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## CHAMBER ACTION

The Committee on Education K-20 recommends the following:

**Committee Substitute**

Remove the entire bill and insert:

A bill to be entitled

An act relating to educational leadership; creating the BEST Florida Teaching Act of 2003; creating s. 1000.041, F.S.; providing legislative purposes and guiding principles of the act; amending s. 1001.33, F.S.; requiring cooperation to apply such guiding principles; amending s. 1001.42, F.S.; requiring district school boards to provide clerical personnel or volunteers to assist teachers in noninstructional activities; requiring school district support of authority; amending ss. 1001.51 and 1001.54, F.S.; providing for cooperation and support of district school superintendents and school principals; amending s. 1002.20, F.S.; providing student rights with respect to classroom orderliness; amending s. 1002.42, F.S.; correcting a cross reference; amending s. 1003.04, F.S.; requiring specified student conduct; requiring parental cooperation with school authority; amending s. 1003.31, F.S.; providing for support of the authority of teachers and bus drivers; amending s. 1003.32, F.S.;



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29 | revising provisions relating to teacher authority and  
30 | responsibility for control of students; designating a  
31 | school placement review committee to determine placement  
32 | for disruptive students; requiring reports; requiring  
33 | Commissioner of Education review of success in achieving  
34 | orderly classrooms and use of enforcement actions;  
35 | requiring reporting of knowledge or belief of crimes of  
36 | violence on school property; providing immunity; amending  
37 | s. 1004.04, F.S.; revising provisions relating to state  
38 | approval of teacher preparation programs; expanding State  
39 | Board of Education rules establishing core curricula;  
40 | requiring teacher preparation programs to incorporate  
41 | certain instruction; providing for guarantee; providing  
42 | for additional teacher training under certain  
43 | circumstances; authorizing pay for student teacher  
44 | internships; providing priority consideration for  
45 | participation in teacher education pilot programs;  
46 | amending ss. 1006.08 and 1006.09, F.S.; providing for  
47 | district school superintendent and school principal  
48 | support relating to student discipline; amending s.  
49 | 1009.59, F.S.; renaming and revising eligibility criteria  
50 | and loan reimbursement of the Critical Teacher Shortage  
51 | Student Loan Forgiveness Program; creating s. 1009.591,  
52 | F.S.; creating the Teaching Fellows Program to encourage  
53 | certain graduate students to enter the teaching  
54 | profession; providing for stipends, signing bonuses upon  
55 | employment, and waiver of tuition and fees under certain  
56 | circumstances; providing repayment requirements; creating



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57 | s. 1011.63, F.S.; creating a categorical fund for a salary  
58 | career ladder; providing requirements to access funds;  
59 | providing for allocation to school districts; amending s.  
60 | 1012.05, F.S.; requiring the Department of Education to  
61 | provide for one-stop shopping for teacher career  
62 | information and on-line support; authorizing use of funds  
63 | to recruit and prepare teachers; creating s. 1012.231,  
64 | F.S.; requiring district school board plans for  
65 | compensation of classroom teachers; providing for funding  
66 | teacher salary career ladders based on performance;  
67 | providing requirements and incentives relating to teacher  
68 | assignments; amending ss. 1012.27 and 1012.28, F.S.;  
69 | providing duties of district school superintendents and  
70 | school principals; amending s. 1012.56, F.S.; revising the  
71 | time period for which an official statement of status of  
72 | eligibility for certification is valid; revising  
73 | requirements for mastery of general knowledge, mastery of  
74 | subject area knowledge, and mastery of professional  
75 | preparation and education competence; revising provisions  
76 | relating to temporary certificates; amending s. 1012.57,  
77 | F.S.; requiring district school boards to adopt rules to  
78 | allow for the issuance of adjunct teaching certificates;  
79 | revising provisions relating to determination of expertise  
80 | in the subject area to be taught; amending s. 1012.585,  
81 | F.S.; revising certain requirements for renewal of  
82 | professional certificates; correcting a cross reference;  
83 | creating s. 1012.586, F.S.; authorizing school districts  
84 | to process certain applications via website; providing for



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85 a fee and the uses thereof; amending s. 1012.72, F.S.;  
86 expanding the Dale Hickam Excellent Teaching program to  
87 provide incentives for teachers who seek or are issued  
88 certain certification by the American Board for  
89 Certification of Teacher Excellence; restricting bonuses  
90 to certain teachers; repealing s. 1012.73, F.S., relating  
91 to the mentor teacher pilot program; amending s. 1012.98,  
92 F.S.; revising provisions relating to the School Community  
93 Professional Development Act; deleting provisions relating  
94 to recruitment, preparation, and professional development  
95 of school administrative personnel; creating s. 1012.987,  
96 F.S.; authorizing a principal leadership designation and  
97 incentives therefor; requiring a system for recruitment,  
98 preparation, and education leadership development of  
99 school administrative personnel; authorizing request of  
100 resignation of a school principal and teachers under  
101 certain circumstances; requiring district school boards to  
102 review and consider amending certain collective bargaining  
103 contracts; requiring the Commissioner of Education to  
104 conduct a survey of classroom teachers; amending s.  
105 121.021, F.S.; correcting a cross reference; providing an  
106 effective date.

107  
108 Be It Enacted by the Legislature of the State of Florida:

109  
110 Section 1. This act shall be known by the popular name  
111 "The BEST Florida Teaching Act of 2003."



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112 Section 2. Section 1000.041, Florida Statutes, is created  
113 to read:

114 1000.041 Better Educated Students and Teachers (BEST)  
115 Florida Teaching Act of 2003; legislative purposes; guiding  
116 principles.--The legislative purposes and guiding principles of  
117 the BEST Florida Teaching Act of 2003 are:

118 (1) Teachers teach, students learn.

119 (2) Teachers maintain orderly, disciplined classrooms  
120 conducive to student learning.

121 (3) Teachers are trained, recruited, well compensated, and  
122 retained for quality.

123 (4) Teachers are well rewarded for their students' high  
124 performance.

125 (5) Teachers are most effective when served by exemplary  
126 school administrators.

127  
128 Each teacher preparation program, each postsecondary educational  
129 institution providing dual enrollment or other acceleration  
130 programs, each district school board, and each district and  
131 school-based administrator fully supports and cooperates in the  
132 accomplishment of these purposes and guiding principles.

133 Section 3. Section 1001.33, Florida Statutes, is amended  
134 to read:

135 1001.33 Schools under control of district school board and  
136 district school superintendent.--

137 (1) Except as otherwise provided by law, all public  
138 schools conducted within the district shall be under the



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139 direction and control of the district school board with the  
140 district school superintendent as executive officer.

141 (2) Each district school board, each district school  
142 superintendent, and each district and school-based administrator  
143 shall cooperate to apply the following guiding principles of the  
144 Better Educated Students and Teachers (BEST) Florida Teaching  
145 Act of 2003:

146 (a) Teachers teach, students learn.

147 (b) Teachers maintain orderly, disciplined classrooms  
148 conducive to student learning.

149 (c) Teachers are trained, recruited, well compensated, and  
150 retained for quality.

151 (d) Teachers are well rewarded for their students' high  
152 performance.

153 (e) Teachers are most effective when served by exemplary  
154 school administrators.

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

157 1001.42 Powers and duties of district school board.--The  
158 district school board, acting as a board, shall exercise all  
159 powers and perform all duties listed below:

160 (5) PERSONNEL.--

161 (a) Designate positions to be filled, prescribe  
162 qualifications for those positions, and provide for the  
163 appointment, compensation, promotion, suspension, and dismissal  
164 of employees, subject to the requirements of chapter 1012. Each  
165 district school board shall provide clerical personnel or  
166 volunteers who are not classroom teachers to assist teachers in



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167 noninstructional activities, including performing paperwork and  
168 recordkeeping duties. However, a teacher shall remain  
169 responsible for all instructional activities and for classroom  
170 management and grading student performance.

171 (b) Notwithstanding s. 1012.55 or any other provision of  
172 law or rule to the contrary and, ~~the district school board may,~~  
173 consistent with adopted district school board policy relating to  
174 alternative certification for school principals, have the  
175 authority to appoint persons to the position of school principal  
176 who do not hold educator certification.

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

180 (6) ~~STUDENT CHILD~~ WELFARE.--

181 (a) In accordance with the provisions of chapters 1003 and  
182 1006, provide for the proper accounting for all students  
183 ~~children~~ of school age, for the attendance and control of  
184 students at school, and for proper attention to health, safety,  
185 and other matters relating to the welfare of students ~~children~~.

186 (b) In accordance with the provisions of ss. 1003.31 and  
187 1003.32, fully support the authority of each teacher and school  
188 bus driver to remove disobedient, disrespectful, violent,  
189 abusive, uncontrollable, or disruptive students from the  
190 classroom and the school bus and the authority of the school  
191 principal to place such students in an alternative educational  
192 setting, when appropriate and available.



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

196 1001.51 Duties and responsibilities of district school  
197 superintendent.--The district school superintendent shall  
198 exercise all powers and perform all duties listed below and  
199 elsewhere in the law, provided that, in so doing, he or she  
200 shall advise and counsel with the district school board. The  
201 district school superintendent shall perform all tasks necessary  
202 to make sound recommendations, nominations, proposals, and  
203 reports required by law to be acted upon by the district school  
204 board. All such recommendations, nominations, proposals, and  
205 reports by the district school superintendent shall be either  
206 recorded in the minutes or shall be made in writing, noted in  
207 the minutes, and filed in the public records of the district  
208 school board. It shall be presumed that, in the absence of the  
209 record required in this section, the recommendations,  
210 nominations, and proposals required of the district school  
211 superintendent were not contrary to the action taken by the  
212 district school board in such matters.

213 (23) QUALITY TEACHERS.--Fully support and cooperate in the  
214 application of the guiding principles of the Better Educated  
215 Students and Teachers (BEST) Florida Teaching Act of 2003,  
216 pursuant to s. 1000.041.

217 (24) ORDERLY CLASSROOMS AND SCHOOL BUSES.--Fully support  
218 the authority of each teacher, according to s. 1003.32, and  
219 school bus driver to remove disobedient, disrespectful, violent,  
220 abusive, uncontrollable, or disruptive students from the





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221 | classroom and the school bus and the authority of the school  
222 | principal to place such students in an alternative educational  
223 | setting, when appropriate and available.

224 | Section 6. Subsection (1) of section 1001.54, Florida  
225 | Statutes, is amended to read:

226 | 1001.54 Duties of school principals.--

227 | (1)(a) A district school board shall employ, through  
228 | written contract, public school principals.

229 | (b) The school principal has authority over school  
230 | district personnel in accordance with s. 1012.28.

231 | (c) The school principal shall encourage school personnel  
232 | to implement the guiding principles of the Better Educated  
233 | Students and Teachers (BEST) Florida Teaching Act of 2003,  
234 | pursuant to s. 1000.041.

235 | (d) The school principal should fully support the  
236 | authority of each teacher, according to s. 1003.32, and school  
237 | bus driver to remove disobedient, disrespectful, violent,  
238 | abusive, uncontrollable, or disruptive students from the  
239 | classroom and the school bus and, when appropriate and  
240 | available, place such students in an alternative educational  
241 | setting.

242 | Section 7. Subsection (22) is added to said section  
243 | 1002.20, Florida Statutes, to read:

244 | 1002.20 K-12 student and parent rights.--K-12 students and  
245 | their parents are afforded numerous statutory rights including,  
246 | but not limited to, the following:

247 | (22) ORDERLY, DISCIPLINED CLASSROOMS.--Public school  
248 | students shall be in orderly, disciplined classrooms conducive



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249 to learning without the distraction caused by disobedient,  
250 disrespectful, violent, abusive, uncontrollable, or disruptive  
251 students, in accordance with s. 1003.32.

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

254 1002.42 Private schools.--

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

260 Section 9. Section 1003.04, Florida Statutes, is amended  
261 to read:

262 1003.04 Student conduct and parental involvement ~~goals~~.--

263 (1) ~~It is the goal of the Legislature and each district~~  
264 ~~school board that~~ Each public K-12 student must comply with  
265 school attendance laws ~~remain in attendance~~ throughout the  
266 school year, unless excused by the school for illness or other  
267 good cause, and must comply fully with the school's code of  
268 conduct.

269 (2) The parent of each public K-12 student must cooperate  
270 with the authority of the student's district school board,  
271 superintendent, principal, teachers, and school bus drivers,  
272 according to ss. 1003.31 and 1003.32, to remove the student from  
273 the classroom and the school bus and, when appropriate and  
274 available, to place the student in an alternative educational  
275 setting, if the student is disobedient, disrespectful, violent,  
276 abusive, uncontrollable, or disruptive.



