruptive students from the classroom and the school bus.

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

206 1001.54 Duties of school principals.--

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

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



HB 0901

2003

211 (c) The school principal shall fully support and cooperate
212 in the application of the guiding principles of the Better
213 Educated Students and Teachers (BEST) Florida Teaching Act of
214 2003, pursuant to s. 1000.041.

215 (d) The school principal shall fully support the authority
216 of each teacher and school bus driver to remove disobedient,
217 disrespectful, violent, abusive, uncontrollable, or disruptive
218 students from the classroom and the school bus.

219 Section 7. Subsection (22) is added to said section
220 1002.20, Florida Statutes, to read:

221 1002.20 K-12 student and parent rights.--K-12 students and
222 their parents are afforded numerous statutory rights including,
223 but not limited to, the following:

224 (22) ORDERLY, DISCIPLINED CLASSROOMS.--Public school
225 students shall be in orderly, disciplined classrooms conducive
226 to learning without the distraction caused by disobedient,
227 disrespectful, violent, abusive, uncontrollable, or disruptive
228 students, in accordance with s. 1003.32.

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

231 1002.42 Private schools.--

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

237 Section 9. Section 1003.04, Florida Statutes, is amended
238 to read:

239 1003.04 Student conduct and parental involvement ~~goals~~.--



HB 0901

2003

240 ~~It is the goal of the Legislature and each district~~
 241 ~~school board that~~ Each public K-12 student must remain in
 242 attendance throughout the school year, unless excused by the
 243 school for illness or other good cause, and must comply fully
 244 with the school's code of conduct.

245 The parent of each public K-12 student must cooperate
 246 with the authority of the student's school board,
 247 superintendent, principal, teachers, and school bus drivers to
 248 remove the student from the classroom or the school bus pursuant
 249 to ss. 1003.31 and 1003.32 if the student is disobedient,
 250 disrespectful, violent, abusive, uncontrollable, or disruptive.

251 ~~(3)~~~~(2)~~ It is the goal of the Legislature and each district
 252 school board that the parent of each public K-12 student comply
 253 with the school's reasonable and time-acceptable parental
 254 involvement requests.

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

257 1003.31 Students subject to control of school.--

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

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

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

264 (c) During the time she or he is on the school premises
 265 participating with authorization in a school-sponsored activity;
 266 and

267 (d) During a reasonable time before and after the student
 268 is on the premises for attendance at school or for authorized



HB 0901

2003

269 participation in a school-sponsored activity, and only when on
 270 the premises,

271
 272 be under the control and direction of the principal or teacher
 273 in charge of the school, and under the immediate control and
 274 direction of the teacher or other member of the instructional
 275 staff or of the bus driver to whom such responsibility may be
 276 assigned by the principal. However, the State Board of Education
 277 or the district school board may, by rules, subject each student
 278 to the control and direction of the principal or teacher in
 279 charge of the school during the time she or he is otherwise en
 280 route to or from school or is presumed by law to be attending
 281 school. Each district school board, each district school
 282 superintendent, and each school principal shall fully support
 283 the authority of teachers and school bus drivers to remove
 284 disobedient, disrespectful, violent, abusive, uncontrollable, or
 285 disruptive students from the classroom and the school bus.

286 Section 11. Section 1003.32, Florida Statutes, is amended
 287 to read:

288 1003.32 Authority of teacher; responsibility for control
 289 of students; district school board and principal
 290 duties.--Subject to law and to the rules of the district school
 291 board, each teacher or other member of the staff of any school
 292 shall have such authority for the control and discipline of
 293 students as may be assigned to him or her by the principal or
 294 the principal's designated representative and shall keep good
 295 order in the classroom and in other places in which he or she is
 296 assigned to be in charge of students.

297 (1) In accordance with this section and within the
 298 framework of the district school board's code of student



HB 0901

2003

299 conduct, teachers and other instructional personnel shall have
300 the authority to undertake any of the following actions in
301 managing student behavior and ensuring the safety of all
302 students in their classes and school and their opportunity to
303 learn in an orderly and disciplined classroom:

304 (a) Establish classroom rules of conduct.

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

307 (c) Have disobedient, disrespectful, violent, abusive,
308 uncontrollable, or disruptive students temporarily or
309 permanently removed from the classroom for behavior management
310 intervention.

311 (d) Have violent, abusive, uncontrollable, or disruptive
312 students directed for information or assistance from appropriate
313 school or district school board personnel.

314 (e) Assist in enforcing school rules on school property,
315 during school-sponsored transportation, and during school-
316 sponsored activities.

317 (f) Request and receive information as to the disposition
318 of any referrals to the administration for violation of
319 classroom or school rules.

320 (g) Request and receive immediate assistance in classroom
321 management if a student becomes uncontrollable or in case of
322 emergency.

323 (h) Request and receive training and other assistance to
324 improve skills in classroom management, violence prevention,
325 conflict resolution, and related areas.

326 (i) Press charges if a crime has been committed ~~against~~
327 ~~the teacher or other instructional personnel~~ on school property,



HB 0901

2003

328 during school-sponsored transportation, or during school-
329 sponsored activities.

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

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

336 1. The use of corporal punishment shall be approved in
337 principle by the principal before it is used, but approval is
338 not necessary for each specific instance in which it is used.
339 The principal shall prepare guidelines for administering such
340 punishment which identify the types of punishable offenses, the
341 conditions under which the punishment shall be administered, and
342 the specific personnel on the school staff authorized to
343 administer the punishment.

344 2. A teacher or principal may administer corporal
345 punishment only in the presence of another adult who is informed
346 beforehand, and in the student's presence, of the reason for the
347 punishment.

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

352 (2) Teachers and other instructional personnel shall:

353 (a) Set and enforce reasonable classroom rules that treat
354 all students equitably.

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



HB 0901

2003

358 (c) Maintain an orderly and disciplined classroom with a
359 positive and effective learning environment that maximizes
360 learning and minimizes disruption.

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

363 (3) A teacher may send a student to the principal's office
364 to maintain effective discipline in the classroom and may
365 recommend an appropriate consequence consistent with the student
366 code of conduct under s. 1006.07. The principal shall respond by
367 employing the teacher's recommended consequence or a more
368 serious disciplinary action if the student's history of
369 disruptive behavior warrants it. If the principal determines
370 that a lesser disciplinary action is appropriate, the principal
371 shall consult with the teacher prior to taking disciplinary
372 action ~~appropriate discipline-management techniques consistent~~
373 ~~with the student code of conduct under s. 1006.07~~.

374 (4) A teacher may remove from class a student whose
375 behavior the teacher determines interferes with the teacher's
376 ability to communicate effectively with the students in the
377 class or with the ability of the student's classmates to learn.
378 Each district school board, each district school superintendent,
379 and each school principal shall support the authority of
380 teachers to remove disobedient, violent, abusive,
381 uncontrollable, or disruptive students from the classroom.

382 (5) If a teacher removes a student from class under
383 subsection (4), the principal may place the student in another
384 appropriate classroom, in in-school suspension, or in a dropout
385 prevention and academic intervention program as provided by s.
386 1003.53; or the principal may recommend the student for out-of-
387 school suspension or expulsion, as appropriate. The student may



HB 0901

2003

388 be prohibited from attending or participating in school-
389 sponsored or school-related activities. The principal may not
390 return the student to that teacher's class without the teacher's
391 consent unless the committee established under subsection (6)
392 determines that such placement is the best or only available
393 alternative. The teacher and the placement review committee must
394 render decisions within 5 days of the removal of the student
395 from the classroom.

396 (6)(a) Each school shall establish a placement review
397 committee to determine placement of a student when a teacher
398 withholds consent to the return of a student to the teacher's
399 class.

400 (b) The principal must report on a quarterly basis to the
401 district school superintendent and district school board each
402 incidence of a teacher's withholding consent for a removed
403 student to return to the teacher's class and the disposition of
404 the incident, and the superintendent must annually report these
405 data to the department.

406 (c) The Commissioner of Education shall annually review
407 each school district's compliance with this section, and success
408 in achieving orderly classrooms, and shall use all appropriate
409 enforcement actions up to and including the withholding of
410 disbursements from the Educational Enhancement Trust Fund until
411 full compliance is verified.

412 (d) Placement review committee membership must include at
413 least the following:

414 1.~~(a)~~ Two teachers, one selected by the school's faculty
415 and one selected by the teacher who has removed the student.

416 2.~~(b)~~ One member from the school's staff who is selected
417 by the principal.



HB 0901

2003

418
419 The teacher who withheld consent to readmitting the student may
420 not serve on the committee. The teacher and the placement review
421 committee must render decisions within 5 days after the removal
422 of the student from the classroom. If the placement review
423 committee's decision is contrary to the decision of the teacher
424 to withhold consent to the return of the removed student to the
425 teacher's class, the teacher may appeal the committee's decision
426 to the district school superintendent.

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

430 (8) Each teacher or other member of the staff of any
431 school who knows or has reason to suspect that any person has
432 committed, or has made a credible threat to commit, a crime of
433 violence on school property shall report such knowledge or
434 suspicion in accordance with the provisions of s. 1006.13. Each
435 district school superintendent and each school principal shall
436 fully support good faith reporting in accordance with the
437 provisions of this subsection and s. 1006.13. Any person who
438 makes a report required by this subsection in good faith shall
439 be immune from civil or criminal liability for making the
440 report.

441 (9)~~(8)~~ When knowledgeable of the likely risk of physical
442 violence in the schools, the district school board shall take
443 reasonable steps to ensure that teachers, other school staff,
444 and students are not at undue risk of violence or harm.

445 Section 12. Section 1004.04, Florida Statutes, is amended
446 to read:



HB 0901

2003

447 1004.04 Public accountability and state approval for
 448 teacher preparation programs.--

449 (1) INTENT.--

450 (a) The Legislature recognizes that skilled teachers make
 451 an important contribution to a system that allows students to
 452 obtain a high-quality education.

453 (b) The intent of the Legislature is to require the State
 454 Board of Education to attain ~~establish~~ a system for development
 455 and approval of teacher preparation programs that allows ~~will~~
 456 ~~free~~ postsecondary teacher preparation institutions to employ
 457 varied and innovative teacher preparation techniques while being
 458 held accountable for producing graduates with the competencies
 459 and skills necessary to achieve the state education goals; help
 460 the state's diverse student population, including students who
 461 have substandard reading and computational skills and students
 462 with limited English proficiency, meet high standards for
 463 academic achievement; maintain safe, secure classroom learning
 464 environments; and sustain the state system of school improvement
 465 and education accountability established pursuant to ss.
 466 1000.03(5) and 1008.345.

467 (2) UNIFORM CORE CURRICULA.--

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

472 (b) The rules to establish uniform core curricula for each
 473 state-approved teacher preparation program must include, but are
 474 not limited to, a State Board of Education identified foundation
 475 in scientifically researched, knowledge-based reading literacy
 476 and computational skills acquisition; classroom management;



HB 0901

2003

477 school safety; professional ethics; educational law; human
478 development and learning; and understanding of the Sunshine
479 State Standards content measured by state achievement tests,
480 reading and interpretation of data, and use of data to improve
481 student achievement.