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277           ~~(3)~~(2) It is the goal of the Legislature and each district  
278 school board that the parent of each public K-12 student comply  
279 with the school's reasonable and time-acceptable parental  
280 involvement requests.

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

283           1003.31 Students subject to control of school.--

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

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

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

290           (c) During the time she or he is on the school premises  
291 participating with authorization in a school-sponsored activity;  
292 and

293           (d) During a reasonable time before and after the student  
294 is on the premises for attendance at school or for authorized  
295 participation in a school-sponsored activity, and only when on  
296 the premises,

297  
298 be under the control and direction of the principal or teacher  
299 in charge of the school, and under the immediate control and  
300 direction of the teacher or other member of the instructional  
301 staff or of the bus driver to whom such responsibility may be  
302 assigned by the principal. However, the State Board of Education  
303 or the district school board may, by rules, subject each student  
304 to the control and direction of the principal or teacher in



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305 | charge of the school during the time she or he is otherwise en  
306 | route to or from school or is presumed by law to be attending  
307 | school. Each district school board, each district school  
308 | superintendent, and each school principal should fully support  
309 | the authority of teachers, according to s. 1003.32, and school  
310 | bus drivers to remove disobedient, disrespectful, violent,  
311 | abusive, uncontrollable, or disruptive students from the  
312 | classroom and the school bus and, when appropriate and  
313 | available, place such students in an alternative educational  
314 | setting.

315 |       Section 11. Section 1003.32, Florida Statutes, is amended  
316 | to read:

317 |       1003.32 Authority of teacher; responsibility for control  
318 | of students; district school board and principal duties.--  
319 | Subject to law and to the rules of the district school board,  
320 | each teacher or other member of the staff of any school shall  
321 | have such authority for the control and discipline of students  
322 | as may be assigned to him or her by the principal or the  
323 | principal's designated representative and shall keep good order  
324 | in the classroom and in other places in which he or she is  
325 | assigned to be in charge of students.

326 |       (1) In accordance with this section and within the  
327 | framework of the district school board's code of student  
328 | conduct, teachers and other instructional personnel shall have  
329 | the authority to undertake any of the following actions in  
330 | managing student behavior and ensuring the safety of all  
331 | students in their classes and school and their opportunity to  
332 | learn in an orderly and disciplined classroom:



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- 333 (a) Establish classroom rules of conduct.
- 334 (b) Establish and implement consequences, designed to  
335 change behavior, for infractions of classroom rules.
- 336 (c) Have disobedient, disrespectful, violent, abusive,  
337 uncontrollable, or disruptive students ~~temporarily~~ removed from  
338 the classroom for behavior management intervention.
- 339 (d) Have violent, abusive, uncontrollable, or disruptive  
340 students directed for information or assistance from appropriate  
341 school or district school board personnel.
- 342 (e) Assist in enforcing school rules on school property,  
343 during school-sponsored transportation, and during school-  
344 sponsored activities.
- 345 (f) Request and receive information as to the disposition  
346 of any referrals to the administration for violation of  
347 classroom or school rules.
- 348 (g) Request and receive immediate assistance in classroom  
349 management if a student becomes uncontrollable or in case of  
350 emergency.
- 351 (h) Request and receive training and other assistance to  
352 improve skills in classroom management, violence prevention,  
353 conflict resolution, and related areas.
- 354 (i) Press charges if there is reason to believe that a  
355 crime has been committed ~~against the teacher or other~~  
356 ~~instructional personnel~~ on school property, during school-  
357 sponsored transportation, or during school-sponsored activities.
- 358 (j) Use reasonable force, according to standards adopted  
359 by the State Board of Education, to protect himself or herself  
360 or others from injury.



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

364 1. The use of corporal punishment shall be approved in  
365 principle by the principal before it is used, but approval is  
366 not necessary for each specific instance in which it is used.  
367 The principal shall prepare guidelines for administering such  
368 punishment which identify the types of punishable offenses, the  
369 conditions under which the punishment shall be administered, and  
370 the specific personnel on the school staff authorized to  
371 administer the punishment.

372 2. A teacher or principal may administer corporal  
373 punishment only in the presence of another adult who is informed  
374 beforehand, and in the student's presence, of the reason for the  
375 punishment.

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

380 (2) Teachers and other instructional personnel shall:

381 (a) Set and enforce reasonable classroom rules that treat  
382 all students equitably.

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

386 (c) Maintain an orderly and disciplined classroom with a  
387 positive and effective learning environment that maximizes  
388 learning and minimizes disruption.



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

391 (3) A teacher may send a student to the principal's office  
392 to maintain effective discipline in the classroom and may  
393 recommend an appropriate consequence consistent with the student  
394 code of conduct under s. 1006.07. The principal shall respond by  
395 employing the teacher's recommended consequence or a more  
396 serious disciplinary action if the student's history of  
397 disruptive behavior warrants it. If the principal determines  
398 that a different disciplinary action is appropriate, the  
399 principal should consult with the teacher prior to taking such  
400 different disciplinary action ~~appropriate discipline management~~  
401 ~~techniques consistent with the student code of conduct under s.~~  
402 ~~1006.07~~.

403 (4) A teacher may remove a student from class ~~a student~~  
404 whose behavior the teacher determines interferes with the  
405 teacher's ability to communicate effectively with the students  
406 in the class or with the ability of the student's classmates to  
407 learn. Each district school board, each district school  
408 superintendent, and each school principal should support the  
409 authority of teachers to remove disobedient, violent, abusive,  
410 uncontrollable, or disruptive students from the classroom.

411 (5) If a teacher removes a student from class under  
412 subsection (4), the principal may place the student in another  
413 appropriate classroom, in in-school suspension, or in a dropout  
414 prevention and academic intervention program as provided by s.  
415 1003.53; or the principal may recommend the student for out-of-  
416 school suspension or expulsion, as appropriate. The student may



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417 be prohibited from attending or participating in school-  
418 sponsored or school-related activities. The principal may not  
419 return the student to that teacher's class without the teacher's  
420 consent unless the committee established under subsection (6)  
421 determines that such placement is the best or only available  
422 alternative. The teacher and the placement review committee must  
423 render decisions within 5 days of the removal of the student  
424 from the classroom.

425       (6)(a) Each school shall establish a placement review  
426 committee to determine placement of a student when a teacher  
427 withholds consent to the return of a student to the teacher's  
428 class. A school principal must notify each teacher in that  
429 school about the availability, the procedures, and the criteria  
430 for the placement review committee as outlined in this section.

431       (b) The principal must report on a quarterly basis to the  
432 district school superintendent and district school board each  
433 incidence of a teacher's withholding consent for a removed  
434 student to return to the teacher's class and the disposition of  
435 the incident, and the superintendent must annually report these  
436 data to the department.

437       (c) The Commissioner of Education shall annually review  
438 each school district's compliance with this section, and success  
439 in achieving orderly classrooms, and shall use all appropriate  
440 enforcement actions up to and including the withholding of  
441 disbursements from the Educational Enhancement Trust Fund until  
442 full compliance is verified.

443       (d) Placement review committee membership must include at  
444 least the following:





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

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

449

450 The teacher who withheld consent to readmitting the student may  
451 not serve on the committee. The teacher and the placement review  
452 committee must render decisions within 5 days after the removal  
453 of the student from the classroom. If the placement review  
454 committee's decision is contrary to the decision of the teacher  
455 to withhold consent to the return of the removed student to the  
456 teacher's class, the teacher may appeal the committee's decision  
457 to the district school superintendent.

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

461           (8) Each teacher or other member of the staff of any  
462 school who knows or has reason to believe that any person has  
463 committed, or has made a credible threat to commit, a crime of  
464 violence on school property shall report such knowledge or  
465 belief in accordance with the provisions of s. 1006.13. Each  
466 district school superintendent and each school principal shall  
467 fully support good faith reporting in accordance with the  
468 provisions of this subsection and s. 1006.13. Any person who  
469 makes a report required by this subsection in good faith shall  
470 be immune from civil or criminal liability for making the  
471 report.



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472            (9)~~(8)~~ When knowledgeable of the likely risk of physical  
473 violence in the schools, the district school board shall take  
474 reasonable steps to ensure that teachers, other school staff,  
475 and students are not at undue risk of violence or harm.

476            Section 12. Section 1004.04, Florida Statutes, is amended  
477 to read:

478            1004.04 Public accountability and state approval for  
479 teacher preparation programs.--

480            (1) INTENT.--

481            (a) The Legislature recognizes that skilled teachers make  
482 an important contribution to a system that allows students to  
483 obtain a high-quality education.

484            (b) The intent of the Legislature is to require the State  
485 Board of Education to attain ~~establish~~ a system for development  
486 and approval of teacher preparation programs that allows ~~will~~  
487 ~~free~~ postsecondary teacher preparation institutions to employ  
488 varied and innovative teacher preparation techniques while being  
489 held accountable for producing graduates with the competencies  
490 and skills necessary to achieve the state education goals; help  
491 the state's diverse student population, including students who  
492 have substandard reading and computational skills and students  
493 with limited English proficiency, meet high standards for  
494 academic achievement; maintain safe, secure classroom learning  
495 environments; and sustain the state system of school improvement  
496 and education accountability established pursuant to ss.  
497 1000.03(5) and 1008.345.

498            (2) UNIFORM CORE CURRICULA.--



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

503        (b) The rules to establish uniform core curricula for each  
504 state-approved teacher preparation program must include, but are  
505 not limited to, a State Board of Education identified foundation  
506 in scientifically researched, knowledge-based reading literacy  
507 and computational skills acquisition; classroom management;  
508 school safety; professional ethics; educational law; human  
509 development and learning; and understanding of the Sunshine  
510 State Standards content measured by state achievement tests,  
511 reading and interpretation of data, and use of data to improve  
512 student achievement.

513        (c) These rules shall not require an additional period of  
514 time-to-degree but may be phased in to enable teacher  
515 preparation programs to supplant courses, including pedagogy  
516 courses, not required by law or State Board of Education rule  
517 with the courses identified pursuant to paragraph (b).

518        (3)(2) DEVELOPMENT OF TEACHER PREPARATION PROGRAMS.--A  
519 system developed by the Department of Education in collaboration  
520 with postsecondary educational institutions shall assist  
521 departments and colleges of education in the restructuring of  
522 their programs in accordance with this section to meet the need  
523 for producing quality teachers now and in the future.

524        (a) The system must be designed to assist teacher  
525 educators in conceptualizing, developing, implementing, and  
526 evaluating programs that meet state-adopted standards. These



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527 standards shall emphasize quality indicators drawn from  
528 research, professional literature, recognized guidelines,  
529 Florida essential teaching competencies and educator-  
530 accomplished practices, effective classroom practices, and the  
531 outcomes of the state system of school improvement and education  
532 accountability, as well as performance measures.

533 (b) Departments and colleges of education shall emphasize  
534 the state system of school improvement and education  
535 accountability concepts and standards, including Sunshine State  
536 Standards.

537 (c) State-approved teacher preparation programs must  
538 incorporate:

539 1. Appropriate English for Speakers of Other Languages  
540 instruction so that program graduates will have completed the  
541 requirements for teaching limited English proficient students in  
542 Florida public schools.

543 2. Scientifically researched, knowledge-based reading  
544 literacy and computational skills instruction so that program  
545 graduates will be able to provide the necessary academic  
546 foundations for their students at whatever grade levels they  
547 choose to teach.

548 (4)(3) INITIAL STATE PROGRAM APPROVAL.--

549 (a) A program approval process based on standards adopted  
550 pursuant to subsections ~~subsection~~ (2) and (3) must be  
551 established for postsecondary teacher preparation programs,  
552 phased in according to timelines determined by the Department of  
553 Education, and fully implemented for all teacher preparation  
554 programs in the state. Each program shall be approved by the



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555 department, consistent with the intent set forth in subsection  
556 (1) and based primarily upon significant, objective, and  
557 quantifiable graduate performance measures.

558 (b) Each teacher preparation program approved by the  
559 Department of Education, as provided for by this section, shall  
560 require students to meet the following as prerequisites for  
561 admission into the program:

562 1. Have a grade point average of at least 2.5 on a 4.0  
563 scale for the general education component of undergraduate  
564 studies or have completed the requirements for a baccalaureate  
565 degree with a minimum grade point average of 2.5 on a 4.0 scale  
566 from any college or university accredited by a regional  
567 accrediting association as defined by State Board of Education  
568 rule or any college or university otherwise approved pursuant to  
569 State Board of Education rule.

570 2. Demonstrate mastery of general knowledge, including the  
571 ability to read, write, and compute, by passing the College  
572 Level Academic Skills Test, a corresponding component of the  
573 National Teachers Examination series, or a similar test pursuant  
574 to rules of the State Board of Education.

575

576 Each teacher preparation program may waive these admissions  
577 requirements for up to 10 percent of the students admitted.  
578 Programs shall implement strategies to ensure that students  
579 admitted under a waiver receive assistance to demonstrate  
580 competencies to successfully meet requirements for  
581 certification.



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582            (5)~~(4)~~ CONTINUED PROGRAM APPROVAL.--Notwithstanding  
 583 subsection (4) ~~(3)~~, failure by a public or nonpublic teacher  
 584 preparation program to meet the criteria for continued program  
 585 approval shall result in loss of program approval. The  
 586 Department of Education, in collaboration with the departments  
 587 and colleges of education, shall develop procedures for  
 588 continued program approval that document the continuous  
 589 improvement of program processes and graduates' performance.

590            (a) Continued approval of specific teacher preparation  
 591 programs at each public and nonpublic postsecondary educational  
 592 institution within the state is contingent upon the passing of  
 593 the written examination required by s. 1012.56 by at least 90  
 594 percent of the graduates of the program who take the  
 595 examination. ~~On request of an institution,~~ The Department of  
 596 Education shall annually provide an analysis of the performance  
 597 of the graduates of such institution with respect to the  
 598 competencies assessed by the examination required by s. 1012.56.

599            (b) Additional criteria for continued program approval for  
 600 public institutions may be approved by the State Board of  
 601 Education. Such criteria must emphasize instruction in classroom  
 602 management and must provide for the evaluation of the teacher  
 603 candidates' performance in this area. The criteria shall also  
 604 require instruction in working with underachieving students.  
 605 Program evaluation procedures must include, but are not limited  
 606 to, program graduates' satisfaction with instruction and the  
 607 program's responsiveness to local school districts. Additional  
 608 criteria for continued program approval for nonpublic  
 609 institutions shall be developed in the same manner as for public



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610 institutions; however, such criteria must be based upon  
611 significant, objective, and quantifiable graduate performance  
612 measures. Responsibility for collecting data on outcome measures  
613 through survey instruments and other appropriate means shall be  
614 shared by the postsecondary educational institutions and the  
615 Department of Education. By January 1 of each year, the  
616 Department of Education shall report this information for each  
617 postsecondary educational institution that has state-approved  
618 programs of teacher education to the Governor, the State Board  
619 of Education, the Commissioner of Education, the President of  
620 the Senate, the Speaker of the House of Representatives, all  
621 Florida postsecondary teacher preparation programs, and  
622 interested members of the public. This report must analyze the  
623 data and make recommendations for improving teacher preparation  
624 programs in the state.

625 (c) Continued approval for a teacher preparation program  
626 is contingent upon the results of periodic ~~annual~~ reviews, on a  
627 schedule established by the State Board of Education, of the  
628 program conducted by the postsecondary educational institution,  
629 using procedures and criteria outlined in an institutional  
630 program evaluation plan approved by the Department of Education.  
631 This plan must incorporate the criteria established in  
632 paragraphs (a) and (b) and include provisions for involving  
633 primary stakeholders, such as program graduates, district school  
634 personnel, classroom teachers, principals, community agencies,  
635 and business representatives in the evaluation process. Upon  
636 request by an institution, the department shall provide  
637 assistance in developing, enhancing, or reviewing the



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638 institutional program evaluation plan and training evaluation  
639 team members.

640 (d) Continued approval for a teacher preparation program  
641 is contingent upon standards being in place that are designed to  
642 adequately prepare elementary, middle, and high school teachers  
643 to instruct their students in reading and higher-level  
644 mathematics concepts and in the use of technology at the  
645 appropriate grade level.

646 (e) Continued approval of teacher preparation programs is  
647 contingent upon compliance with the student admission  
648 requirements of subsection (4) ~~(3)~~ and upon the receipt of at  
649 least a satisfactory rating from public schools and private  
650 schools that employ graduates of the program. Each teacher  
651 preparation program at a state university or community college  
652 shall guarantee that its graduates will demonstrate the skills  
653 specified in subparagraphs 1.-5. during the first 2 years  
654 immediately following graduation from the program or following  
655 initial certification, whichever occurs first. Any teacher in a  
656 Florida public school who fails to demonstrate the essential  
657 skills specified in subparagraphs 1.-5. shall be provided  
658 additional training by the state university or community college  
659 from which he or she received the education degree at no expense  
660 to the teacher or the employer. Such training must consist of an  
661 individualized plan agreed upon by the school district and the  
662 public postsecondary educational institution that includes  
663 specific learning outcomes. The public postsecondary educational  
664 institution assumes no responsibility for the teacher's  
665 employment contract with the employer. Employer satisfaction





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666 shall be determined by a ~~an annually administered~~ survey  
667 instrument approved by the Department of Education and annually  
668 administered by the postsecondary educational institution that,  
669 at a minimum, must include employer satisfaction of the  
670 graduates' ability to do the following:

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

673 2. Recognize signs of students' difficulty with the  
674 reading and computational process and apply appropriate measures  
675 to improve students' reading and computational performance.

676 3. Use and integrate appropriate technology in teaching  
677 and learning processes.

678 4. Demonstrate knowledge and understanding of Sunshine  
679 State Standards.

680 5. Maintain an orderly and disciplined classroom conducive  
681 to student learning.

682 (f)1. Each Florida public and private institution that  
683 offers a state-approved teacher preparation program must  
684 annually report information regarding these programs to the  
685 state and the general public. This information shall be reported  
686 in a uniform and comprehensible manner that is consistent with  
687 definitions and methods approved by the Commissioner of the  
688 National Center for Educational Statistics and that is approved  
689 by the State Board of Education. This information must include,  
690 at a minimum:

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



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693 |           b. The average length of stay of graduates in their full-  
694 | time teaching positions.

695 |           c. Satisfaction ratings required in paragraph (e).

696 |           2. Each public and private institution offering training  
697 | for school readiness related professions, including training in  
698 | the fields of child care and early childhood education, whether  
699 | offering technical credit, associate in applied science degree  
700 | programs, associate in science degree programs, or associate in  
701 | arts degree programs, shall annually report information  
702 | regarding these programs to the state and the general public in  
703 | a uniform and comprehensible manner that conforms with  
704 | definitions and methods approved by the State Board of  
705 | Education. This information must include, at a minimum:

706 |           a. Average length of stay of graduates in their positions.

707 |           b. Satisfaction ratings of graduates' employers.

708 |

709 | This information shall be reported through publications,  
710 | including college and university catalogs and promotional  
711 | materials sent to potential applicants, secondary school  
712 | guidance counselors, and prospective employers of the  
713 | institution's program graduates.

714 |        ~~(6)~~(5) PRESERVICE FIELD EXPERIENCE.--All postsecondary  
715 | instructors, school district personnel and instructional  
716 | personnel, and school sites preparing instructional personnel  
717 | through preservice field experience courses and internships  
718 | shall meet special requirements. District school boards are  
719 | authorized to pay student teachers during their internships.



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720 (a) All instructors in postsecondary teacher preparation  
721 programs who instruct or supervise preservice field experience  
722 courses or internships shall have at least one of the following:  
723 specialized training in clinical supervision; a valid  
724 professional teaching certificate pursuant to ss. 1012.56 and  
725 1012.585; or at least 3 years of successful teaching experience  
726 in prekindergarten through grade 12.

727 (b) All school district personnel and instructional  
728 personnel who supervise or direct teacher preparation students  
729 during field experience courses or internships must have  
730 evidence of "clinical educator" training and must successfully  
731 demonstrate effective classroom management strategies that  
732 consistently result in improved student performance. The State  
733 Board of Education shall approve the training requirements.

734 (c) Preservice field experience programs must provide  
735 specific guidance and demonstration of effective classroom  
736 management strategies, strategies for incorporating technology  
737 into classroom instruction, strategies for incorporating  
738 scientifically researched, knowledge-based reading literacy and  
739 computational skills acquisition into classroom instruction, and  
740 ways to link instructional plans to the Sunshine State  
741 Standards, as appropriate. The length of structured field  
742 experiences may be extended to ensure that candidates achieve  
743 the competencies needed to meet certification requirements.

744 (d) Postsecondary teacher preparation programs in  
745 cooperation with district school boards and approved private  
746 school associations shall select the school sites for preservice  
747 field experience activities. These sites must represent the full



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748 spectrum of school communities, including, but not limited to,  
749 schools located in urban settings. In order to be selected,  
750 school sites must demonstrate commitment to the education of  
751 public school students and to the preparation of future  
752 teachers.

753 (7)~~(6)~~ STANDARDS OF EXCELLENCE.--The State Board of  
754 Education shall approve standards of excellence for teacher  
755 preparation. These standards must exceed the requirements for  
756 program approval pursuant to subsection (4) ~~(3)~~ and must  
757 incorporate state and national recommendations for exemplary  
758 teacher preparation programs.

759 (8)~~(7)~~ NATIONAL BOARD STANDARDS.--The State Board of  
760 Education shall review standards and recommendations developed  
761 by the National Board for Professional Teaching Standards and  
762 may incorporate those parts deemed appropriate into criteria for  
763 continued state program approval, standards of excellence, and  
764 requirements for inservice education.

765 (9)~~(8)~~ COMMUNITY COLLEGES.--To the extent practical,  
766 postsecondary educational institutions offering teacher  
767 preparation programs shall establish articulation agreements on  
768 a core of liberal arts courses and introductory professional  
769 courses with field experience components which shall be offered  
770 at community colleges.

771 (10)~~(9)~~ PRETEACHER AND TEACHER EDUCATION PILOT PROGRAMS.--  
772 State universities and community colleges may establish  
773 preteacher education and teacher education pilot programs to  
774 encourage promising minority students to prepare for a career in  
775 education. These pilot programs shall be designed to recruit and



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776 provide additional academic, clinical, and counseling support  
777 for students whom the institution judges to be potentially  
778 successful teacher education candidates, but who may not meet  
779 teacher education program admission standards. Priority  
780 consideration shall be given to those pilot programs that are  
781 jointly submitted by community colleges and state universities.

782 (a) These pilot programs shall be approved by the State  
783 Board of Education and shall be designed to provide help and  
784 support for program participants during the preteacher education  
785 period of general academic preparation at a community college or  
786 state university and during professional preparation in a state-  
787 approved teacher education program. Emphasis shall be placed on  
788 development of the basic skills needed by successful teachers.

789 (b) State universities and community colleges may admit  
790 into the pilot program those incoming students who demonstrate  
791 an interest in teaching as a career, but who may not meet the  
792 requirements for entrance into an approved teacher education  
793 program.

794 1. Flexibility may be given to colleges of education to  
795 develop and market innovative teacher training programs directed  
796 at specific target groups such as graduates from the colleges of  
797 arts and sciences, employed education paraprofessionals,  
798 substitute teachers, early federal retirees, and nontraditional  
799 college students. Programs must be submitted to the State Board  
800 of Education for approval.

801 2. Academically successful graduates in the fields of  
802 liberal arts and science may be encouraged to embark upon a  
803 career in education.



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

807 (c) In order to be certified, a graduate from a pilot  
808 program shall meet all requirements for teacher certification  
809 specified by s. 1012.56. Should a graduate of a pilot program  
810 not meet the requirements of s. 1012.56, that person shall not  
811 be included in the calculations required by paragraph (5)~~(4)~~(a)  
812 and State Board of Education rules for continued program  
813 approval, or in the statutes used by the State Board of  
814 Education in deciding which teacher education programs to  
815 approve.

816 (d) Institutions participating in the pilot program shall  
817 submit an annual report evaluating the success of the program to  
818 the Commissioner of Education by March 1 of each year. The  
819 report shall include, at a minimum, ~~contain, but shall not be~~  
820 ~~limited to:~~ the number of pilot program participants, including  
821 the number participating in general education and the number  
822 admitted to approved teacher education programs, the number of  
823 pilot program graduates, and the number of pilot program  
824 graduates who met the requirements of s. 1012.56. The  
825 commissioner shall consider the number of participants  
826 recruited, the number of graduates, and the number of graduates  
827 successfully meeting the requirements of s. 1012.56 reported by  
828 each institution, and shall make an annual recommendation to the  
829 State Board of Education regarding the institution's continued  
830 participation in the pilot program.