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

486 (3)-(2) DEVELOPMENT OF TEACHER PREPARATION PROGRAMS.--A
487 system developed by the Department of Education in collaboration
488 with postsecondary educational institutions shall assist
489 departments and colleges of education in the restructuring of
490 their programs in accordance with this section to meet the need
491 for producing quality teachers now and in the future.

492 (a) The system must be designed to assist teacher
493 educators in conceptualizing, developing, implementing, and
494 evaluating programs that meet state-adopted standards. These
495 standards shall emphasize quality indicators drawn from
496 research, professional literature, recognized guidelines,
497 Florida essential teaching competencies and educator-
498 accomplished practices, effective classroom practices, and the
499 outcomes of the state system of school improvement and education
500 accountability, as well as performance measures.

501 (b) Departments and colleges of education shall emphasize
502 the state system of school improvement and education
503 accountability concepts and standards, including Sunshine State
504 Standards.

505 (c) State-approved teacher preparation programs must
506 incorporate:



HB 0901

2003

507 1. Appropriate English for Speakers of Other Languages
508 instruction so that program graduates will have completed the
509 requirements for teaching limited English proficient students in
510 Florida public schools.

511 2. Scientifically researched, knowledge-based reading
512 literacy and computational skills instruction so that program
513 graduates will be able to provide the necessary academic
514 foundations for their students at whatever grade levels they
515 choose to teach.

516 ~~(4)~~~~(3)~~ INITIAL STATE PROGRAM APPROVAL.--

517 (a) A program approval process based on standards adopted
518 pursuant to subsections ~~subsection~~ (2) and (3) must be
519 established for postsecondary teacher preparation programs,
520 phased in according to timelines determined by the Department of
521 Education, and fully implemented for all teacher preparation
522 programs in the state. Each program shall be approved by the
523 department, consistent with the intent set forth in subsection
524 (1) and based primarily upon significant, objective, and
525 quantifiable graduate performance measures.

526 (b) Each teacher preparation program approved by the
527 Department of Education, as provided for by this section, shall
528 require students to meet the following as prerequisites for
529 admission into the program:

530 1. Have a grade point average of at least 2.5 on a 4.0
531 scale for the general education component of undergraduate
532 studies or have completed the requirements for a baccalaureate
533 degree with a minimum grade point average of 2.5 on a 4.0 scale
534 from any college or university accredited by a regional
535 accrediting association as defined by State Board of Education



HB 0901

2003

536 rule or otherwise approved pursuant to State Board of Education
537 rule.

538 2. Demonstrate mastery of general knowledge, including the
539 ability to read, write, and compute, by passing the College
540 Level Academic Skills Test, a corresponding component of the
541 National Teachers Examination series, or a similar test pursuant
542 to rules of the State Board of Education.

543

544 Each teacher preparation program may waive these admissions
545 requirements for up to 10 percent of the students admitted.
546 Programs shall implement strategies to ensure that students
547 admitted under a waiver receive assistance to demonstrate
548 competencies to successfully meet requirements for
549 certification.

550 (5)~~(4)~~ CONTINUED PROGRAM APPROVAL.--Notwithstanding
551 subsection (4) ~~(3)~~, failure by a public or nonpublic teacher
552 preparation program to meet the criteria for continued program
553 approval shall result in loss of program approval. The
554 Department of Education, in collaboration with the departments
555 and colleges of education, shall develop procedures for
556 continued program approval that document the continuous
557 improvement of program processes and graduates' performance.

558 (a) Continued approval of specific teacher preparation
559 programs at each public and nonpublic postsecondary educational
560 institution within the state is contingent upon the passing of
561 the written examination required by s. 1012.56 by at least 90
562 percent of the graduates of the program who take the
563 examination. On request of an institution, the Department of
564 Education shall provide an analysis of the performance of the



HB 0901

2003

565 graduates of such institution with respect to the competencies
566 assessed by the examination required by s. 1012.56.

567 (b) Additional criteria for continued program approval for
568 public institutions may be approved by the State Board of
569 Education. Such criteria must emphasize instruction in classroom
570 management and must provide for the evaluation of the teacher
571 candidates' performance in this area. The criteria shall also
572 require instruction in working with underachieving students.
573 Program evaluation procedures must include, but are not limited
574 to, program graduates' satisfaction with instruction and the
575 program's responsiveness to local school districts. Additional
576 criteria for continued program approval for nonpublic
577 institutions shall be developed in the same manner as for public
578 institutions; however, such criteria must be based upon
579 significant, objective, and quantifiable graduate performance
580 measures. Responsibility for collecting data on outcome measures
581 through survey instruments and other appropriate means shall be
582 shared by the postsecondary educational institutions and the
583 Department of Education. By January 1 of each year, the
584 Department of Education shall report this information for each
585 postsecondary educational institution that has state-approved
586 programs of teacher education to the Governor, the State Board
587 of Education, the Commissioner of Education, the President of
588 the Senate, the Speaker of the House of Representatives, all
589 Florida postsecondary teacher preparation programs, and
590 interested members of the public. This report must analyze the
591 data and make recommendations for improving teacher preparation
592 programs in the state.

593 (c) Continued approval for a teacher preparation program
594 is contingent upon the results of annual reviews of the program



HB 0901

2003

595 conducted by the postsecondary educational institution, using
 596 procedures and criteria outlined in an institutional program
 597 evaluation plan approved by the Department of Education. This
 598 plan must incorporate the criteria established in paragraphs (a)
 599 and (b) and include provisions for involving primary
 600 stakeholders, such as program graduates, district school
 601 personnel, classroom teachers, principals, community agencies,
 602 and business representatives in the evaluation process. Upon
 603 request by an institution, the department shall provide
 604 assistance in developing, enhancing, or reviewing the
 605 institutional program evaluation plan and training evaluation
 606 team members.

607 (d) Continued approval for a teacher preparation program
 608 is contingent upon standards being in place that are designed to
 609 adequately prepare elementary, middle, and high school teachers
 610 to instruct their students in reading and higher-level
 611 mathematics concepts and in the use of technology at the
 612 appropriate grade level.

613 (e) Continued approval of teacher preparation programs is
 614 contingent upon compliance with the student admission
 615 requirements of subsection (4) ~~(3)~~ and upon the receipt of at
 616 least a satisfactory rating from public schools and private
 617 schools that employ graduates of the program. Each teacher
 618 preparation program shall guarantee the high quality of its
 619 graduates during the first 2 years immediately following
 620 graduation from the program or following initial certification,
 621 whichever occurs first. Any educator in a Florida school who
 622 fails to demonstrate the essential skills specified in
 623 subparagraphs 1.-5. shall be provided additional training by the
 624 teacher preparation program at no expense to the educator or the



HB 0901

2003

625 employer. Such training must consist of an individualized plan
626 agreed upon by the school district and the postsecondary
627 educational institution that includes specific learning
628 outcomes. The postsecondary educational institution assumes no
629 responsibility for the educator's employment contract with the
630 employer. Employer satisfaction shall be determined by an
631 annually administered survey instrument approved by the
632 Department of Education that, at a minimum, must include
633 employer satisfaction of the graduates' ability to do the
634 following:

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

637 2. Recognize signs of students' difficulty with the
638 reading and computational process and apply appropriate measures
639 to improve students' reading and computational performance.

640 3. Use and integrate appropriate technology in teaching
641 and learning processes.

642 4. Demonstrate knowledge and understanding of Sunshine
643 State Standards.

644 5. Maintain an orderly and disciplined classroom conducive
645 to student learning.

646 (f)1. Each Florida public and private institution that
647 offers a state-approved teacher preparation program must
648 annually report information regarding these programs to the
649 state and the general public. This information shall be reported
650 in a uniform and comprehensible manner that is consistent with
651 definitions and methods approved by the Commissioner of the
652 National Center for Educational Statistics and that is approved
653 by the State Board of Education. This information must include,
654 at a minimum:



HB 0901

2003

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

657 b. The average length of stay of graduates in their full-
658 time teaching positions.

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

660 2. Each public and private institution offering training
661 for school readiness related professions, including training in
662 the fields of child care and early childhood education, whether
663 offering technical credit, associate in applied science degree
664 programs, associate in science degree programs, or associate in
665 arts degree programs, shall annually report information
666 regarding these programs to the state and the general public in
667 a uniform and comprehensible manner that conforms with
668 definitions and methods approved by the State Board of
669 Education. This information must include, at a minimum:

670 a. Average length of stay of graduates in their positions.

671 b. Satisfaction ratings of graduates' employers.

672

673 This information shall be reported through publications,
674 including college and university catalogs and promotional
675 materials sent to potential applicants, secondary school
676 guidance counselors, and prospective employers of the
677 institution's program graduates.

678 (6)(5) PRESERVICE FIELD EXPERIENCE.--All postsecondary
679 instructors, school district personnel and instructional
680 personnel, and school sites preparing instructional personnel
681 through preservice field experience courses and internships
682 shall meet special requirements. District school boards are
683 authorized to pay student teachers during their internships.



HB 0901

2003

684 (a) All instructors in postsecondary teacher preparation
685 programs who instruct or supervise preservice field experience
686 courses or internships shall have at least one of the following:
687 specialized training in clinical supervision; a valid
688 professional teaching certificate pursuant to ss. 1012.56 and
689 1012.585; or at least 3 years of successful teaching experience
690 in prekindergarten through grade 12.

691 (b) All school district personnel and instructional
692 personnel who supervise or direct teacher preparation students
693 during field experience courses or internships must have
694 evidence of "clinical educator" training and must successfully
695 demonstrate effective classroom management strategies that
696 consistently result in improved student performance. The State
697 Board of Education shall approve the training requirements.

698 (c) Preservice field experience programs must provide
699 specific guidance and demonstration of effective classroom
700 management strategies, strategies for incorporating technology
701 into classroom instruction, and ways to link instructional plans
702 to the Sunshine State Standards, as appropriate. The length of
703 structured field experiences may be extended to ensure that
704 candidates achieve the competencies needed to meet certification
705 requirements.

706 (d) Postsecondary teacher preparation programs in
707 cooperation with district school boards and approved private
708 school associations shall select the school sites for preservice
709 field experience activities. These sites must represent the full
710 spectrum of school communities, including, but not limited to,
711 schools located in urban settings. In order to be selected,
712 school sites must demonstrate commitment to the education of



HB 0901

2003

713 public school students and to the preparation of future
714 teachers.

715 (7)~~(6)~~ STANDARDS OF EXCELLENCE.--The State Board of
716 Education shall approve standards of excellence for teacher
717 preparation. These standards must exceed the requirements for
718 program approval pursuant to subsection (4) ~~(3)~~ and must
719 incorporate state and national recommendations for exemplary
720 teacher preparation programs.