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831            (11)~~(10)~~ TEACHER EDUCATION PILOT PROGRAMS FOR HIGH-  
832 ACHIEVING STUDENTS.--Pilot teacher preparation programs shall be  
833 established at the University of Central Florida, the University  
834 of North Florida, and the University of South Florida. These  
835 programs shall include a year-long paid teaching assignment and  
836 competency-based learning experiences and shall be designed to  
837 encourage high-achieving students, as identified by the  
838 institution, to pursue a career in education. Priority  
839 consideration shall be given to students obtaining academic  
840 degrees in mathematics, science, engineering, reading, or  
841 identified critical shortage areas. Students chosen to  
842 participate in the pilot programs shall agree to teach for at  
843 least 3 years ~~1 year~~ after they receive their degrees. Criteria  
844 for identifying high-achieving students shall be developed by  
845 the institution and shall include, at a minimum, requirements  
846 that the student have a 3.3 grade point average or above and  
847 that the student has demonstrated mastery of general knowledge  
848 pursuant to s. 1012.56. The year-long paid teaching assignment  
849 shall begin after completion of the equivalent of 3 years of the  
850 state university teacher preparation program.

851            (a) Each pilot program shall be designed to include:  
852            1. A year-long paid teaching assignment at a low-  
853 performing ~~specified~~ school site during the fourth year of the  
854 state university teacher preparation program, which includes  
855 intense supervision by a support team trained in clinical  
856 education. The support team shall include a state university  
857 supervisor and experienced school-based mentors. A mentor  
858 teacher shall be assigned to each fourth year employed teacher



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859 to implement an individualized learning plan. This mentor  
860 teacher will be considered an adjunct professor for purposes of  
861 this program and may receive credit for time spent as a mentor  
862 teacher in the program. The mentor teacher must have a master's  
863 degree or above, a minimum of 3 years of teaching experience,  
864 and clinical education training or certification by the National  
865 Board for ~~of~~ Professional Teaching Standards. Experiences and  
866 instruction may be delivered by other mentors, assigned  
867 teachers, professors, individualized learning, and  
868 demonstrations. Students in this paid teaching assignment shall  
869 assume full responsibility of all teaching duties.

870 2. Professional education curriculum requirements that  
871 address the educator-accomplished practices and other  
872 competencies specified in state board rule.

873 3. A modified instructional delivery system that provides  
874 onsite training during the paid teaching assignment in the  
875 professional education areas and competencies specified in this  
876 subsection. The institutions participating in this pilot program  
877 shall be given a waiver to provide a modified instructional  
878 delivery system meeting criteria that allows earned credit  
879 through nontraditional approaches. The modified system may  
880 provide for an initial evaluation of the candidate's  
881 competencies to determine an appropriate individualized  
882 professional development plan and may provide for earned credit  
883 by:

- 884 a. Internet learning and competency acquisition.  
885 b. Learning acquired by observing demonstrations and being  
886 observed in application.





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887 c. Independent study or instruction by mentor teachers or  
888 adjunct teachers.

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

891 5. For program completion, required achievement of passing  
892 scores on all tests required for certification by State Board of  
893 Education rules.

894 (b) Beginning in July 2003, each institution participating  
895 in the pilot program shall submit to the Commissioner of  
896 Education an annual report evaluating the effectiveness of the  
897 program. The report shall include, but shall not be limited to,  
898 the number of students selected for the pilot program, the  
899 number of students successfully completing the pilot program,  
900 the number of program participants who passed all required  
901 examinations, the number of program participants who  
902 successfully demonstrated all required competencies, and a  
903 follow-up study to determine the number of pilot program  
904 completers who were employed in a teaching position and  
905 employers' satisfaction with the performance of pilot program  
906 completers based on student performance.

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

909 (12)~~(11)~~ RULES.--The State Board of Education shall adopt  
910 necessary rules pursuant to ss. 120.536(1) and 120.54 to  
911 implement this section.

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



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914 1006.08 District school superintendent duties relating to  
915 student discipline and school safety.--

916 (1) The district school superintendent shall recommend  
917 plans to the district school board for the proper accounting for  
918 all students of school age, for the attendance and control of  
919 students at school, and for the proper attention to health,  
920 safety, and other matters which will best promote the welfare of  
921 students. Each district school superintendent should fully  
922 support the authority of principals, teachers, according to s.  
923 1003.32, and school bus drivers to remove disobedient,  
924 disrespectful, violent, abusive, uncontrollable, or disruptive  
925 students from the classroom and the school bus and, when  
926 appropriate and available, to place such students in an  
927 alternative educational setting. When the district school  
928 superintendent makes a recommendation for expulsion to the  
929 district school board, he or she shall give written notice to  
930 the student and the student's parent of the recommendation,  
931 setting forth the charges against the student and advising the  
932 student and his or her parent of the student's right to due  
933 process as prescribed by ss. 120.569 and 120.57(2). When  
934 district school board action on a recommendation for the  
935 expulsion of a student is pending, the district school  
936 superintendent may extend the suspension assigned by the  
937 principal beyond 10 school days if such suspension period  
938 expires before the next regular or special meeting of the  
939 district school board.

940 Section 14. Paragraph (a) of subsection (1) of section  
941 1006.09, Florida Statutes, is amended to read:



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942 1006.09 Duties of school principal relating to student  
943 discipline and school safety.--

944 (1)(a) Subject to law and to the rules of the State Board  
945 of Education and the district school board, the principal in  
946 charge of the school or the principal's designee shall develop  
947 policies for delegating to any teacher or other member of the  
948 instructional staff or to any bus driver transporting students  
949 of the school responsibility for the control and direction of  
950 students. Each school principal should fully support the  
951 authority of teachers, according to s. 1003.32, and school bus  
952 drivers to remove disobedient, disrespectful, violent, abusive,  
953 uncontrollable, or disruptive students from the classroom and  
954 the school bus and, when appropriate and available, place such  
955 students in an alternative educational setting. The principal or  
956 the principal's designee must give full consideration to ~~shall~~  
957 ~~consider~~ the recommendation for discipline made by a teacher,  
958 other member of the instructional staff, or a bus driver when  
959 making a decision regarding student referral for discipline.

960 Section 15. Section 1009.59, Florida Statutes, is amended  
961 to read:

962 1009.59 ~~Critical Teacher Shortage~~ Student Loan  
963 Reimbursement Forgiveness Program.--

964 (1) The ~~Critical Teacher Shortage~~ Student Loan  
965 Reimbursement Forgiveness Program is established to encourage  
966 qualified personnel with undergraduate or graduate degrees in  
967 mathematics, science, engineering, reading, or State Board of  
968 Education designated critical teacher shortage areas to seek  
969 employment as teachers in Florida's publicly funded schools ~~in~~



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970 ~~subject areas in which critical teacher shortages exist, as~~  
 971 ~~identified annually by the State Board of Education. The primary~~  
 972 purpose function of the program is to enhance the quality of  
 973 Florida's teacher workforce by making ~~make~~ repayments toward  
 974 loans received by the selected students from federal programs or  
 975 commercial lending institutions for the support of postsecondary  
 976 education study. Repayments are intended to be made to qualified  
 977 applicants with undergraduate or graduate degrees in  
 978 mathematics, science, engineering, reading, or State Board of  
 979 Education designated critical teacher shortage areas ~~who begin~~  
 980 ~~teaching for the first time in designated subject areas, and~~ who  
 981 apply during their first full year of teaching in a publicly  
 982 funded school in Florida as certified teachers in these subject  
 983 areas. Repayment shall be prorated if a teacher teaches at least  
 984 90 days during the first year of teaching.

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

991 (a) Up to \$1,500 the first year the person is employed as  
 992 a teacher in a publicly funded school in Florida ~~\$2,500 a year~~  
 993 ~~for up to 4 years on behalf of selected graduates of state-~~  
 994 ~~approved undergraduate postsecondary teacher preparation~~  
 995 ~~programs, persons certified to teach pursuant to any applicable~~  
 996 ~~teacher certification requirements, or selected teacher~~  
 997 ~~preparation graduates from any state participating in the~~



998 ~~Interstate Agreement on the Qualification of Educational~~  
999 ~~Personnel.~~

1000 (b) Up to \$2,500 for the second year the person is  
1001 employed as a teacher in a publicly funded school in Florida  
1002 ~~\$5,000 a year for up to 2 years on behalf of selected graduates~~  
1003 ~~of state-approved graduate postsecondary teacher preparation~~  
1004 ~~programs, persons with graduate degrees certified to teach~~  
1005 ~~pursuant to any applicable teacher certification requirements,~~  
1006 ~~or selected teacher preparation graduates from any state~~  
1007 ~~participating in the Interstate Agreement on the Qualification~~  
1008 ~~of Educational Personnel.~~

1009 (c) Up to \$3,500 for the third year the person is employed  
1010 as a teacher in a publicly funded school in Florida.

1011 (d) Up to \$4,500 for the fourth year and each subsequent  
1012 year, up to a maximum of 10 years, the person is employed as a  
1013 teacher in a publicly funded school in Florida.

1014 (e)~~(e)~~ All repayments shall be contingent on continued  
1015 proof of satisfactory employment in a teacher position the  
1016 ~~designated subject areas in a publicly funded school in this~~  
1017 state and shall be made directly to the holder of the loan or  
1018 the applicant. The state shall not bear responsibility for the  
1019 collection of any interest charges or other remaining balance.  
1020 ~~In the event that designated critical teacher shortage subject~~  
1021 ~~areas are changed by the State Board of Education,~~ A teacher  
1022 shall continue to be eligible for loan reimbursement in  
1023 accordance with paragraphs (a)-(d) for up to the maximum of 10  
1024 years if forgiveness as long as he or she continues to teach in  
1025 a subject area or in a critical shortage area pursuant to this



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1026 section at a publicly funded school in Florida ~~in the subject~~  
1027 ~~area for which the original loan repayment was made and~~  
1028 otherwise meets all conditions of eligibility.

1029 (3) Students receiving a state scholarship loan or a  
1030 fellowship loan are not eligible to participate in the ~~Critical~~  
1031 ~~Teacher Shortage Student Loan Reimbursement Forgiveness~~ Program.

1032 (4) The Department of Education must advertise the  
1033 availability of this program and must advise school districts,  
1034 postsecondary educational institutions, and the public of the  
1035 criteria and application procedures.

1036 ~~(5)(4)~~ The State Board of Education may adopt rules  
1037 pursuant to ss. 120.536(1) and 120.54 necessary for the  
1038 administration of this program.

1039 ~~(6)(5)~~ This section shall be implemented only to the  
1040 extent as specifically funded and authorized by law.

1041 Section 16. Section 1009.591, Florida Statutes, is created  
1042 to read:

1043 1009.591 Teaching Fellows Program.--There is created the  
1044 Teaching Fellows Program to encourage graduate students in  
1045 mathematics, science, or engineering disciplines or state board  
1046 designated critical teacher shortage areas to enter the teaching  
1047 profession in public schools in Florida. The program shall be  
1048 administered by the Department of Education.

1049 (1) The Teaching Fellows Program shall provide an annual  
1050 stipend of \$5,000 for each approved teaching fellow who is  
1051 enrolled full-time in one of Florida's public or private  
1052 universities in a graduate program in a mathematics, science, or  
1053 engineering discipline or a state board designated critical



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1054 teacher shortage area and commits to teach in a publicly funded  
1055 school in Florida for 5 consecutive years immediately following  
1056 completion of the graduate program.

1057 (2) It is the intent of the Legislature that the total  
1058 amount appropriated annually for the program be sufficient to  
1059 provide 200 teaching fellows with stipends of \$5,000 per year  
1060 and to provide a \$5,000 signing bonus to each fellow upon  
1061 initial employment as a teacher in a Florida public school  
1062 graded "A," "B," or "C," or a \$10,000 signing bonus upon  
1063 employment in a Florida public school graded "D" or "F" with  
1064 \$5,000 at initial employment and \$5,000 upon completion of the  
1065 first year of teaching.

1066 (3) A teaching fellow may receive a stipend from the  
1067 program for up to 4 consecutive years if the teaching fellow  
1068 remains enrolled full-time in an eligible program and makes  
1069 satisfactory progress toward a graduate degree in a program in a  
1070 mathematics, science, or engineering discipline or a state board  
1071 designated critical teacher shortage area.

1072 (4) A teaching fellow who receives a stipend pursuant to  
1073 this section and attends a state university shall also receive a  
1074 waiver of tuition and out-of-state fees, if applicable, at that  
1075 university.