721 (8)~~(7)~~ ~~NATIONAL~~ BOARD STANDARDS.--The State Board of
722 Education shall review standards and recommendations developed
723 by the National Board for Professional Teaching Standards and
724 the American Board for Certification of Teacher Excellence and
725 may incorporate those parts deemed appropriate into criteria for
726 continued state program approval, standards of excellence, and
727 requirements for inservice education.

728 (9)~~(8)~~ COMMUNITY COLLEGES.--To the extent practical,
729 postsecondary educational institutions offering teacher
730 preparation programs shall establish articulation agreements on
731 a core of liberal arts courses and introductory professional
732 courses with field experience components which shall be offered
733 at community colleges.

734 (10)~~(9)~~ PRETEACHER AND TEACHER EDUCATION PILOT
735 PROGRAMS.--State universities and community colleges may
736 establish preteacher education and teacher education pilot
737 programs to encourage promising minority students to prepare for
738 a career in education. These pilot programs shall be designed to
739 recruit and provide additional academic, clinical, and
740 counseling support for students whom the institution judges to
741 be potentially successful teacher education candidates, but who
742 may not meet teacher education program admission standards.



HB 0901

2003

743 Priority consideration shall be given to those pilot programs
744 that are jointly submitted by community colleges and state
745 universities.

746 (a) These pilot programs shall be approved by the State
747 Board of Education and shall be designed to provide help and
748 support for program participants during the preteacher education
749 period of general academic preparation at a community college or
750 state university and during professional preparation in a state-
751 approved teacher education program. Emphasis shall be placed on
752 development of the basic skills needed by successful teachers.

753 (b) State universities and community colleges may admit
754 into the pilot program those incoming students who demonstrate
755 an interest in teaching as a career, but who may not meet the
756 requirements for entrance into an approved teacher education
757 program.

758 1. Flexibility may be given to colleges of education to
759 develop and market innovative teacher training programs directed
760 at specific target groups such as graduates from the colleges of
761 arts and sciences, employed education paraprofessionals,
762 substitute teachers, early federal retirees, and nontraditional
763 college students. Programs must be submitted to the State Board
764 of Education for approval.

765 2. Academically successful graduates in the fields of
766 liberal arts and science may be encouraged to embark upon a
767 career in education.

768 3. Models may be developed to provide a positive initial
769 experience in teaching in order to encourage retention. Priority
770 should be given to models that encourage minority graduates.

771 (c) In order to be certified, a graduate from a pilot
772 program shall meet all requirements for teacher certification



HB 0901

2003

773 specified by s. 1012.56. Should a graduate of a pilot program
774 not meet the requirements of s. 1012.56, that person shall not
775 be included in the calculations required by paragraph (5)~~(4)~~(a)
776 and State Board of Education rules for continued program
777 approval, or in the statutes used by the State Board of
778 Education in deciding which teacher education programs to
779 approve.

780 (d) Institutions participating in the pilot program shall
781 submit an annual report evaluating the success of the program to
782 the Commissioner of Education by March 1 of each year. The
783 report shall include, at a minimum, ~~contain, but shall not be~~
784 ~~limited to:~~ the number of pilot program participants, including
785 the number participating in general education and the number
786 admitted to approved teacher education programs, the number of
787 pilot program graduates, and the number of pilot program
788 graduates who met the requirements of s. 1012.56. The
789 commissioner shall consider the number of participants
790 recruited, the number of graduates, and the number of graduates
791 successfully meeting the requirements of s. 1012.56 reported by
792 each institution, and shall make an annual recommendation to the
793 State Board of Education regarding the institution's continued
794 participation in the pilot program.

795 (11)~~(10)~~ TEACHER EDUCATION PILOT PROGRAMS FOR HIGH-
796 ACHIEVING STUDENTS.--Pilot teacher preparation programs shall be
797 established at the University of Central Florida, the University
798 of North Florida, and the University of South Florida. These
799 programs shall include a year-long paid teaching assignment and
800 competency-based learning experiences and shall be designed to
801 encourage high-achieving students, as identified by the
802 institution, to pursue a career in education. Priority



HB 0901

2003

803 consideration shall be given to students obtaining academic
804 degrees in mathematics, science, engineering, reading, or
805 identified critical shortage areas. Students chosen to
806 participate in the pilot programs shall agree to teach for at
807 least 1 year after they receive their degrees. Criteria for
808 identifying high-achieving students shall be developed by the
809 institution and shall include, at a minimum, requirements that
810 the student have a 3.3 grade point average or above and that the
811 student has demonstrated mastery of general knowledge pursuant
812 to s. 1012.56. The year-long paid teaching assignment shall
813 begin after completion of the equivalent of 3 years of the state
814 university teacher preparation program.

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

816 1. A year-long paid teaching assignment at a low-
817 performing ~~specified~~ school site during the fourth year of the
818 state university teacher preparation program, which includes
819 intense supervision by a support team trained in clinical
820 education. The support team shall include a state university
821 supervisor and experienced school-based mentors. A mentor
822 teacher shall be assigned to each fourth year employed teacher
823 to implement an individualized learning plan. This mentor
824 teacher will be considered an adjunct professor for purposes of
825 this program and may receive credit for time spent as a mentor
826 teacher in the program. The mentor teacher must have a master's
827 degree or above, a minimum of 3 years of teaching experience,
828 and clinical education training or certification by the National
829 Board for ~~of~~ Professional Teaching Standards or the American
830 Board for Certification of Teacher Excellence. Experiences and
831 instruction may be delivered by other mentors, assigned
832 teachers, professors, individualized learning, and



HB 0901

2003

833 demonstrations. Students in this paid teaching assignment shall
834 assume full responsibility of all teaching duties.

835 2. Professional education curriculum requirements that
836 address the educator-accomplished practices and other
837 competencies specified in state board rule.

838 3. A modified instructional delivery system that provides
839 onsite training during the paid teaching assignment in the
840 professional education areas and competencies specified in this
841 subsection. The institutions participating in this pilot program
842 shall be given a waiver to provide a modified instructional
843 delivery system meeting criteria that allows earned credit
844 through nontraditional approaches. The modified system may
845 provide for an initial evaluation of the candidate's
846 competencies to determine an appropriate individualized
847 professional development plan and may provide for earned credit
848 by:

849 a. Internet learning and competency acquisition.

850 b. Learning acquired by observing demonstrations and being
851 observed in application.

852 c. Independent study or instruction by mentor teachers or
853 adjunct teachers.

854 4. Satisfactory demonstration of the educator-accomplished
855 practices and content area competencies for program completion.

856 5. For program completion, required achievement of passing
857 scores on all tests required for certification by State Board of
858 Education rules.

859 (b) Beginning in July 2003, each institution participating
860 in the pilot program shall submit to the Commissioner of
861 Education an annual report evaluating the effectiveness of the
862 program. The report shall include, but shall not be limited to,



HB 0901

2003

863 the number of students selected for the pilot program, the
 864 number of students successfully completing the pilot program,
 865 the number of program participants who passed all required
 866 examinations, the number of program participants who
 867 successfully demonstrated all required competencies, and a
 868 followup study to determine the number of pilot program
 869 completers who were employed in a teaching position and
 870 employers' satisfaction with the performance of pilot program
 871 completers.

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

874 (12)~~(11)~~ RULES.--The State Board of Education shall adopt
 875 necessary rules pursuant to ss. 120.536(1) and 120.54 to
 876 implement this section.

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

879 1006.08 District school superintendent duties relating to
 880 student discipline and school safety.--

881 (1) The district school superintendent shall recommend
 882 plans to the district school board for the proper accounting for
 883 all students of school age, for the attendance and control of
 884 students at school, and for the proper attention to health,
 885 safety, and other matters which will best promote the welfare of
 886 students. Each district school superintendent shall fully
 887 support the authority of his or her principals, teachers, and
 888 school bus drivers to remove disobedient, disrespectful,
 889 violent, abusive, uncontrollable, or disruptive students from
 890 the classroom and the school bus. When the district school
 891 superintendent makes a recommendation for expulsion to the
 892 district school board, he or she shall give written notice to



HB 0901

2003

893 the student and the student's parent of the recommendation,
894 setting forth the charges against the student and advising the
895 student and his or her parent of the student's right to due
896 process as prescribed by ss. 120.569 and 120.57(2). When
897 district school board action on a recommendation for the
898 expulsion of a student is pending, the district school
899 superintendent may extend the suspension assigned by the
900 principal beyond 10 school days if such suspension period
901 expires before the next regular or special meeting of the
902 district school board.

903 Section 14. Paragraph (a) of subsection (1) of section
904 1006.09, Florida Statutes, is amended to read:

905 1006.09 Duties of school principal relating to student
906 discipline and school safety.--

907 (1)(a) Subject to law and to the rules of the State Board
908 of Education and the district school board, the principal in
909 charge of the school or the principal's designee shall develop
910 policies for delegating to any teacher or other member of the
911 instructional staff or to any bus driver transporting students
912 of the school responsibility for the control and direction of
913 students. Each school principal shall fully support the
914 authority of his or her teachers and school bus drivers to
915 remove disobedient, disrespectful, violent, abusive,
916 uncontrollable, or disruptive students from the classroom and
917 the school bus. The principal or the principal's designee must
918 give full consideration to ~~shall consider~~ the recommendation for
919 discipline made by a teacher, other member of the instructional
920 staff, or a bus driver when making a decision regarding student
921 referral for discipline.



HB 0901

2003

922 Section 15. Section 1009.59, Florida Statutes, is amended
 923 to read:

924 1009.59 ~~Critical Teacher Shortage~~ Student Loan
 925 Reimbursement ~~Forgiveness~~ Program.--

926 (1) The ~~Critical Teacher Shortage~~ Student Loan
 927 Reimbursement ~~Forgiveness~~ Program is established to encourage
 928 qualified personnel with undergraduate or graduate degrees in
 929 mathematics, science, engineering, reading, or State Board of
 930 Education designated critical teacher shortage areas to seek
 931 employment as teachers in Florida's publicly funded schools in
 932 subject areas in which critical teacher shortages exist, as
 933 identified annually by the State Board of Education. The primary
 934 purpose function of the program is to enhance the quality of
 935 Florida's teacher workforce by making ~~make~~ repayments toward
 936 loans received by the selected students from federal programs or
 937 commercial lending institutions for the support of postsecondary
 938 education study. Repayments are intended to be made to qualified
 939 applicants with undergraduate or graduate degrees in
 940 mathematics, science, engineering, reading, or State Board of
 941 Education designated critical teacher shortage areas ~~who begin~~
 942 ~~teaching for the first time in designated subject areas, and who~~
 943 ~~apply during their first~~ full year of teaching in a publicly
 944 funded school in Florida as certified teachers in these subject
 945 areas. Repayment shall be prorated if a teacher teaches at least
 946 90 days during the first year of teaching.