1076 (5) If a teaching fellow graduates and is employed  
1077 following graduation as a teacher in a publicly funded school in  
1078 Florida for 5 consecutive years, the teaching fellow is not  
1079 required to repay the amount received as stipends, bonus, or  
1080 tuition and fee waivers pursuant to this program.



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1081        (6) If a teaching fellow does not obtain a graduate degree  
1082 within 4 years, or if the teaching fellow graduates but does not  
1083 teach in a publicly funded school in Florida for 5 consecutive  
1084 years following graduation, the teaching fellow must repay the  
1085 Department of Education, on a schedule to be determined by the  
1086 department, the total amount awarded for stipends, bonus, and  
1087 tuition and fee waivers received pursuant to this program plus  
1088 annual interest of 8 percent accruing from the date of the  
1089 scholarship payment. Moneys repaid shall be deposited into the  
1090 State Student Financial Assistance Trust Fund established in s.  
1091 1010.73. However, the department may provide additional time for  
1092 repayment if the department finds that circumstances beyond the  
1093 control of the recipient caused or contributed to default on the  
1094 repayment.

1095        (7) Recipients under this program are not eligible to  
1096 participate in the Teacher Student Loan Reimbursement Program.

1097        (8) The department must advertise the availability of this  
1098 program and advise school districts, postsecondary educational  
1099 institutions, and the public of the criteria and application  
1100 procedures.

1101        (9) The State Board of Education may adopt rules pursuant  
1102 to ss. 120.536(1) and 120.54 necessary for the administration of  
1103 this program.

1104        (10) This section shall be implemented only to the extent  
1105 as specifically funded and authorized by law.

1106        Section 17. Section 1011.63, Florida Statutes, is created  
1107 to read:





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1108 1011.63 Better Educated Students and Teachers (BEST)  
1109 Florida Teaching categorical fund for salary career ladder;  
1110 performance pay reserve fund bonuses.--

1111 (1) There is created a categorical fund to fund a salary  
1112 career ladder for teacher salary levels pursuant to s.  
1113 1012.231(2). To access this fund, school districts must also  
1114 comply with the requirements of s. 1012.22(1)(c)4. by rewarding  
1115 each of their classroom teachers in the "career teacher"  
1116 category, pursuant to s. 1012.231(2)(b), whose students  
1117 demonstrate more than a year's worth of learning in 1 year as  
1118 measured by the FCAT or local assessment in accordance with s.  
1119 1008.22(3) or (7) with an annual performance bonus pursuant to  
1120 paragraph (2)(b).

1121 (2)(a) Beginning with the 2003-2004 academic year,  
1122 categorical funds for BEST Florida Teaching shall be allocated  
1123 annually to each school district in the amount provided in the  
1124 General Appropriations Act. These funds shall be in addition to  
1125 the funds appropriated on the basis of full-time equivalent  
1126 student membership in the Florida Education Finance Program and  
1127 shall be included in the total potential funds of each school  
1128 district. These funds shall be used only to fund a salary career  
1129 ladder for teacher salary levels pursuant to s. 1012.231(2).

1130 (b) Each district school board shall also use a portion of  
1131 its performance pay reserve funds required pursuant to s.  
1132 1012.22(1)(c)4. to provide BEST Florida Teaching bonuses of up  
1133 to \$3,000 to each full-time K-12 classroom teacher in the  
1134 "career teacher" category, pursuant to s. 1012.231(2)(b), whose  
1135 students demonstrate more than a year's worth of learning in 1



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1136 year as measured by the FCAT or local assessment in accordance  
1137 with s. 1008.22(3) or (7).

1138 (3) To be eligible for categorical funds, each district  
1139 school superintendent shall submit to the Commissioner of  
1140 Education, and receive the commissioner's approval of:

1141 (a) A plan detailing the school district's salary career  
1142 ladder for teacher salary levels.

1143 (b) A plan detailing the school district's methodology for  
1144 selecting the teachers in the "career teacher" category,  
1145 pursuant to s. 1012.231(2)(b), who will receive the performance  
1146 bonuses and how it will use a portion of its performance pay  
1147 reserve funds required by s. 1012.22(1)(c)4. to fund the  
1148 bonuses.

1149 (4) Any teacher in the "career teacher" category, pursuant  
1150 to s. 1012.231(2)(b), who receives a performance bonus 2 years  
1151 in a 4-year period shall be considered for promotion to "lead  
1152 teacher" pursuant to s. 1012.231(2)(c).

1153 Section 18. Section 1012.05, Florida Statutes, is amended  
1154 to read:

1155 1012.05 Teacher recruitment and retention.--

1156 (1) The Department of Education, in cooperation with  
1157 teacher organizations, district personnel offices, and schools,  
1158 colleges, and departments of all ~~education~~ in public and  
1159 nonpublic postsecondary educational institutions, shall  
1160 concentrate on the recruitment of qualified teachers.

1161 (2) The Department of Education shall:



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1162 (a) Develop and implement a system for posting teaching  
1163 vacancies and establish a database of teacher applicants that is  
1164 accessible within and outside the state.

1165 (b) Advertise in major newspapers, national professional  
1166 publications, and other professional publications and in public  
1167 and nonpublic postsecondary educational institutions ~~schools of~~  
1168 ~~education~~.

1169 (c) Utilize state and nationwide toll-free numbers.

1170 (d) Conduct periodic communications with district  
1171 personnel directors regarding applicants.

1172 (e) Provide district access to the applicant database by  
1173 computer or telephone.

1174 (f) Develop and distribute promotional materials related  
1175 to teaching as a career.

1176 (g) Publish and distribute information pertaining to  
1177 employment opportunities, application procedures, and all routes  
1178 toward teacher certification in Florida, and teacher salaries.

1179 (h) Provide information related to certification  
1180 procedures.

1181 (i) Develop and sponsor the Florida Future Educator of  
1182 America Program throughout the state.

1183 (j) Develop, in consultation with school district staff  
1184 including, but not limited to, district school superintendents,  
1185 district school board members, and district human resources  
1186 personnel, a long-range plan for educator recruitment and  
1187 retention.

1188 (k) Identify best practices for retaining high-quality  
1189 teachers.



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1190 (1) Develop, in consultation with Workforce Florida, Inc.,  
1191 and the Agency for Workforce Innovation, created pursuant to ss.  
1192 445.004 and 20.50, respectively, a plan for accessing and  
1193 identifying available resources in the state's workforce system  
1194 for the purpose of enhancing teacher recruitment and retention.

1195 (m) Develop and implement a First Response Center to  
1196 provide educator candidates one-stop shopping for information on  
1197 teaching careers in Florida and establish the Teacher Lifeline  
1198 Network to provide on-line support to beginning teachers and  
1199 those needing assistance.

1200 (3) The Department of Education, in cooperation with  
1201 district personnel offices, shall sponsor a job fair in a  
1202 central part of the state to match in-state educators and  
1203 potential educators and out-of-state educators and potential  
1204 educators with teaching opportunities in this state.

1205 (4) Subject to proviso in the General Appropriations Act,  
1206 the Commissioner of Education may use funds appropriated by the  
1207 Legislature and funds from federal grants and other sources to  
1208 provide incentives for teacher recruitment and preparation  
1209 programs. The purpose of the use of such funds is to recruit and  
1210 prepare individuals who do not graduate from state-approved  
1211 teacher preparation programs to teach in a Florida public  
1212 school. The commissioner may contract with entities other than,  
1213 and including, approved teacher preparation programs to provide  
1214 intensive teacher training leading to passage of the required  
1215 certification exams for the desired subject area or coverage.  
1216 The commissioner shall survey school districts to evaluate the  
1217 effectiveness of such programs.



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1218 Section 19. Section 1012.231, Florida Statutes, is created  
1219 to read:

1220 1012.231 Teacher compensation; assignment of teachers.--

1221 (1) STARTING SALARY.--Beginning with the 2003-2004  
1222 academic year, each district school board shall develop, and  
1223 shall present to the State Board of Education by June 30, 2004,  
1224 a plan, to be implemented beginning with the 2004-2005 academic  
1225 year, for minimum compensation of full-time classroom teachers  
1226 at no less than the amount of \$31,000, in 2003 dollars, indexed  
1227 to the Consumer Price Index thereafter, pursuant to legislative  
1228 appropriations. The plan shall provide for phased-in incremental  
1229 implementation that maintains separation between years of  
1230 service for each differentiated classroom teacher category as  
1231 required pursuant to subsection (2). Effective the 2004-2005  
1232 academic year, this minimum beginning salary shall be considered  
1233 a statewide minimum standard similar to minimum number of school  
1234 days, designation of duties of instructional personnel, and  
1235 minimum certification standards and, as such, shall not be  
1236 subject to collective bargaining under chapter 447.

1237 (2) SALARY CAREER LADDER FOR CLASSROOM TEACHERS.--  
1238 Beginning with the 2003-2004 academic year, each district school  
1239 board shall use its share of the BEST Florida Teaching  
1240 categorical to fund a salary career ladder for classroom  
1241 teachers, with the highest salary level based on outstanding  
1242 performance and assignment of additional duties. Performance  
1243 shall be defined as designated in s. 1012.34(3)(a)1.-7. and  
1244 shall also include local assessments as required by s.  
1245 1008.22(7) to determine student learning gains in grades and



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1246 classes not measured by the FCAT. District school boards shall  
1247 designate categories of classroom teachers reflecting these  
1248 salary career levels as follows:

1249 (a) Associate Teacher.--Classroom teachers who have not  
1250 yet fully validated all essential teaching competencies,  
1251 including the educator-accomplished practices as established in  
1252 State Board of Education rule, who have not qualified through  
1253 reciprocal certification options identified in s. 1012.56, or  
1254 who are low-performing teachers. The district school board is  
1255 authorized to demote any chronically low-performing teacher to  
1256 associate teacher.

1257 (b) Career Teacher.--Classroom teachers who have fully  
1258 validated all essential teaching competencies, including the  
1259 educator-accomplished practices as established in State Board of  
1260 Education rule, or who have qualified through reciprocal  
1261 certification options identified in s. 1012.56.

1262 (c) Lead Teacher.--The highest performing 5 percent of  
1263 classroom teachers in the school district, after mentor  
1264 teachers, who have demonstrated outstanding performance as  
1265 evidenced by improved student achievement and who are  
1266 responsible for leading others in the school as department  
1267 chair, lead teacher, grade-level leader, intern coordinator, or  
1268 professional development coordinator. Lead teachers must  
1269 participate on a regular basis in the direct instruction of  
1270 students and serve as faculty for professional development  
1271 activities as determined by the State Board of Education. Lead  
1272 teachers shall be paid an additional annual salary supplement of  
1273 \$5,000.



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1274        (d) Mentor Teacher.--The highest performing 3 percent of  
1275 classroom teachers in the school district who have demonstrated  
1276 sustained outstanding performance as evidenced by improved  
1277 student achievement and other factors as defined by the State  
1278 Board of Education and who serve as regular mentors to other  
1279 teachers who are either not performing satisfactorily or who  
1280 strive to become more proficient. Mentor teachers must serve as  
1281 faculty-based professional development coordinators and  
1282 regularly demonstrate and share their expertise with other  
1283 teachers in order to remain mentor teachers. Mentor teachers  
1284 must also participate on a regular basis in the direct  
1285 instruction of low-performing students. Mentor teachers shall be  
1286 paid an additional annual salary supplement of \$10,000.

1287        (3) TEACHER ASSIGNMENT.--School districts may not assign a  
1288 higher percentage than the school district average of first-time  
1289 teachers, temporarily certified teachers, teachers in need of  
1290 improvement, or out-of-field teachers to schools with above the  
1291 school district average of minority and economically  
1292 disadvantaged students or schools that are graded "D" or "F."  
1293 District school boards are authorized to provide salary  
1294 incentives to meet this requirement. No district school board  
1295 shall sign a collective bargaining agreement that fails to  
1296 provide sufficient incentives to meet this requirement.

1297        Section 20. Section 1012.27, Florida Statutes, is amended  
1298 to read:

1299        1012.27 Public school personnel; powers and duties of  
1300 district school superintendent.--The district school  
1301 superintendent is ~~shall be~~ responsible, ~~as required herein,~~ for



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1302 directing the work of the personnel, subject to the requirements  
1303 of this chapter, and in addition the district school  
1304 superintendent shall perform ~~have~~ the following ~~duties~~:

1305 (1) POSITIONS, QUALIFICATIONS, AND NOMINATIONS.--

1306 (a) Recommend to the district school board duties and  
1307 responsibilities which need to be performed and positions which  
1308 need to be filled to make possible the development of an  
1309 adequate school program in the district. Beginning with the  
1310 2003-2004 academic year, this recommendation shall provide for  
1311 clerical personnel or volunteers who are not classroom teachers  
1312 to assist teachers in noninstructional activities, including  
1313 performing paperwork and recordkeeping duties. However, a  
1314 teacher shall remain responsible for all instructional  
1315 activities and for classroom management and grading student  
1316 performance.

1317 (b) Recommend minimum qualifications of personnel for  
1318 these various positions, and nominate in writing persons to fill  
1319 such positions.

1320

1321 The district school superintendent's recommendations for filling  
1322 instructional positions at the school level must consider  
1323 nominations received from school principals of the respective  
1324 schools. Before transferring a teacher who holds a professional  
1325 teaching certificate from one school to another, the district  
1326 school superintendent shall consult with the principal of the  
1327 receiving school and allow the principal to review the teacher's  
1328 records and interview the teacher. If, in the judgment of the





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1329 principal, students would not benefit from the placement, an  
1330 alternative placement may be sought.

1331 (2) COMPENSATION AND SALARY SCHEDULES.--Prepare and  
1332 recommend to the district school board for adoption a salary  
1333 schedule or salary schedules. The district school superintendent  
1334 must recommend a salary schedule for instructional personnel  
1335 which bases a portion of each employee's compensation on  
1336 performance demonstrated under s. 1012.34. In developing the  
1337 recommended salary schedule, the district school superintendent  
1338 shall include input from parents, teachers, and representatives  
1339 of the business community. Beginning with the 2003-2004 academic  
1340 year, the recommended salary schedule for classroom teachers  
1341 shall be consistent with the requirements of s. 1012.231.

1342 (3) CONTRACTS AND TERMS OF SERVICE.--Recommend to the  
1343 district school board terms for contracting with employees and  
1344 prepare such contracts as are approved.

1345 (4) TRANSFER.--Recommend employees for transfer and  
1346 transfer any employee during any emergency and report the  
1347 transfer to the district school board at its next regular  
1348 meeting.

1349 (5) SUSPENSION AND DISMISSAL.--Suspend members of the  
1350 instructional staff and other school employees during  
1351 emergencies for a period extending to and including the day of  
1352 the next regular or special meeting of the district school board  
1353 and notify the district school board immediately of such  
1354 suspension. When authorized to do so, serve notice on the  
1355 suspended member of the instructional staff of charges made



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1356 against him or her and of the date of hearing. Recommend  
1357 employees for dismissal under the terms prescribed herein.

1358 (6) DIRECT WORK OF EMPLOYEES AND SUPERVISE INSTRUCTION.--  
1359 Direct or arrange for the proper direction and improvement,  
1360 under rules of the district school board, of the work of all  
1361 members of the instructional staff and other employees of the  
1362 district school system, supervise or arrange under rules of the  
1363 district school board for the supervision of instruction in the  
1364 district, and take such steps as are necessary to bring about  
1365 continuous improvement.

1366 Section 21. Subsections (3) and (4) of section 1012.28,  
1367 Florida Statutes, are amended to read:

1368 1012.28 Public school personnel; duties of school  
1369 principals.--

1370 (3) Each school principal is responsible for the  
1371 performance of all personnel employed by the district school  
1372 board and assigned to the school to which the principal is  
1373 assigned. The school principal shall faithfully and effectively  
1374 apply the personnel assessment system approved by the district  
1375 school board pursuant to s. 1012.34 and, beginning with the  
1376 2003-2004 academic year, s. 1012.231.

1377 (4) Each school principal shall assist the teachers within  
1378 the school to use student assessment data, as measured by  
1379 student learning gains pursuant to s. 1008.22, for self-  
1380 evaluation. Each school principal shall also ensure that  
1381 clerical personnel or volunteers who are not classroom teachers  
1382 assist teachers in noninstructional activities, including  
1383 performing paperwork and recordkeeping duties.



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1384 Section 22. Subsections (1) through (6) of section  
1385 1012.56, Florida Statutes, are amended to read:  
1386 1012.56 Educator certification requirements.--  
1387 (1) APPLICATION.--Each person seeking certification  
1388 pursuant to this chapter shall submit a completed application  
1389 containing the applicant's social security number to the  
1390 Department of Education and remit the fee required pursuant to  
1391 s. 1012.59 and rules of the State Board of Education. Pursuant  
1392 to the federal Personal Responsibility and Work Opportunity  
1393 Reconciliation Act of 1996, each party is required to provide  
1394 his or her social security number in accordance with this  
1395 section. Disclosure of social security numbers obtained through  
1396 this requirement is ~~shall be~~ limited to the purpose of  
1397 administration of the Title IV-D program of the Social Security  
1398 Act for child support enforcement. Pursuant to s. 120.60, the  
1399 department shall issue within 90 calendar days after the stamped  
1400 receipted date of the completed application:  
1401 (a) A certificate covering the classification, level, and  
1402 area for which the applicant is deemed qualified; or  
1403 (b) An official statement of status of eligibility. The  
1404 statement of status of eligibility must advise the applicant of  
1405 any qualifications that must be completed to qualify for  
1406 certification. Each statement of status of eligibility is valid  
1407 for 3 ~~2~~ years after its date of issuance, except as provided in  
1408 paragraph (2)(d). ~~A statement of status of eligibility may be~~  
1409 ~~reissued for one additional 2-year period if application is made~~  
1410 ~~while the initial statement of status of eligibility is valid or~~  
1411 ~~within 1 year after the initial statement expires, and if the~~



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1412 ~~certification subject area is authorized to be issued by the~~  
1413 ~~state board at the time the application requesting a reissued~~  
1414 ~~statement of status of eligibility is received.~~

1415 (2) ELIGIBILITY CRITERIA.--To be eligible to seek  
1416 certification ~~pursuant to this chapter~~, a person must:

1417 (a) Be at least 18 years of age.

1418 (b) File a written statement, under oath, that the  
1419 applicant subscribes to and will uphold the principles  
1420 incorporated in the Constitution of the United States and the  
1421 Constitution of the State of Florida.

1422 (c) Document receipt of a bachelor's or higher degree from  
1423 an accredited institution of higher learning, or any a  
1424 ~~nonaccredited~~ institution of higher learning otherwise approved  
1425 pursuant to State Board of Education rule ~~that the Department of~~  
1426 ~~Education has identified as having a quality program resulting~~  
1427 ~~in a bachelor's degree, or higher~~. Each applicant seeking  
1428 initial certification must have attained at least a 2.5 overall  
1429 grade point average on a 4.0 scale in the applicant's major  
1430 field of study. The applicant may document the required  
1431 education by submitting official transcripts from institutions  
1432 of higher education or by authorizing the direct submission of  
1433 such official transcripts through established electronic network  
1434 systems. The bachelor's or higher degree may not be required in  
1435 areas approved in rule by the State Board of Education as  
1436 nondegreed areas.

1437 (d) Submit to a fingerprint check from the Department of  
1438 Law Enforcement and the Federal Bureau of Investigation pursuant  
1439 to s. 1012.32. If the fingerprint reports indicate a criminal



1440 history or if the applicant acknowledges a criminal history, the  
 1441 applicant's records shall be referred to the Bureau of Educator  
 1442 Standards for review and determination of eligibility for  
 1443 certification. If the applicant fails to provide the necessary  
 1444 documentation requested by the Bureau of Educator Standards  
 1445 within 90 days after the date of the receipt of the certified  
 1446 mail request, the statement of eligibility and pending  
 1447 application shall become invalid.

1448 (e) Be of good moral character.

1449 (f) Be competent and capable of performing the duties,  
 1450 functions, and responsibilities of an educator.

1451 (g) Demonstrate mastery of general knowledge, pursuant to  
 1452 subsection (3).

1453 (h) Demonstrate mastery of subject area knowledge,  
 1454 pursuant to subsection (4).

1455 (i) Demonstrate mastery of professional preparation and  
 1456 education competence, pursuant to subsection (5).

1457 (3) MASTERY OF GENERAL KNOWLEDGE.--Acceptable means of  
 1458 demonstrating mastery of general knowledge are:

1459 (a) Achievement of passing scores on basic skills  
 1460 examination required by state board rule;

1461 (b) Achievement of passing scores on the College Level  
 1462 Academic Skills Test earned prior to July 1, 2002;

1463 (c) A valid professional standard teaching certificate  
 1464 issued by another state ~~that requires an examination of mastery~~  
 1465 ~~of general knowledge;~~

1466 (d) A ~~valid standard teaching certificate issued by~~  
 1467 ~~another state and~~ valid certificate issued by the National Board



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1468 for Professional Teaching Standards or other such nationally  
 1469 recognized organization as determined by the State Board of  
 1470 Education; ~~or~~

1471 (e) Documentation of two semesters of successful teaching  
 1472 in a community college, state university, or private college or  
 1473 university that awards an associate or higher degree and is an  
 1474 accredited institution or an institution of higher education  
 1475 otherwise approved pursuant to State Board of Education rule; or

1476 (f)~~(e)~~ A valid ~~standard~~ teaching certificate issued by  
 1477 another state and documentation of 1 year ~~2 years~~ of ~~continuous~~  
 1478 successful ~~full-time~~ teaching ~~or administrative~~ experience  
 1479 during the ~~5-year period immediately preceding the date of~~  
 1480 ~~application for certification.~~

1481 (4) MASTERY OF SUBJECT AREA KNOWLEDGE.--Acceptable means  
 1482 of demonstrating mastery of subject area knowledge are:

1483 (a) Achievement of passing scores on subject area  
 1484 examinations required by state board rule;

1485 (b) Completion of the subject area specialization  
 1486 requirements specified in state board rule and verification of  
 1487 the attainment of the essential subject matter competencies by  
 1488 the district school superintendent of the employing school  
 1489 district or chief administrative officer of the employing state-  
 1490 supported or private school for a subject area for which a  
 1491 subject area examination has not been developed and required by  
 1492 state board rule;

1493 (c) Completion of the ~~graduate-level~~ subject area  
 1494 specialization requirements specified in state board rule for a  
 1495 subject coverage requiring a master's or higher degree and



1496 achievement of a passing score on the subject area examination  
1497 specified in state board rule;

1498 (d) A valid professional standard teaching certificate  
1499 issued by another state ~~that requires an examination of mastery~~  
1500 ~~of subject area knowledge;~~

1501 (e) A ~~valid standard teaching certificate issued by~~  
1502 ~~another state and~~ valid certificate issued by the National Board  
1503 for Professional Teaching Standards or other such nationally  
1504 recognized organization as determined by the State Board of  
1505 Education; or

1506 (f) A valid ~~standard~~ teaching certificate issued by  
1507 another state and documentation of 1 year ~~2 years~~ of ~~continuous~~  
1508 successful ~~full-time~~ teaching ~~or administrative~~ experience  
1509 ~~during the 5-year period immediately preceding the date of~~  
1510 ~~application for certification.~~

1511 (5) MASTERY OF PROFESSIONAL PREPARATION AND EDUCATION  
1512 COMPETENCE.--Acceptable means of demonstrating mastery of  
1513 professional preparation and education competence are:

1514 (a) Completion of an approved teacher preparation program  
1515 at a postsecondary educational institution within this state and  
1516 achievement of a passing score on the professional education  
1517 competency examination required by state board rule;

1518 (b) Completion of a teacher preparation program offered by  
1519 ~~at~~ a postsecondary educational institution outside Florida and  
1520 achievement of a passing score on the professional education  
1521 competency examination required by state board rule;



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1522 (c) A valid professional standard teaching certificate  
 1523 issued by another state ~~that requires an examination of mastery~~  
 1524 ~~of professional education competence;~~

1525 (d) A ~~valid standard teaching certificate issued by~~  
 1526 ~~another state and~~ valid certificate issued by the National Board  
 1527 for Professional Teaching Standards or other such nationally  
 1528 recognized organization as determined by the State Board of  
 1529 Education;

1530 (e) A valid ~~standard~~ teaching certificate issued by  
 1531 another state and documentation of 1 year ~~2 years~~ of ~~continuous~~  
 1532 successful ~~full-time~~ teaching ~~or administrative~~ experience  
 1533 ~~during the 5-year period immediately preceding the date of~~  
 1534 ~~application for certification;~~

1535 (f) Completion of professional preparation courses as  
 1536 specified in state board rule, successful completion of a  
 1537 professional education competence demonstration program pursuant  
 1538 to paragraph (7)(b), and achievement of a passing score on the  
 1539 professional education competency examination required by state  
 1540 board rule; or

1541 (g) Successful completion of a professional preparation  
 1542 alternative certification and education competency program,  
 1543 outlined in paragraph (7)(a).