947 (2) From the funds available, the Department of Education
 948 may make loan principal repayments on behalf of persons with
 949 degrees in mathematics, science, engineering, reading, or state
 950 board designated critical teacher shortage areas who are



HB 0901

2003

951 certified to teach in Florida public schools. The repayments may
952 be made as follows:

953 (a) Up to \$1,500 the first year the person is employed as
954 a teacher in a publicly funded school in Florida ~~\$2,500 a year~~
955 ~~for up to 4 years on behalf of selected graduates of state-~~
956 ~~approved undergraduate postsecondary teacher preparation~~
957 ~~programs, persons certified to teach pursuant to any applicable~~
958 ~~teacher certification requirements, or selected teacher~~
959 ~~preparation graduates from any state participating in the~~
960 ~~Interstate Agreement on the Qualification of Educational~~
961 ~~Personnel.~~

962 (b) Up to \$2,500 for the second year the person is
963 employed as a teacher in a publicly funded school in Florida
964 ~~\$5,000 a year for up to 2 years on behalf of selected graduates~~
965 ~~of state-approved graduate postsecondary teacher preparation~~
966 ~~programs, persons with graduate degrees certified to teach~~
967 ~~pursuant to any applicable teacher certification requirements,~~
968 ~~or selected teacher preparation graduates from any state~~
969 ~~participating in the Interstate Agreement on the Qualification~~
970 ~~of Educational Personnel.~~

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

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

976 (e)(e) All repayments shall be contingent on continued
977 proof of satisfactory employment in a teacher position ~~the~~
978 ~~designated subject areas in a publicly funded school in this~~
979 state and shall be made directly to the holder of the loan or
980 the applicant. The state shall not bear responsibility for the



HB 0901

2003

981 collection of any interest charges or other remaining balance.
 982 ~~In the event that designated critical teacher shortage subject~~
 983 ~~areas are changed by the State Board of Education,~~ A teacher
 984 shall continue to be eligible for loan reimbursement in
 985 accordance with paragraphs (a)-(d) for up to the maximum of 10
 986 years if forgiveness as long as he or she continues to teach in
 987 a subject area or in a critical shortage area pursuant to this
 988 section at a publicly funded school in Florida in the subject
 989 ~~area for which the original loan repayment was made and~~
 990 otherwise meets all conditions of eligibility.

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

994 (4) The Department of Education must advertise the
 995 availability of this program and must advise school districts,
 996 postsecondary educational institutions, and the public of the
 997 criteria and application procedures.

998 ~~(5)~~(4) The State Board of Education may adopt rules
 999 pursuant to ss. 120.536(1) and 120.54 necessary for the
 1000 administration of this program.

1001 ~~(6)~~(5) This section shall be implemented only to the
 1002 extent as specifically funded and authorized by law.

1003 Section 16. Section 1009.591, Florida Statutes, is created
 1004 to read:

1005 1009.591 Teaching Fellows Program.--There is created the
 1006 Teaching Fellows Program to encourage graduate students in
 1007 mathematics, science, or engineering disciplines or state board
 1008 designated critical teacher shortage areas to enter the teaching
 1009 profession in public schools in Florida. The program shall be
 1010 administered by the Department of Education.



HB 0901

2003

1011 (1) The Teaching Fellows Program shall provide an annual
1012 stipend of \$5,000 for each approved teaching fellow who is
1013 enrolled full-time in one of Florida's public or private
1014 universities in a graduate program in a mathematics, science, or
1015 engineering discipline or a state board designated critical
1016 teacher shortage area and commits to teach in a publicly funded
1017 school in Florida for 5 consecutive years immediately following
1018 completion of the graduate program.

1019 (2) It is the intent of the Legislature that the total
1020 amount appropriated annually for the program be sufficient to
1021 provide 200 teaching fellows with stipends of \$5,000 per year
1022 and to provide a \$5,000 signing bonus to each fellow upon
1023 initial employment as a teacher in a Florida public school
1024 graded "A," "B," or "C," or a \$10,000 signing bonus upon
1025 employment in a Florida public school graded "D" or "F" with
1026 \$5,000 at initial employment and \$5,000 upon completion of the
1027 first year of teaching.

1028 (3) A teaching fellow may receive a stipend from the
1029 program for up to 4 consecutive years if the teaching fellow
1030 remains enrolled full-time in an eligible program and makes
1031 satisfactory progress toward a graduate degree in a program in a
1032 mathematics, science, or engineering discipline or a state board
1033 designated critical teacher shortage area.

1034 (4) A teaching fellow who receives a stipend pursuant to
1035 this section and attends a state university shall also receive a
1036 waiver of tuition and out-of-state fees, if applicable, at that
1037 university.

1038 (5) If a teaching fellow graduates and is employed
1039 following graduation as a teacher in a publicly funded school in
1040 Florida for 5 consecutive years, the teaching fellow is not



HB 0901

2003

1041 required to repay the amount received as stipends, bonus, or
1042 tuition and fee waivers pursuant to this program.

1043 (6) If a teaching fellow does not obtain a graduate degree
1044 within 4 years, or if the fellow graduates but does not teach in
1045 a publicly funded school in Florida for 5 consecutive years
1046 following graduation, the teaching fellow must repay the
1047 Department of Education, on a schedule to be determined by the
1048 department, the total amount awarded for stipends, bonus, and
1049 tuition and fee waivers received pursuant to this program plus
1050 annual interest of 8 percent accruing from the date of the
1051 scholarship payment. Moneys repaid shall be deposited into the
1052 State Student Financial Assistance Trust Fund established in s.
1053 1010.73. However, the department may provide additional time for
1054 repayment if the department finds that circumstances beyond the
1055 control of the recipient caused or contributed to default on the
1056 repayment.

1057 (7) Recipients under this program are not eligible to
1058 participate in the Teacher Student Loan Reimbursement Program.

1059 (8) The department must advertise the availability of this
1060 program and advise school districts, postsecondary educational
1061 institutions, and the public of the criteria and application
1062 procedures.

1063 (9) The State Board of Education may adopt rules pursuant
1064 to ss. 120.536(1) and 120.54 necessary for the administration of
1065 this program.

1066 (10) This section shall be implemented only to the extent
1067 as specifically funded and authorized by law.

1068 Section 17. Section 1011.63, Florida Statutes, is created
1069 to read:

1070 1011.63 Better Educated Students and Teachers (BEST)



HB 0901

2003

1071 Florida Teaching bonuses; categorical fund.--

1072 (1) There is created a categorical fund to provide
1073 performance bonuses to reward the top-performing 10 percent of
1074 classroom teachers in each school district with an annual
1075 performance bonus based on outstanding performance pursuant to
1076 s. 1012.34(3)(a).

1077 (2) Categorical funds for BEST Florida Teaching bonuses
1078 shall be allocated annually to each school district in the
1079 amount provided in the General Appropriations Act. These funds
1080 shall be in addition to the funds appropriated on the basis of
1081 full-time equivalent student membership in the Florida Education
1082 Finance Program and shall be included in the total potential
1083 funds of each school district. These funds shall be used only to
1084 provide BEST Florida Teaching bonuses to full-time K-12
1085 classroom teachers who demonstrate outstanding performance in
1086 each category itemized in s. 1012.34(3)(a)1.-7.

1087 (3) To be eligible for categorical funds, each district
1088 school superintendent shall submit to the Commissioner of
1089 Education, and receive the commissioner's approval of, a plan
1090 detailing the school district's methodology for selecting the
1091 teachers who receive the bonuses.

1092 (4) Each BEST Florida Teaching bonus shall be in the
1093 amount of \$5,000, unless the teacher has taught for the full
1094 school year in a school that was graded "D" or "F" the prior
1095 school year, in which case the bonus shall be in the amount of
1096 \$10,000. Any teacher who is not a mentor teacher and who
1097 receives a bonus 2 years in a 4-year period shall be promoted to
1098 the next higher classroom teacher category which reflects
1099 differentiated salary levels, pursuant to s. 1012.231(2).



HB 0901

2003

1100 Section 18. Section 1012.05, Florida Statutes, is amended
 1101 to read:

1102 1012.05 Teacher recruitment and retention.--

1103 (1) The Department of Education, in cooperation with
 1104 teacher organizations, district personnel offices, and schools,
 1105 colleges, and departments of all ~~education~~ in public and
 1106 nonpublic postsecondary educational institutions, shall
 1107 concentrate on the recruitment of qualified teachers.

1108 (2) The Department of Education shall:

1109 (a) Develop and implement a system for posting teaching
 1110 vacancies and establish a database of teacher applicants that is
 1111 accessible within and outside the state.

1112 (b) Advertise in major newspapers, national professional
 1113 publications, and other professional publications and in public
 1114 and nonpublic postsecondary educational institutions ~~schools of~~
 1115 ~~education~~.

1116 (c) Utilize state and nationwide toll-free numbers.

1117 (d) Conduct periodic communications with district
 1118 personnel directors regarding applicants.

1119 (e) Provide district access to the applicant database by
 1120 computer or telephone.

1121 (f) Develop and distribute promotional materials related
 1122 to teaching as a career.

1123 (g) Publish and distribute information pertaining to
 1124 employment opportunities, application procedures, all routes
 1125 toward teacher certification, in Florida, and teacher salaries.

1126 (h) Provide information related to certification
 1127 procedures.

1128 (i) Develop and sponsor the Florida Future Educator of
 1129 America Program throughout the state.



HB 0901

2003

1130 (j) Develop, in consultation with school district staff
 1131 including, but not limited to, district school superintendents,
 1132 district school board members, and district human resources
 1133 personnel, a long-range plan for educator recruitment and
 1134 retention.

1135 (k) Identify best practices for retaining high-quality
 1136 teachers.

1137 (l) Develop, in consultation with Workforce Florida, Inc.,
 1138 and the Agency for Workforce Innovation, created pursuant to ss.
 1139 445.004 and 20.50, respectively, a plan for accessing and
 1140 identifying available resources in the state's workforce system
 1141 for the purpose of enhancing teacher recruitment and retention.

1142 (m) Develop and implement a First Response Center to
 1143 provide educator candidates one-stop shopping for information on
 1144 teaching careers in Florida and establish the Teacher Lifeline
 1145 Network to provide on-line support to beginning teachers.

1146 (3) The Department of Education, in cooperation with
 1147 district personnel offices, shall sponsor a job fair in a
 1148 central part of the state to match in-state educators and
 1149 potential educators and out-of-state educators and potential
 1150 educators with teaching opportunities in this state.

1151 (4) Subject to proviso in the General Appropriations Act,
 1152 the Commissioner of Education may use funds appropriated by the
 1153 Legislature and funds from federal grants and other sources to
 1154 provide incentives for teacher recruitment and preparation
 1155 programs. The purpose of the use of such funds is to recruit and
 1156 prepare individuals who do not graduate from state-approved
 1157 teacher preparation programs to teach in a Florida public
 1158 school. The commissioner may contract with entities other than,
 1159 and including, approved teacher preparation programs to provide



HB 0901

2003

1160 intensive teacher training leading to passage of the required
 1161 certification exams for the desired subject area or coverage.
 1162 The commissioner shall survey school districts to evaluate the
 1163 effectiveness of such programs.