1544  
 1545 State Board of Education rule governing mastery of professional  
 1546 preparation and education competence shall be revised as  
 1547 necessary in accordance with s. 1004.04(2).

1548 (6) TYPES AND TERMS OF CERTIFICATION.--





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1549 (a) The Department of Education shall issue a professional  
1550 certificate for a period not to exceed 5 years to any applicant  
1551 who meets all the requirements outlined in subsection (2).

1552 (b) The department shall issue a temporary certificate to  
1553 any applicant who completes the requirements outlined in  
1554 paragraphs (2)(a)-(f) and completes the subject area content  
1555 requirements specified in state board rule or demonstrates  
1556 mastery of subject area knowledge pursuant to subsection (4) and  
1557 holds an accredited degree or a degree approved by the  
1558 Department of Education at the level required for the subject  
1559 area specialization in state board rule.

1560 (c) The department shall issue one nonrenewable 2-year  
1561 temporary certificate and one nonrenewable 5-year professional  
1562 certificate to a qualified applicant who holds a bachelor's  
1563 degree in the area of speech-language impairment to allow for  
1564 completion of a master's degree program in speech-language  
1565 impairment.

1566  
1567 Each temporary certificate is valid for 3 school fiscal years  
1568 and is nonrenewable. ~~However, the requirement in paragraph~~  
1569 ~~(2)(g) must be met within 1 calendar year of the date of~~  
1570 ~~employment under the temporary certificate. Individuals who are~~  
1571 ~~employed under contract at the end of the 1 calendar year time~~  
1572 ~~period may continue to be employed through the end of the school~~  
1573 ~~year in which they have been contracted. A school district shall~~  
1574 ~~not employ, or continue the employment of, an individual in a~~  
1575 ~~position for which a temporary certificate is required beyond~~  
1576 ~~this time period if the individual has not met the requirement~~



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1577 ~~of paragraph (2)(g).~~ However, the State Board of Education shall  
 1578 adopt rules to allow the department to extend the validity  
 1579 period of a temporary certificate for 2 years when the  
 1580 requirements for the professional certificate, ~~not including the~~  
 1581 ~~requirement in paragraph (2)(g),~~ were not completed due to the  
 1582 serious illness or injury of the applicant or other  
 1583 extraordinary extenuating circumstances. Based on emergency  
 1584 need, the department shall reissue the temporary certificate for  
 1585 2 additional years upon approval by the Commissioner of  
 1586 Education. A written request for such reissuance must first ~~of~~  
 1587 ~~the certificate shall~~ be submitted, stating the basis for the  
 1588 emergency need, by the district school superintendent, the  
 1589 governing authority of a university lab school, the governing  
 1590 authority of a state-supported school, or the governing  
 1591 authority of a private school.

1592 Section 23. Subsection (1) of section 1012.57, Florida  
 1593 Statutes, is amended to read:

1594 1012.57 Certification of adjunct educators.--

1595 (1) Notwithstanding the provisions of ss. 1012.32,  
 1596 1012.55, and 1012.56, or any other provision of law or rule to  
 1597 the contrary, district school boards shall adopt rules to allow  
 1598 for the issuance of ~~may issue~~ an adjunct teaching certificate to  
 1599 any applicant who fulfills the requirements of s. 1012.56(2)(a)-  
 1600 (f) and who has expertise in the subject area to be taught. An  
 1601 applicant shall be considered to have expertise in the subject  
 1602 area to be taught if the applicant ~~has at least a minor in the~~  
 1603 ~~subject area or~~ demonstrates sufficient subject area mastery  
 1604 through passage of a subject area test as determined by district



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1605 ~~school board policy.~~ The adjunct teaching certificate shall be  
1606 used for part-time teaching positions. The intent of this  
1607 provision is to allow school districts to tap the wealth of  
1608 talent and expertise represented in Florida's citizens who may  
1609 wish to teach part-time in a Florida public school by permitting  
1610 school districts to issue adjunct certificates to qualified  
1611 applicants. Adjunct certificateholders should be used as a  
1612 strategy to reduce the teacher shortage; thus, adjunct  
1613 certificateholders should supplement a school's instructional  
1614 staff, not supplant it. Each school principal shall assign an  
1615 experienced peer mentor to assist the adjunct teaching  
1616 certificateholder during the certificateholder's first year of  
1617 teaching, and an adjunct certificateholder may participate in a  
1618 district's new teacher training program. District school boards  
1619 shall provide the adjunct teaching certificateholder an  
1620 orientation in classroom management prior to assigning the  
1621 certificateholder to a school. Each adjunct teaching certificate  
1622 is valid for 5 school years and is renewable if:

1623 ~~(a) The applicant completes a minimum of 60 inservice~~  
1624 ~~points or 3 semester hours of college credit. The earned credits~~  
1625 ~~must include instruction in classroom management, district~~  
1626 ~~school board procedures, school culture, and other activities~~  
1627 ~~that enhance the professional teaching skills of the~~  
1628 ~~certificateholder.~~

1629 ~~(b)~~ the applicant has received satisfactory performance  
1630 evaluations during each year of teaching under adjunct teaching  
1631 certification.



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1632 Section 24. Paragraph (a) of subsection (1), subsection  
1633 (2), and paragraph (a) of subsection (3) of section 1012.585,  
1634 Florida Statutes, are amended to read:

1635 1012.585 Process for renewal of professional  
1636 certificates.--

1637 (1)(a) District school boards ~~in this state~~ shall renew  
1638 state-issued professional certificates as follows:

1639 1. Each district school board shall renew state-issued  
1640 professional certificates for individuals who hold a state-  
1641 issued professional certificate ~~by this state~~ and are employed  
1642 by that district pursuant to criteria established in subsections  
1643 (2), (3), and (4) and rules of the State Board of Education.

1644 2. The employing school district may charge the individual  
1645 an application fee not to exceed the amount charged by the  
1646 Department of Education for such services, including associated  
1647 late renewal fees. Each district school board shall transmit  
1648 monthly to the department a fee in an amount established by the  
1649 State Board of Education for each renewed certificate. The fee  
1650 shall not exceed the actual cost for maintenance and operation  
1651 of the statewide certification database and for the actual costs  
1652 incurred in printing and mailing such renewed certificates. As  
1653 defined in current rules of the state board, the department  
1654 shall contribute a portion of such fee for purposes of funding  
1655 the Educator Recovery Network established in s. 1012.798. The  
1656 department shall deposit all funds into the Educational  
1657 Certification Trust Fund for use as specified in s. 1012.59.

1658 (2)(a) All professional certificates, except a  
1659 nonrenewable professional certificate, shall be renewable for



1660 successive periods not to exceed 5 years after the date of  
 1661 submission of documentation of completion of the requirements  
 1662 for renewal provided in subsection (3). Only one renewal may be  
 1663 granted during each 5-year validity period of a professional  
 1664 certificate.

1665 (b) A teacher with national certification from the  
 1666 National Board for Professional Teaching Standards is deemed to  
 1667 meet state renewal requirements for the life of the teacher's  
 1668 national certificate in the subject shown on the national  
 1669 certificate. A complete renewal application and fee shall be  
 1670 submitted. The Commissioner of Education shall notify teachers  
 1671 of the renewal application and fee requirements.

1672 (c) As authorized by State Board of Education rule, a  
 1673 teacher with a valid certificate issued by the American Board  
 1674 for Certification of Teacher Excellence is deemed to meet state  
 1675 renewal requirements for the life of the teacher's American  
 1676 Board certificate in the subject shown on the American Board  
 1677 certificate. A complete renewal application and fee shall be  
 1678 submitted.

1679 ~~(d)~~(e) If the renewal application form is not received by  
 1680 the department or by the employing school district before the  
 1681 expiration of the professional certificate, the application  
 1682 form, application fee, and a late fee must be submitted before  
 1683 July 1 of the year following expiration of the certificate in  
 1684 order to renew the professional certificate.

1685 ~~(e)~~(d) The State Board of Education shall adopt rules to  
 1686 allow a 1-year extension of the validity period of a  
 1687 professional certificate in the event of serious illness,



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1688 injury, or other extraordinary extenuating circumstances of the  
1689 applicant. The department shall grant such 1-year extension upon  
1690 written request by the applicant or by the district school  
1691 superintendent or the governing authority of a university lab  
1692 school, state-supported school, or private school that employs  
1693 the applicant.

1694 (3) For the renewal of a professional certificate, the  
1695 following requirements must be met:

1696 (a) The applicant must earn a minimum of 6 college credits  
1697 or 120 inservice points or a combination thereof. For each area  
1698 of specialization to be retained on a certificate, the applicant  
1699 must earn at least 3 of the required credit hours or equivalent  
1700 inservice points in the specialization area. Education in  
1701 "clinical educator" training pursuant to s. 1004.04(6)(b)  
1702 ~~1004.04(5)(b)~~ and credits or points that provide training in the  
1703 area of scientifically researched, knowledge-based reading  
1704 literacy and computational skills acquisition, exceptional  
1705 student education, normal child development, and the disorders  
1706 of development may be applied toward any specialization area.  
1707 Credits or points that provide training in the areas of drug  
1708 abuse, child abuse and neglect, strategies in teaching students  
1709 having limited proficiency in English, or dropout prevention, or  
1710 training in areas identified in the educational goals and  
1711 performance standards adopted pursuant to ss. 1000.03(5) and  
1712 1001.23 may be applied toward any specialization area. Credits  
1713 or points earned through approved summer institutes may be  
1714 applied toward the fulfillment of these requirements. Inservice  
1715 points may also be earned by participation in professional



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1716 growth components approved by the State Board of Education and  
1717 specified pursuant to s. 1012.98 in the district's approved  
1718 master plan for inservice educational training, including, but  
1719 not limited to, serving as a trainer in an approved teacher  
1720 training activity, serving on an instructional materials  
1721 committee or a state board or commission that deals with  
1722 educational issues, or serving on an advisory council created  
1723 pursuant to s. 1001.452.

1724 Section 25. Section 1012.586, Florida Statutes, is created  
1725 to read:

1726 1012.586 Additions or changes to certificates; duplicate  
1727 certificates.--A school district may process via a Department of  
1728 Education website certificates for the following applications of  
1729 public school employees:

1730 (1) Addition of a subject coverage or endorsement to a  
1731 valid Florida certificate on the basis of the completion of the  
1732 appropriate subject area testing requirements of s.  
1733 1012.56(4)(a) or the completion of the requirements of an  
1734 approved school district program or the inservice components for  
1735 an endorsement.

1736 (2) A reissued certificate to reflect a name change.

1737 (3) A duplicate certificate to replace a lost or damaged  
1738 certificate.

1739

1740 The employing school district shall charge the employee a fee  
1741 not to exceed the amount charged by the Department of Education  
1742 for such services. Each district school board shall retain a  
1743 portion of the fee as defined in the rules of the State Board of



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1744 Education. The portion sent to the department shall be used for  
1745 maintenance of the technology system, the web application, and  
1746 posting and mailing of the certificate.

1747 Section 26. Subsections (1) and (2) and paragraph (a) of  
1748 subsection (3) of section 1012.72, Florida Statutes, are amended  
1749 to read:

1750 1012.72 Dale Hickam Excellent Teaching Program.--

1751 (1) The Legislature recognizes that teachers play a  
1752 critical role in preparing students to achieve the high levels  
1753 of academic performance expected by the Sunshine State Standards  
1754 ~~and. The Legislature further recognizes~~ the importance of  
1755 identifying and rewarding teaching excellence ~~and of encouraging~~  
1756 ~~good teachers to become excellent teachers. The Legislature~~  
1757 ~~finds that the National Board of Professional Teaching Standards~~  
1758 ~~(NBPTS) has established high and rigorous standards for~~  
1759 ~~accomplished teaching and has developed a national voluntary~~  
1760 ~~system for assessing and certifying teachers who demonstrate~~  
1761 ~~teaching excellence by meeting those standards. It is therefore~~  
1762 the Legislature's intent to provide incentives for teachers to  
1763 seek national NBPTS certification and to reward teachers who  
1764 demonstrate teaching excellence by attaining national NBPTS  
1765 certification and sharing their expertise with students and  
1766 other teachers. Contingent upon approval by the State Board of  
1767 Education, the incentives and privileges extended to the  
1768 National Board for Professional Teaching Standards (NBPTS) and  
1769 to a teacher who holds a valid certificate issued by the NBPTS  
1770 shall be extended to the American Board for Certification of





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1771 Teacher Excellence (ABCTE) and to a teacher who holds a valid  
1772 Master Teacher Certificate issued by the ABCTE.