1164 Section 19. Section 1012.231, Florida Statutes, is created
 1165 to read:

1166 1012.231 Teacher compensation; assignment of teachers.--

1167 (1) STARTING SALARY.--Beginning with the 2003-2004
 1168 academic year, each district school board shall develop, and
 1169 shall present to the State Board of Education by June 30, 2004,
 1170 a plan, to be implemented beginning with the 2004-2005 academic
 1171 year, for compensation of beginning classroom teachers at no
 1172 less than the amount of \$31,000, in 2003 dollars, indexed to the
 1173 Consumer Price Index thereafter, pursuant to legislative
 1174 appropriations. The plan shall provide for phased-in incremental
 1175 implementation that maintains separation between years of
 1176 service for each differentiated classroom teacher category as
 1177 required pursuant to subsection (2). Effective the 2004-2005
 1178 academic year, this minimum beginning salary shall be considered
 1179 a statewide minimum standard similar to minimum number of school
 1180 days, designation of duties of instructional personnel, and
 1181 minimum certification standards, and as such shall not be
 1182 subject to collective bargaining under chapter 447.

1183 (2) PERFORMANCE PAY.--Beginning with the 2003-2004
 1184 academic year, each district school board shall use a portion of
 1185 its teacher salary supplement categorical to fund differentiated
 1186 teacher salaries, with the highest level of differentiation
 1187 based on outstanding performance and assignment of additional
 1188 duties. Performance shall be defined as designated in s.

1189 1012.34(3) and shall also include course pretests and posttests



HB 0901

2003

1190 to determine student learning gains in grades and classes not
1191 measured by the FCAT. District school boards shall designate
1192 categories of classroom teachers reflecting these differentiated
1193 salary levels as follows:

1194 (a) Associate Teacher.--Classroom teachers who have not
1195 yet fully validated all essential teaching competencies,
1196 including the educator-accomplished practices as established in
1197 State Board of Education rule, or who have not qualified through
1198 reciprocal certification options identified in s. 1012.56(4).

1199 (b) Teacher.--Classroom teachers who have fully validated
1200 all essential teaching competencies, including the educator-
1201 accomplished practices as established in State Board of
1202 Education rule, or who have qualified through reciprocal
1203 certification options identified in s. 1012.56(4).

1204 (c) Senior Teacher.--Classroom teachers who have
1205 demonstrated outstanding performance as evidenced by improved
1206 student achievement and who are responsible for leading others
1207 in the school as department chair, lead teacher, grade-level
1208 leader, intern coordinator, or professional development
1209 coordinator. Senior teachers must serve as faculty for
1210 professional development activities as determined by the State
1211 Board of Education.

1212 (d) Mentor Teacher.--Classroom teachers who have
1213 demonstrated sustained outstanding performance as evidenced by
1214 improved student achievement and other factors as defined by the
1215 State Board of Education and who serve as regular mentors to
1216 other teachers who are either not performing satisfactorily or
1217 who strive to become more proficient. Mentor teachers must serve
1218 as faculty-based professional development coordinators and



HB 0901

2003

1219 regularly demonstrate and share their expertise with other
1220 teachers in order to remain mentor teachers.

1221 (3) TEACHER ASSIGNMENT.--School districts may not assign a
1222 higher percentage of first-time teachers, temporarily certified
1223 teachers, teachers in need of improvement, or out-of-field
1224 teachers to schools with above the school district average of
1225 minority and economically disadvantaged students or schools that
1226 are graded "D" or "F." District school boards are authorized to
1227 provide salary incentives to meet this requirement. No district
1228 school board shall sign a collective bargaining agreement that
1229 fails to provide sufficient incentives to meet this requirement.

1230 Section 20. Section 1012.27, Florida Statutes, is amended
1231 to read:

1232 1012.27 Public school personnel; powers and duties of
1233 district school superintendent.--The district school
1234 superintendent is ~~shall be~~ responsible, ~~as required herein,~~ for
1235 directing the work of the personnel, subject to the requirements
1236 of this chapter, and in addition the district school
1237 superintendent shall perform ~~have~~ the following ~~duties~~:

1238 (1) POSITIONS, QUALIFICATIONS, AND NOMINATIONS.--

1239 (a) Recommend to the district school board duties and
1240 responsibilities which need to be performed and positions which
1241 need to be filled to make possible the development of an
1242 adequate school program in the district. Beginning with the
1243 2003-2004 academic year, this recommendation shall provide for
1244 the employment of OPS personnel who are not classroom teachers
1245 to perform all paperwork and recordkeeping requirements not
1246 directly related to classroom instruction.



HB 0901

2003

1247 (b) Recommend minimum qualifications of personnel for
1248 these various positions, and nominate in writing persons to fill
1249 such positions.

1250
1251 The district school superintendent's recommendations for filling
1252 instructional positions at the school level must consider
1253 nominations received from school principals of the respective
1254 schools. Before transferring a teacher who holds a professional
1255 teaching certificate from one school to another, the district
1256 school superintendent shall consult with the principal of the
1257 receiving school and allow the principal to review the teacher's
1258 records and interview the teacher. If, in the judgment of the
1259 principal, students would not benefit from the placement, an
1260 alternative placement may be sought.

1261 (2) COMPENSATION AND SALARY SCHEDULES.--Prepare and
1262 recommend to the district school board for adoption a salary
1263 schedule or salary schedules. The district school superintendent
1264 must recommend a salary schedule for instructional personnel
1265 which bases a portion of each employee's compensation on
1266 performance demonstrated under s. 1012.34. In developing the
1267 recommended salary schedule, the district school superintendent
1268 shall include input from parents, teachers, and representatives
1269 of the business community. Beginning with the 2003-2004 academic
1270 year, the recommended salary schedule for classroom teachers
1271 shall be consistent with the requirements of s. 1012.231.

1272 (3) CONTRACTS AND TERMS OF SERVICE.--Recommend to the
1273 district school board terms for contracting with employees and
1274 prepare such contracts as are approved.

1275 (4) TRANSFER.--Recommend employees for transfer and
1276 transfer any employee during any emergency and report the



HB 0901

2003

1277 transfer to the district school board at its next regular
1278 meeting.

1279 (5) SUSPENSION AND DISMISSAL.--Suspend members of the
1280 instructional staff and other school employees during
1281 emergencies for a period extending to and including the day of
1282 the next regular or special meeting of the district school board
1283 and notify the district school board immediately of such
1284 suspension. When authorized to do so, serve notice on the
1285 suspended member of the instructional staff of charges made
1286 against him or her and of the date of hearing. Recommend
1287 employees for dismissal under the terms prescribed herein.

1288 (6) DIRECT WORK OF EMPLOYEES AND SUPERVISE
1289 INSTRUCTION.--Direct or arrange for the proper direction and
1290 improvement, under rules of the district school board, of the
1291 work of all members of the instructional staff and other
1292 employees of the district school system, supervise or arrange
1293 under rules of the district school board for the supervision of
1294 instruction in the district, and take such steps as are
1295 necessary to bring about continuous improvement.

1296 Section 21. Subsections (3) and (4) of section 1012.28,
1297 Florida Statutes, are amended to read:

1298 1012.28 Public school personnel; duties of school
1299 principals.--

1300 (3) Each school principal is responsible for the
1301 performance of all personnel employed by the district school
1302 board and assigned to the school to which the principal is
1303 assigned. The school principal shall faithfully and effectively
1304 apply the personnel assessment system approved by the district
1305 school board pursuant to s. 1012.34 and, beginning with the
1306 2003-2004 academic year, s. 1012.231.



HB 0901

2003

1307 (4) Each school principal shall assist the teachers within
 1308 the school to use student assessment data, as measured by
 1309 student learning gains pursuant to s. 1008.22, for self-
 1310 evaluation. Each school principal shall also ensure that OPS
 1311 school personnel who are not classroom teachers perform all
 1312 paperwork and recordkeeping requirements not directly related to
 1313 classroom instruction.

1314 Section 22. Subsections (1) through (6) of section
 1315 1012.56, Florida Statutes, are amended to read:

1316 1012.56 Educator certification requirements.--

1317 (1) APPLICATION.--Each person seeking certification
 1318 pursuant to this chapter shall submit a completed application
 1319 containing the applicant's social security number to the
 1320 Department of Education and remit the fee required pursuant to
 1321 s. 1012.59 and rules of the State Board of Education. Pursuant
 1322 to the federal Personal Responsibility and Work Opportunity
 1323 Reconciliation Act of 1996, each party is required to provide
 1324 his or her social security number in accordance with this
 1325 section. Disclosure of social security numbers obtained through
 1326 this requirement is ~~shall be~~ limited to the purpose of
 1327 administration of the Title IV-D program of the Social Security
 1328 Act for child support enforcement. Pursuant to s. 120.60, the
 1329 department shall issue within 90 calendar days after the stamped
 1330 receipted date of the completed application:

1331 (a) A certificate covering the classification, level, and
 1332 area for which the applicant is deemed qualified; or

1333 (b) An official statement of status of eligibility. The
 1334 statement of status of eligibility must advise the applicant of
 1335 any qualifications that must be completed to qualify for
 1336 certification. Each statement of status of eligibility is valid



HB 0901

2003

1337 for 3 ~~2~~ years after its date of issuance, except as provided in
1338 paragraph (2)(d). ~~A statement of status of eligibility may be~~
1339 ~~reissued for one additional 2-year period if application is made~~
1340 ~~while the initial statement of status of eligibility is valid or~~
1341 ~~within 1 year after the initial statement expires, and if the~~
1342 ~~certification subject area is authorized to be issued by the~~
1343 ~~state board at the time the application requesting a reissued~~
1344 ~~statement of status of eligibility is received.~~

1345 (2) ELIGIBILITY CRITERIA.--To be eligible to seek
1346 certification ~~pursuant to this chapter~~, a person must:

1347 (a) Be at least 18 years of age.

1348 (b) File a written statement, under oath, that the
1349 applicant subscribes to and will uphold the principles
1350 incorporated in the Constitution of the United States and the
1351 Constitution of the State of Florida.

1352 (c) Document receipt of a bachelor's or higher degree from
1353 an accredited institution of higher learning, or a nonaccredited
1354 institution of higher learning that the Department of Education
1355 has identified as having a quality program resulting in a
1356 bachelor's degree, or higher. Each applicant seeking initial
1357 certification must have attained at least a 2.5 overall grade
1358 point average on a 4.0 scale in the applicant's major field of
1359 study. The applicant may document the required education by
1360 submitting official transcripts from institutions of higher
1361 education or by authorizing the direct submission of such
1362 official transcripts through established electronic network
1363 systems. The bachelor's or higher degree may not be required in
1364 areas approved in rule by the State Board of Education as
1365 nondegreed areas.



HB 0901

2003

1366 (d) Submit to a fingerprint check from the Department of
 1367 Law Enforcement and the Federal Bureau of Investigation pursuant
 1368 to s. 1012.32. If the fingerprint reports indicate a criminal
 1369 history or if the applicant acknowledges a criminal history, the
 1370 applicant's records shall be referred to the Bureau of Educator
 1371 Standards for review and determination of eligibility for
 1372 certification. If the applicant fails to provide the necessary
 1373 documentation requested by the Bureau of Educator Standards
 1374 within 90 days after the date of the receipt of the certified
 1375 mail request, the statement of eligibility and pending
 1376 application shall become invalid.

1377 (e) Be of good moral character.

1378 (f) Be competent and capable of performing the duties,
 1379 functions, and responsibilities of an educator.

1380 (g) Demonstrate mastery of general knowledge, pursuant to
 1381 subsection (3).

1382 (h) Demonstrate mastery of subject area knowledge,
 1383 pursuant to subsection (4).

1384 (i) Demonstrate mastery of professional preparation and
 1385 education competence, pursuant to subsection (5).

1386 (3) MASTERY OF GENERAL KNOWLEDGE.--Acceptable means of
 1387 demonstrating mastery of general knowledge are:

1388 (a) Achievement of passing scores on basic skills
 1389 examination required by state board rule;

1390 (b) Achievement of passing scores on the College Level
 1391 Academic Skills Test earned prior to July 1, 2002;

1392 (c) A valid professional standard teaching certificate
 1393 issued by another state ~~that requires an examination of mastery~~
 1394 ~~of general knowledge;~~



HB 0901

2003

1395 (d) ~~A valid standard teaching certificate issued by~~
 1396 ~~another state and~~ valid certificate issued by the National Board
 1397 for Professional Teaching Standards or other such nationally
 1398 recognized organization as determined by the State Board of
 1399 Education; or

1400 (e) Documentation of two semesters of successful teaching
 1401 in a community college, state university, or private college or
 1402 university that awards an associate or higher degree and is an
 1403 accredited institution or an institution of higher education
 1404 identified by the Department of Education as having a quality
 1405 program. ~~A valid standard teaching certificate issued by another~~
 1406 ~~state and documentation of 2 years of continuous successful~~
 1407 ~~full-time teaching or administrative experience during the 5-~~
 1408 ~~year period immediately preceding the date of application for~~
 1409 ~~certification.~~

1410 (4) MASTERY OF SUBJECT AREA KNOWLEDGE.--Acceptable means
 1411 of demonstrating mastery of subject area knowledge are:

1412 (a) Achievement of passing scores on subject area
 1413 examinations required by state board rule;

1414 (b) Completion of the subject area specialization
 1415 requirements specified in state board rule and verification of
 1416 the attainment of the essential subject matter competencies by
 1417 the district school superintendent of the employing school
 1418 district or chief administrative officer of the employing state-
 1419 supported or private school for a subject area for which a
 1420 subject area examination has not been developed and required by
 1421 state board rule;

1422 (c) Completion of the ~~graduate-level~~ subject area
 1423 specialization requirements specified in state board rule for a
 1424 subject coverage requiring a master's or higher degree and



HB 0901

2003

1425 achievement of a passing score on the subject area examination
 1426 specified in state board rule;

1427 (d) A valid professional standard teaching certificate
 1428 issued by another state ~~that requires an examination of mastery~~
 1429 ~~of subject area knowledge; or~~

1430 (e) A ~~valid standard teaching certificate issued by~~
 1431 ~~another state and~~ valid certificate issued by the National Board
 1432 for Professional Teaching Standards or other such nationally
 1433 recognized organization as determined by the State Board of
 1434 Education. ~~or~~

1435 ~~(f) A valid standard teaching certificate issued by~~
 1436 ~~another state and documentation of 2 years of continuous~~
 1437 ~~successful full-time teaching or administrative experience~~
 1438 ~~during the 5-year period immediately preceding the date of~~
 1439 ~~application for certification.~~

1440 (5) MASTERY OF PROFESSIONAL PREPARATION AND EDUCATION
 1441 COMPETENCE.--Acceptable means of demonstrating mastery of
 1442 professional preparation and education competence are:

1443 (a) Completion of an approved teacher preparation program
 1444 at a postsecondary educational institution within this state and
 1445 achievement of a passing score on the professional education
 1446 competency examination required by state board rule;

1447 (b) Completion of a teacher preparation program at a
 1448 postsecondary educational institution outside Florida and
 1449 achievement of a passing score on the professional education
 1450 competency examination required by state board rule;

1451 (c) A valid professional standard teaching certificate
 1452 issued by another state ~~that requires an examination of mastery~~
 1453 ~~of professional education competence;~~

1454 (d) A ~~valid standard teaching certificate issued by~~



HB 0901

2003

1455 ~~another state and~~ valid certificate issued by the National Board
 1456 for Professional Teaching Standards or other such nationally
 1457 recognized organization as determined by the State Board of
 1458 Education;

1459 (e) Documentation of two semesters of successful teaching
 1460 in a community college, state university, or private college or
 1461 university that awards an associate or higher degree and is an
 1462 accredited institution or an institution of higher education
 1463 identified by the Department of Education as having a quality
 1464 program ~~A valid standard teaching certificate issued by another~~
 1465 ~~state and documentation of 2 years of continuous successful~~
 1466 ~~full-time teaching or administrative experience during the 5-~~
 1467 ~~year period immediately preceding the date of application for~~
 1468 ~~certification;~~

1469 (f) Completion of professional preparation courses as
 1470 specified in state board rule, successful completion of a
 1471 professional education competence demonstration program pursuant
 1472 to paragraph (7)(b), and achievement of a passing score on the
 1473 professional education competency examination required by state
 1474 board rule; or

1475 (g) Successful completion of a professional preparation
 1476 alternative certification and education competency program,
 1477 outlined in paragraph (7)(a).

1478
 1479 State Board of Education rule governing mastery of professional
 1480 preparation and education competence shall be revised as
 1481 necessary in accordance with s. 1004.04(2).

1482 (6) TYPES AND TERMS OF CERTIFICATION.--



HB 0901

2003

1483 (a) The Department of Education shall issue a professional
1484 certificate for a period not to exceed 5 years to any applicant
1485 who meets all the requirements outlined in subsection (2).

1486 (b) The department shall issue a temporary certificate to
1487 any applicant who completes the requirements outlined in
1488 paragraphs (2)(a)-(f) and completes the subject area content
1489 requirements specified in state board rule or demonstrates
1490 mastery of subject area knowledge pursuant to subsection (4) and
1491 holds an accredited degree or a degree approved by the
1492 Department of Education at the level required for the subject
1493 area specialization in state board rule.

1494 (c) The department shall issue one nonrenewable 2-year
1495 temporary certificate and one nonrenewable 5-year professional
1496 certificate to a qualified applicant who holds a bachelor's
1497 degree in the area of speech-language impairment to allow for
1498 completion of a master's degree program in speech-language
1499 impairment.

1500
1501 Each temporary certificate is valid for 3 school fiscal years
1502 and is nonrenewable. ~~However, the requirement in paragraph~~
1503 ~~(2)(g) must be met within 1 calendar year of the date of~~
1504 ~~employment under the temporary certificate. Individuals who are~~
1505 ~~employed under contract at the end of the 1 calendar year time~~
1506 ~~period may continue to be employed through the end of the school~~
1507 ~~year in which they have been contracted. A school district shall~~
1508 ~~not employ, or continue the employment of, an individual in a~~
1509 ~~position for which a temporary certificate is required beyond~~
1510 ~~this time period if the individual has not met the requirement~~
1511 ~~of paragraph (2)(g).~~ The State Board of Education shall adopt
1512 rules to allow the department to extend the validity period of a



HB 0901

2003

1513 temporary certificate for 2 years when the requirements for the
 1514 professional certificate, ~~not including the requirement in~~
 1515 ~~paragraph (2)(g)~~, were not completed due to the serious illness
 1516 or injury of the applicant or other extraordinary extenuating
 1517 circumstances. Based on emergency need, the department shall
 1518 reissue the temporary certificate for 2 additional years upon
 1519 approval by the Commissioner of Education. A written request for
 1520 such reissuance must first ~~of the certificate shall~~ be
 1521 submitted, stating the basis for the emergency need, by the
 1522 district school superintendent, the governing authority of a
 1523 university lab school, the governing authority of a state-
 1524 supported school, or the governing authority of a private
 1525 school.

1526 Section 23. Subsection (1) of section 1012.57, Florida
 1527 Statutes, is amended to read:

1528 1012.57 Certification of adjunct educators.--

1529 (1) Notwithstanding the provisions of ss. 1012.32,
 1530 1012.55, and 1012.56, or any other provision of law or rule to
 1531 the contrary, district school boards shall adopt rules to allow
 1532 for the issuance of ~~may issue~~ an adjunct teaching certificate to
 1533 any applicant who fulfills the requirements of s. 1012.56(2)(a)-
 1534 (f) and who has expertise in the subject area to be taught. An
 1535 applicant shall be considered to have expertise in the subject
 1536 area to be taught if the applicant has at least a major ~~minor~~ in
 1537 the subject area or demonstrates sufficient subject area mastery
 1538 through passage of a subject area test as determined by district
 1539 ~~school board policy~~. The adjunct teaching certificate shall be
 1540 used for part-time teaching positions. The intent of this
 1541 provision is to allow school districts to tap the wealth of
 1542 talent and expertise represented in Florida's citizens who may



HB 0901

2003

1543 wish to teach part-time in a Florida public school by permitting
1544 school districts to issue adjunct certificates to qualified
1545 applicants. Adjunct certificateholders should be used as a
1546 strategy to reduce the teacher shortage; thus, adjunct
1547 certificateholders should supplement a school's instructional
1548 staff, not supplant it. Each school principal shall assign an
1549 experienced peer mentor to assist the adjunct teaching
1550 certificateholder during the certificateholder's first year of
1551 teaching, and an adjunct certificateholder may participate in a
1552 district's new teacher training program. District school boards
1553 shall provide the adjunct teaching certificateholder an
1554 orientation in classroom management prior to assigning the
1555 certificateholder to a school. Each adjunct teaching certificate
1556 is valid for 5 school years and is renewable if:

1557 (a) The applicant completes a minimum of 60 inservice
1558 points or 3 semester hours of college credit. The earned credits
1559 must include instruction in classroom management, district
1560 school board procedures, school culture, and other activities
1561 that enhance the professional teaching skills of the
1562 certificateholder.

1563 (b) The applicant has received satisfactory performance
1564 evaluations during each year of teaching under adjunct teaching
1565 certification.

1566 Section 24. Paragraph (a) of subsection (1), subsection
1567 (2), and paragraph (a) of subsection (3) of section 1012.585,
1568 Florida Statutes, are amended to read:

1569 1012.585 Process for renewal of professional
1570 certificates.--

1571 (1)(a) District school boards ~~in this state~~ shall renew
1572 state-issued professional certificates as follows:



HB 0901

2003

1573 1. Each district school board shall renew state-issued
1574 professional certificates for individuals who hold a state-
1575 issued professional certificate ~~by this state~~ and are employed
1576 by that district pursuant to criteria established in subsections
1577 (2), (3), and (4) and rules of the State Board of Education.

1578 2. The employing school district may charge the individual
1579 an application fee not to exceed the amount charged by the
1580 Department of Education for such services, including associated
1581 late renewal fees. Each district school board shall transmit
1582 monthly to the department a fee in an amount established by the
1583 State Board of Education for each renewed certificate. The fee
1584 shall not exceed the actual cost for maintenance and operation
1585 of the statewide certification database and for the actual costs
1586 incurred in printing and mailing such renewed certificates. As
1587 defined in current rules of the state board, the department
1588 shall contribute a portion of such fee for purposes of funding
1589 the Educator Recovery Network established in s. 1012.798. The
1590 department shall deposit all funds into the Educational
1591 Certification Trust Fund for use as specified in s. 1012.59.

1592 (2)(a) All professional certificates, except a
1593 nonrenewable professional certificate, shall be renewable for
1594 successive periods not to exceed 5 years after the date of
1595 submission of documentation of completion of the requirements
1596 for renewal provided in subsection (3). Only one renewal may be
1597 granted during each 5-year validity period of a professional
1598 certificate.

1599 (b) A teacher with national certification from the
1600 National Board for Professional Teaching Standards is deemed to
1601 meet state renewal requirements for the life of the teacher's
1602 national certificate in the subject shown on the national



HB 0901

2003

1603 certificate. A complete renewal application and fee shall be
1604 submitted.

1605 (c) As authorized by State Board of Education rule, a
1606 teacher with a valid certificate issued by the American Board
1607 for Certification of Teacher Excellence is deemed to meet state
1608 renewal requirements for the life of the teacher's American
1609 Board certificate in the subject shown on the American Board
1610 certificate. A complete renewal application and fee shall be
1611 submitted.

1612 (d)(e) If the renewal application form is not received by
1613 the department or by the employing school district before the
1614 expiration of the professional certificate, the application
1615 form, application fee, and a late fee must be submitted before
1616 July 1 of the year following expiration of the certificate in
1617 order to renew the professional certificate.

1618 (e)(d) The State Board of Education shall adopt rules to
1619 allow a 1-year extension of the validity period of a
1620 professional certificate in the event of serious illness,
1621 injury, or other extraordinary extenuating circumstances of the
1622 applicant. The department shall grant such 1-year extension upon
1623 written request by the applicant or by the district school
1624 superintendent or the governing authority of a university lab
1625 school, state-supported school, or private school that employs
1626 the applicant.

1627 (3) For the renewal of a professional certificate, the
1628 following requirements must be met:

1629 (a) The applicant must earn a minimum of 6 college credits
1630 or 120 inservice points or a combination thereof. For each area
1631 of specialization to be retained on a certificate, the applicant
1632 must earn at least 3 of the required credit hours or equivalent



HB 0901

2003

1633 inservice points in the specialization area. Education in
1634 "clinical educator" training pursuant to s. 1004.04(6)(b)
1635 ~~1004.04(5)(b)~~ and credits or points that provide training in the
1636 area of exceptional student education, normal child development,
1637 and the disorders of development may be applied toward any
1638 specialization area. Credits or points that provide training in
1639 the areas of drug abuse, child abuse and neglect, strategies in
1640 teaching students having limited proficiency in English, or
1641 dropout prevention, or training in areas identified in the
1642 educational goals and performance standards adopted pursuant to
1643 ss. 1000.03(5) and 1001.23 may be applied toward any
1644 specialization area. Credits or points earned through approved
1645 summer institutes may be applied toward the fulfillment of these
1646 requirements. Inservice points may also be earned by
1647 participation in professional growth components approved by the
1648 State Board of Education and specified pursuant to s. 1012.98 in
1649 the district's approved master plan for inservice educational
1650 training, including, but not limited to, serving as a trainer in
1651 an approved teacher training activity, serving on an
1652 instructional materials committee or a state board or commission
1653 that deals with educational issues, or serving on an advisory
1654 council created pursuant to s. 1001.452.

1655 Section 25. Section 1012.586, Florida Statutes, is created
1656 to read:

1657 1012.586 Additions or changes to certificates; duplicate
1658 certificates.--A school district may process via a Department of
1659 Education website certificates for the following applications of
1660 public school employees:

1661 (1) Addition of a subject coverage or endorsement to a
1662 valid Florida certificate on the basis of the completion of the



HB 0901

2003

1663 appropriate subject area testing requirements of s.
1664 1012.56(4)(a) or the completion of the requirements of an
1665 approved school district program or the inservice components for
1666 an endorsement.

1667 (2) A reissued certificate to reflect a name change.

1668 (3) A duplicate certificate to replace a lost or damaged
1669 certificate.

1670
1671 The employing school district shall charge the employee a fee
1672 not to exceed the amount charged by the Department of Education
1673 for such services. Each district school board shall retain a
1674 portion of the fee as defined in the rules of the State Board of
1675 Education. The portion sent to the department shall be used for
1676 maintenance of the technology system, the web application, and
1677 posting and mailing of the certificate.

1678 Section 26. Subsections (1) and (2) and paragraph (a) of
1679 subsection (3) of section 1012.72, Florida Statutes, are amended
1680 to read:

1681 1012.72 Dale Hickam Excellent Teaching Program.--

1682 (1) The Legislature recognizes that teachers play a
1683 critical role in preparing students to achieve the high levels
1684 of academic performance expected by the Sunshine State
1685 Standards. The Legislature further recognizes the importance of
1686 identifying and rewarding teaching excellence and of encouraging
1687 good teachers to become excellent teachers. The Legislature
1688 finds that the National Board for ~~of~~ Professional Teaching
1689 Standards (NBPTS) has established high and rigorous standards
1690 for accomplished teaching and has developed a national voluntary
1691 system for assessing and certifying teachers who demonstrate
1692 teaching excellence by meeting those standards. It is therefore



HB 0901

2003

1693 the Legislature's intent to provide incentives for teachers to
 1694 seek NBPTS certification and to reward teachers who demonstrate
 1695 teaching excellence by attaining NBPTS certification and sharing
 1696 their expertise with other teachers. Contingent upon approval by
 1697 the State Board of Education, the incentives and privileges
 1698 extended to the NBPTS and to a teacher who holds a valid
 1699 certificate issued by the NBPTS shall be extended to the
 1700 American Board for Certification of Teacher Excellence (ABCTE)
 1701 and to a teacher who holds a valid Master Teacher Certificate
 1702 issued by the ABCTE.

1703 (2) The Dale Hickam Excellent Teaching Program is created
 1704 to provide categorical funding for monetary incentives and
 1705 bonuses for teaching excellence. The Department of Education
 1706 shall distribute to each school district or to the NBPTS, or to
 1707 the ABCTE if approved by the State Board of Education, an amount
 1708 as prescribed annually by the Legislature for the Dale Hickam
 1709 Excellent Teaching Program. For purposes of this section, the
 1710 Florida School for the Deaf and the Blind shall be considered a
 1711 school district. Unless otherwise provided in the General
 1712 Appropriations Act, each distribution shall be the sum of the
 1713 amounts earned for the following incentives and bonuses:

1714 (a) A fee subsidy to be paid by the Department of
 1715 Education to the NBPTS, or to the ABCTE if approved by the State
 1716 Board of Education, on behalf of each individual who is an
 1717 employee of a district school board or a public school within
 1718 the school district, who is certified by the district to have
 1719 demonstrated satisfactory teaching performance pursuant to s.
 1720 1012.34 and who satisfies the prerequisites for participating in
 1721 the NBPTS certification program, or the ABCTE master teacher
 1722 certification program if approved by the State Board of



HB 0901

2003

1723 Education, and who agrees, in writing, to pay 10 percent of the
1724 NBPTS or ABCTE participation fee and to participate in the NBPTS
1725 certification program, or the ABCTE master teacher certification
1726 program if approved by the State Board of Education, during the
1727 school year for which the fee subsidy is provided. The fee
1728 subsidy for each eligible participant shall be an amount equal
1729 to 90 percent of the fee charged for participating in the NBPTS
1730 certification program. The fee subsidy is a one-time award and
1731 may not be duplicated for any individual.

1732 (b) A portfolio-preparation incentive of \$150 paid by the
1733 Department of Education to each teacher employed by a district
1734 school board or a public school within a school district who is
1735 participating in the NBPTS certification program, or the ABCTE
1736 master teacher certification program if approved by the State
1737 Board of Education. The portfolio-preparation incentive is a
1738 one-time award paid during the school year for which the ~~NBPTS~~
1739 fee subsidy is provided.

1740 (c) An annual bonus equal to 10 percent of the prior
1741 fiscal year's statewide average salary for classroom teachers to
1742 be distributed to the school district to be paid to each
1743 individual who holds NBPTS certification, or ABCTE master
1744 teacher certification if approved by the State Board of
1745 Education, and is employed by the district school board or by a
1746 public school within the school district. The district school
1747 board shall distribute the annual bonus to each individual who
1748 meets the requirements of this paragraph and who is certified
1749 annually by the district to have demonstrated satisfactory
1750 teaching performance pursuant to s. 1012.34. The annual bonus
1751 may be paid as a single payment or divided into not more than
1752 three payments.



HB 0901

2003

1753 (d) An annual bonus equal to 10 percent of the prior
1754 fiscal year's statewide average salary for classroom teachers to
1755 be distributed to the school district to be paid to each
1756 individual who meets the requirements of paragraph (c) and
1757 agrees, in writing, to provide the equivalent of 12 workdays of
1758 mentoring and related services to public school teachers within
1759 the state who do not hold NBPTS certification or ABCTE
1760 certification if approved by the State Board of Education. The
1761 district school board shall distribute the annual bonus in a
1762 single payment following the completion of all required
1763 mentoring and related services for the year. It is not the
1764 intent of the Legislature to remove excellent teachers from
1765 their assigned classrooms; therefore, credit may not be granted
1766 by a school district or public school for mentoring or related
1767 services provided during student contact time during the 196
1768 days of required service for the school year.

1769
1770 Beginning with the 2003-2004 academic year, annual bonuses
1771 pursuant to this section shall be limited to teachers who
1772 demonstrate outstanding performance in teaching subjects in
1773 student performance measurable areas, as measured by the FCAT,
1774 and who also demonstrates significant successful efforts in
1775 mentoring beginning or struggling teachers. A teacher for whom
1776 the state pays the certification fee and who does not complete
1777 the certification program or does not teach in a public school
1778 of this state for at least 1 year after completing the
1779 certification program must repay the amount of the certification
1780 fee to the state. However, a teacher who completes the
1781 certification program but fails to be awarded NBPTS
1782 certification, or ABCTE master teacher certification if approved



HB 0901

2003

1783 by the State Board of Education, is not required to repay the
1784 amount of the certification fee if the teacher meets the 1-year
1785 teaching requirement. Repayment is not required of a teacher who
1786 does not complete the certification program or fails to fulfill
1787 the teaching requirement because of the teacher's death or
1788 disability or because of other extenuating circumstances as
1789 determined by the State Board of Education.

1790 (3)(a) In addition to any other remedy available under the
1791 law, any person who is a recipient of a certification fee
1792 subsidy paid to the NBPTS, or the ABCTE if approved by the State
1793 Board of Education, and who is an employee of the state or any
1794 of its political subdivisions is considered to have consented,
1795 as a condition of employment, to the voluntary or involuntary
1796 withholding of wages to repay to the state the amount of such a
1797 certification fee subsidy awarded under this section. Any such
1798 employee who defaults on the repayment of such a certification
1799 fee subsidy must, within 60 days after service of a notice of
1800 default by the Department of Education to the employee,
1801 establish a repayment schedule which must be agreed to by the
1802 department and the employee, for repaying the defaulted sum
1803 through payroll deductions. The department may not require the
1804 employee to pay more than 10 percent of the employee's pay per
1805 pay period under such a repayment schedule or plan. If the
1806 employee fails to establish a repayment schedule within the
1807 specified period of time or fails to meet the terms and
1808 conditions of the agreed upon or approved repayment schedule as
1809 authorized by this subsection, the employee has breached an
1810 essential condition of employment and is considered to have
1811 consented to the involuntary withholding of wages or salary for
1812 the repayment of the certification fee subsidy.



HB 0901

2003

1813 Section 27. Subsection (3) of section 1012.73, Florida
1814 Statutes, is amended to read:

1815 1012.73 Florida Mentor Teacher School Pilot Program.--

1816 (3) The five teacher career development positions and
1817 minimum requirements are:

1818 (a) *Education paraprofessional learning guide*.--An
1819 education paraprofessional learning guide must hold an associate
1820 degree from a postsecondary educational institution and must
1821 demonstrate appropriate writing, speaking, and computation
1822 skills.

1823 (b) *Associate teacher*.--An associate teacher must hold a
1824 bachelor's degree from a postsecondary educational institution
1825 and a valid Florida teaching certificate as provided by s.
1826 1012.56.

1827 (c) *Teacher*.--A teacher must hold a bachelor's degree or
1828 higher from a postsecondary educational institution and a valid
1829 Florida teaching certificate, have a minimum of 3 years' full-
1830 time teaching experience, document satisfactory teaching
1831 performance, and document evidence of positive student learning
1832 gains, when data become available.

1833 (d) *Lead teacher*.--A lead teacher must hold a bachelor's
1834 degree or higher from a postsecondary educational institution
1835 and a valid Florida professional teaching certificate, have a
1836 minimum of 3 years' full-time teaching experience, document
1837 exemplary teaching performance, and document evidence of
1838 significant positive student learning gains, when data become
1839 available. A lead teacher shall provide intensive support for
1840 associate teachers and teachers.

1841 (e) *Mentor teacher*.--A mentor teacher must:



HB 0901

2003

- 1842 1. Hold a bachelor's degree or higher from a postsecondary
- 1843 educational institution and a valid Florida professional
- 1844 teaching certificate.
- 1845 2. Have a minimum of 5 years' full-time teaching
- 1846 experience.
- 1847 3. Document exemplary teaching performance.
- 1848 4. Document evidence of significant positive student
- 1849 learning gains, when data become available.
- 1850 5. Hold a valid National Board for Professional Teaching
- 1851 Standards certificate; have been selected as a school, district,
- 1852 or state teacher of the year; or hold an equivalent status as
- 1853 determined by the commissioner.
- 1854 6. Demonstrate expertise as a staff developer.

1855

1856 Teacher career development does not require graduation from a

1857 teacher preparation program.

1858 Section 28. Subsection (2), paragraph (b) of subsection

1859 (3), and subsections (5) through (10) of section 1012.98,

1860 Florida Statutes, are amended to read:

1861 1012.98 School Community Professional Development Act.--

1862 (2) The school community includes students and parents,

1863 administrative personnel, managers, instructional personnel,

1864 support personnel, members of district school boards, members of

1865 school advisory councils, ~~parents~~, business partners, and

1866 personnel that provide health and social services to students

1867 ~~school children. School districts may identify and include~~

1868 ~~additional members of the school community in the professional~~

1869 ~~development activities required by this section.~~

1870 (3) The activities designed to implement this section

1871 must:



HB 0901

2003

1872 (b) Assist the school community in providing stimulating,
1873 scientifically research-based educational activities that
1874 encourage and motivate students to achieve at the highest levels
1875 and to become active learners.

1876 ~~(5)(a) The Department of Education shall provide a system
1877 for the recruitment, preparation, and professional development
1878 of school administrative personnel. This system shall:~~

1879 ~~1. Identify the knowledge, competencies, and skills
1880 necessary for effective school management and instructional
1881 leadership that align with student performance standards and
1882 accountability measures.~~

1883 ~~2. Include performance evaluation methods.~~

1884 ~~3. Provide for alternate means for preparation of school
1885 administrative personnel which may include programs designed by
1886 school districts and postsecondary educational institutions
1887 pursuant to guidelines developed by the commissioner. Such
1888 preparation programs shall be approved by the Department of
1889 Education.~~

1890 ~~4. Provide for the hiring of qualified out-of-state school
1891 administrative personnel.~~

1892 ~~5. Provide advanced educational opportunities for school-
1893 based instructional leaders.~~

1894 ~~(b) The Commissioner of Education shall appoint a task
1895 force that includes a district school superintendent, a district
1896 school board member, a principal, an assistant principal, a
1897 teacher, a dean of a college of education, and parents. The task
1898 force shall convene periodically to provide recommendations to
1899 the department in the areas of recruitment, certification,
1900 preparation, professional development, and evaluation of school
1901 administrators.~~



HB 0901

2003

1902 (5)~~(6)~~ Each district school board shall provide funding
1903 for the professional development system as required by s.
1904 1011.62 and the General Appropriations Act, and shall direct
1905 expenditures from other funding sources to strengthen the system
1906 and make it uniform and coherent. A school district may
1907 coordinate its professional development program with that of
1908 another district, with an educational consortium, or with a
1909 community college or university, especially in preparing and
1910 educating personnel. Each district school board shall make
1911 available inservice activities to instructional personnel of
1912 nonpublic schools in the district and the state certified
1913 teachers who are not employed by the district school board on a
1914 fee basis not to exceed the cost of the activity per all
1915 participants.

1916 (6)~~(7)~~ An organization of private schools which has no
1917 fewer than 10 member schools in this state, which publishes and
1918 files with the Department of Education copies of its standards,
1919 and the member schools of which comply with the provisions of
1920 part II of chapter 1003, relating to compulsory school
1921 attendance, may also develop a professional development system
1922 that includes a master plan for inservice activities. The system
1923 and inservice plan must be submitted to the commissioner for
1924 approval pursuant to rules of the State Board of Education.

1925 (7)~~(8)~~ The Department of Education shall design methods by
1926 which the state and district school boards may evaluate and
1927 improve the professional development system. The evaluation must
1928 include an annual assessment of data that indicate progress or
1929 lack of progress of all students. If the review of the data
1930 indicates progress, the department shall identify the best
1931 practices that contributed to the progress. If the review of the



HB 0901

2003

1932 data indicates a lack of progress, the department shall
 1933 investigate the causes of the lack of progress, provide
 1934 technical assistance, and require the school district to employ
 1935 a different approach to professional development. The department
 1936 shall report annually to the State Board of Education and the
 1937 Legislature any school district that, in the determination of
 1938 the department, has failed to provide an adequate professional
 1939 development system. This report must include the results of the
 1940 department's investigation and of any intervention provided.

1941 ~~(8)(9)~~ The State Board of Education may adopt rules
 1942 pursuant to ss. 120.536(1) and 120.54 to administer this
 1943 section.

1944 ~~(9)(10)~~ This section does not limit or discourage a
 1945 district school board from contracting with independent entities
 1946 for professional development services and inservice education if
 1947 the district school board can demonstrate to the Commissioner of
 1948 Education ~~believes~~ that, through such a contract, a better
 1949 product can be acquired or its goals for education improvement
 1950 can be better met.

1951 ~~(10)(11)~~ For teachers, managers, and administrative
 1952 personnel who have been evaluated as less than satisfactory, a
 1953 district school board shall require participation in specific
 1954 professional development programs as part of the improvement
 1955 prescription.

1956 Section 29. Section 1012.987, Florida Statutes, is created
 1957 to read:

1958 1012.987 Education leadership development.--

1959 (1) The State Board of Education shall adopt rules through
 1960 which school principals may earn a principal leadership
 1961 designation based on teacher retention, overall student



HB 0901

2003

1962 performance, and school grade. The State Board of Education must
 1963 designate incentives available to personnel who earn a principal
 1964 leadership designation including, but not limited to, merit pay,
 1965 expanded discretionary spending flexibility, relaxed regulation
 1966 or reporting requirements, additional professional development
 1967 resources, and public recognition.

1968 (2)(a) The Department of Education shall provide a system
 1969 for the recruitment, preparation, and education leadership
 1970 development of school administrative personnel. This system
 1971 shall be based on standards adopted by the State Board of
 1972 Education that include, but are not limited to:

- 1973 1. Improved student achievement.
- 1974 2. Increased emphasis on reading using the latest
 1975 scientific knowledge-based research in reading and the
 1976 administrator's role as a successful school leader in reading
 1977 reform efforts.
- 1978 3. Instructional leadership.
- 1979 4. Data analysis.
- 1980 5. School safety.
- 1981 6. Community and family involvement.
- 1982 7. Operational management.
- 1983 8. School finance.

1984

1985 (b) Each education leadership development program must
 1986 provide all program participants full information on not less
 1987 than an annual basis to update the participants on the status
 1988 of, and rationale for changes to, state and federal law and
 1989 funding policies.



HB 0901

2003

1990 (c) Education leadership development programs must be
 1991 consistent with standards adopted by the State Board of
 1992 Education and must be approved by the department.

1993 (d) Alternative education leadership development programs
 1994 that meet the standards of, and are approved by, the Department
 1995 of Education may be offered by a school district or
 1996 postsecondary educational institution.

1997 (e) The Commissioner of Education may conduct K-20
 1998 education leadership institutes for the purpose of communicating
 1999 the state's education priorities, best practices, and other
 2000 related research and facilitating the formation of a K-20
 2001 partnership.

2002 Section 30. Notwithstanding any provision of law to the
 2003 contrary, when a school is graded "F" or receives a second
 2004 consecutive grade of "D," the elected district school
 2005 superintendent, or if the district school superintendent is
 2006 appointed, the district school board, may request the
 2007 resignation of the school principal and teachers.

2008 Section 31. This act shall take effect upon becoming a
 2009 law.