1773 (2) The Dale Hickam Excellent Teaching Program is created  
1774 to provide categorical funding for monetary incentives and  
1775 bonuses for teaching excellence. The Department of Education  
1776 shall distribute to each school district or to the NBPTS, or to  
1777 the ABCTE if approved by the State Board of Education, an amount  
1778 as prescribed annually by the Legislature for the Dale Hickam  
1779 Excellent Teaching Program. For purposes of this section, the  
1780 Florida School for the Deaf and the Blind shall be considered a  
1781 school district. Unless otherwise provided in the General  
1782 Appropriations Act, each distribution shall be the sum of the  
1783 amounts earned for the following incentives and bonuses:

1784 (a) A fee subsidy to be paid by the Department of  
1785 Education to the NBPTS, or to the ABCTE if approved by the State  
1786 Board of Education, on behalf of each individual who is an  
1787 employee of a district school board or a public school within  
1788 the school district, who is certified by the district to have  
1789 demonstrated satisfactory teaching performance pursuant to s.  
1790 1012.34 and who satisfies the prerequisites for participating in  
1791 the NBPTS certification program, or the ABCTE master teacher  
1792 certification program if approved by the State Board of  
1793 Education, and who agrees, in writing, to pay 10 percent of the  
1794 NBPTS or ABCTE participation fee and to participate in the NBPTS  
1795 certification program, or the ABCTE master teacher certification  
1796 program if approved by the State Board of Education, during the  
1797 school year for which the fee subsidy is provided. The fee  
1798 subsidy for each eligible participant shall be an amount equal



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1799 to 90 percent of the fee charged for participating in the ~~NBPTS~~  
1800 certification program. The fee subsidy is a one-time award and  
1801 may not be duplicated for any individual.

1802 (b) A portfolio-preparation incentive of \$150 paid by the  
1803 Department of Education to each teacher employed by a district  
1804 school board or a public school within a school district who is  
1805 participating in the NBPTS certification program, or the ABCTE  
1806 master teacher certification program if approved by the State  
1807 Board of Education. The portfolio-preparation incentive is a  
1808 one-time award paid during the school year for which the ~~NBPTS~~  
1809 fee subsidy is provided.

1810 (c) An annual bonus equal to 10 percent of the prior  
1811 fiscal year's statewide average salary for classroom teachers to  
1812 be distributed to the school district to be paid to each  
1813 individual who holds NBPTS certification, or ABCTE master  
1814 teacher certification if approved by the State Board of  
1815 Education, and is employed by the district school board or by a  
1816 public school within the school district. The district school  
1817 board shall distribute the annual bonus to each individual who  
1818 meets the requirements of this paragraph and who is certified  
1819 annually by the district to have demonstrated satisfactory  
1820 teaching performance pursuant to s. 1012.34. The annual bonus  
1821 may be paid as a single payment or divided into not more than  
1822 three payments.

1823 (d) An annual bonus equal to 10 percent of the prior  
1824 fiscal year's statewide average salary for classroom teachers to  
1825 be distributed to the school district to be paid to each  
1826 individual who meets the requirements of paragraph (c) and



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1827 agrees, in writing, to provide the equivalent of 12 workdays of  
1828 mentoring and related services to beginning public school  
1829 teachers or teachers in low-performing schools within the state  
1830 who do not hold NBPTS certification or ABCTE certification if  
1831 approved by the State Board of Education. The district school  
1832 board shall distribute the annual bonus in a single payment  
1833 following the completion of all required mentoring and related  
1834 services for the year. It is not the intent of the Legislature  
1835 to remove excellent teachers from their assigned classrooms;  
1836 therefore, credit may not be granted by a school district or  
1837 public school for mentoring or related services provided during  
1838 student contact time during the 196 days of required service for  
1839 the school year.

1840  
1841 Beginning with the 2003-2004 academic year, annual bonuses  
1842 pursuant to this section shall be limited to teachers who  
1843 demonstrate outstanding student performance in accordance with  
1844 s. 1012.34(3)(a)1.-7. and who also demonstrate significant  
1845 successful efforts in mentoring beginning teachers or those in  
1846 need of assistance. A teacher for whom the state pays the  
1847 certification fee and who does not complete the certification  
1848 program or does not teach in a public school of this state for  
1849 at least 1 year after completing the certification program must  
1850 repay the amount of the certification fee to the state. However,  
1851 a teacher who completes the certification program but fails to  
1852 be awarded NBPTS certification, or ABCTE master teacher  
1853 certification if approved by the State Board of Education, is  
1854 not required to repay the amount of the certification fee if the



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1855 teacher meets the 1-year teaching requirement. Repayment is not  
1856 required of a teacher who does not complete the certification  
1857 program or fails to fulfill the teaching requirement because of  
1858 the teacher's death or disability or because of other  
1859 extenuating circumstances as determined by the State Board of  
1860 Education.

1861 (3)(a) In addition to any other remedy available under the  
1862 law, any person who is a recipient of a certification fee  
1863 subsidy paid to the NBPTS, or the ABCTE if approved by the State  
1864 Board of Education, and who is an employee of the state or any  
1865 of its political subdivisions is considered to have consented,  
1866 as a condition of employment, to the voluntary or involuntary  
1867 withholding of wages to repay to the state the amount of such a  
1868 certification fee subsidy awarded under this section. Any such  
1869 employee who defaults on the repayment of such a certification  
1870 fee subsidy must, within 60 days after service of a notice of  
1871 default by the Department of Education to the employee,  
1872 establish a repayment schedule which must be agreed to by the  
1873 department and the employee, for repaying the defaulted sum  
1874 through payroll deductions. The department may not require the  
1875 employee to pay more than 10 percent of the employee's pay per  
1876 pay period under such a repayment schedule or plan. If the  
1877 employee fails to establish a repayment schedule within the  
1878 specified period of time or fails to meet the terms and  
1879 conditions of the agreed upon or approved repayment schedule as  
1880 authorized by this subsection, the employee has breached an  
1881 essential condition of employment and is considered to have



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1882 consented to the involuntary withholding of wages or salary for  
1883 the repayment of the certification fee subsidy.

1884 Section 27. Section 1012.73, Florida Statutes, is  
1885 repealed.

1886 Section 28. Subsection (2), paragraph (b) of subsection  
1887 (3), and subsections (5) through (11) of section 1012.98,  
1888 Florida Statutes, are amended to read:

1889 1012.98 School Community Professional Development Act.--

1890 (2) The school community includes students and parents,  
1891 administrative personnel, managers, instructional personnel,  
1892 support personnel, members of district school boards, members of  
1893 school advisory councils, ~~parents,~~ business partners, and  
1894 personnel that provide health and social services to students  
1895 ~~school children. School districts may identify and include~~  
1896 ~~additional members of the school community in the professional~~  
1897 ~~development activities required by this section.~~

1898 (3) The activities designed to implement this section  
1899 must:

1900 (b) Assist the school community in providing stimulating,  
1901 scientifically research-based educational activities that  
1902 encourage and motivate students to achieve at the highest levels  
1903 and to become active learners.

1904 ~~(5)(a) The Department of Education shall provide a system~~  
1905 ~~for the recruitment, preparation, and professional development~~  
1906 ~~of school administrative personnel. This system shall:~~

1907 ~~1. Identify the knowledge, competencies, and skills~~  
1908 ~~necessary for effective school management and instructional~~



1909 ~~leadership that align with student performance standards and~~  
 1910 ~~accountability measures.~~

1911 ~~2. Include performance evaluation methods.~~

1912 ~~3. Provide for alternate means for preparation of school~~  
 1913 ~~administrative personnel which may include programs designed by~~  
 1914 ~~school districts and postsecondary educational institutions~~  
 1915 ~~pursuant to guidelines developed by the commissioner. Such~~  
 1916 ~~preparation programs shall be approved by the Department of~~  
 1917 ~~Education.~~

1918 ~~4. Provide for the hiring of qualified out-of-state school~~  
 1919 ~~administrative personnel.~~

1920 ~~5. Provide advanced educational opportunities for school-~~  
 1921 ~~based instructional leaders.~~

1922 ~~(b) The Commissioner of Education shall appoint a task~~  
 1923 ~~force that includes a district school superintendent, a district~~  
 1924 ~~school board member, a principal, an assistant principal, a~~  
 1925 ~~teacher, a dean of a college of education, and parents. The task~~  
 1926 ~~force shall convene periodically to provide recommendations to~~  
 1927 ~~the department in the areas of recruitment, certification,~~  
 1928 ~~preparation, professional development, and evaluation of school~~  
 1929 ~~administrators.~~

1930 (5)~~(6)~~ Each district school board shall provide funding  
 1931 for the professional development system as required by s.  
 1932 1011.62 and the General Appropriations Act, and shall direct  
 1933 expenditures from other funding sources to strengthen the system  
 1934 and make it uniform and coherent. A school district may  
 1935 coordinate its professional development program with that of  
 1936 another district, with an educational consortium, or with a



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1937 community college or university, especially in preparing and  
1938 educating personnel. Each district school board shall make  
1939 available inservice activities to instructional personnel of  
1940 nonpublic schools in the district and the state certified  
1941 teachers who are not employed by the district school board on a  
1942 fee basis not to exceed the cost of the activity per all  
1943 participants.

1944 (6)~~(7)~~ An organization of private schools which has no  
1945 fewer than 10 member schools in this state, which publishes and  
1946 files with the Department of Education copies of its standards,  
1947 and the member schools of which comply with the provisions of  
1948 part II of chapter 1003, relating to compulsory school  
1949 attendance, may also develop a professional development system  
1950 that includes a master plan for inservice activities. The system  
1951 and inservice plan must be submitted to the commissioner for  
1952 approval pursuant to rules of the State Board of Education.

1953 (7)~~(8)~~ The Department of Education shall design methods by  
1954 which the state and district school boards may evaluate and  
1955 improve the professional development system. The evaluation must  
1956 include an annual assessment of data that indicate progress or  
1957 lack of progress of all students. If the review of the data  
1958 indicates progress, the department shall identify the best  
1959 practices that contributed to the progress. If the review of the  
1960 data indicates a lack of progress, the department shall  
1961 investigate the causes of the lack of progress, provide  
1962 technical assistance, and require the school district to employ  
1963 a different approach to professional development. The department  
1964 shall report annually to the State Board of Education and the



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1965 Legislature any school district that, in the determination of  
 1966 the department, has failed to provide an adequate professional  
 1967 development system. This report must include the results of the  
 1968 department's investigation and of any intervention provided.

1969 ~~(8)(9)~~ The State Board of Education may adopt rules  
 1970 pursuant to ss. 120.536(1) and 120.54 to administer this  
 1971 section.

1972 ~~(9)(10)~~ This section does not limit or discourage a  
 1973 district school board from contracting with independent entities  
 1974 for professional development services and inservice education if  
 1975 the district school board can demonstrate to the Commissioner of  
 1976 Education ~~believes~~ that, through such a contract, a better  
 1977 product can be acquired or its goals for education improvement  
 1978 can be better met.

1979 ~~(10)(11)~~ For teachers, managers, and administrative  
 1980 personnel who have been evaluated as less than satisfactory, a  
 1981 district school board shall require participation in specific  
 1982 professional development programs as part of the improvement  
 1983 prescription.

1984 Section 29. Section 1012.987, Florida Statutes, is created  
 1985 to read:

1986 1012.987 Education leadership development.--

1987 (1) The State Board of Education shall adopt rules through  
 1988 which school principals may earn a principal leadership  
 1989 designation based on teacher retention, overall student  
 1990 performance, and school grade. The State Board of Education must  
 1991 designate incentives available to personnel who earn a principal  
 1992 leadership designation, including, but not limited to, merit





1993 pay, expanded discretionary spending flexibility, relaxed  
 1994 regulation or reporting requirements, additional professional  
 1995 development resources, and public recognition.

1996 (2)(a) The Department of Education shall provide a system  
 1997 for the recruitment, preparation, and education leadership  
 1998 development of school administrative personnel. This system  
 1999 shall be based on standards adopted by the State Board of  
 2000 Education that include, but are not limited to:

2001 1. Improved student achievement.  
 2002 2. Increased emphasis on reading using the latest  
 2003 scientific knowledge-based research in reading and the  
 2004 administrator's role as a successful school leader in reading  
 2005 reform efforts.

2006 3. Instructional leadership.  
 2007 4. Data analysis.  
 2008 5. School safety.  
 2009 6. Community and family involvement.  
 2010 7. Operational management.  
 2011 8. School finance.

2012 (b) Each education leadership development program must  
 2013 provide all program participants full information on not less  
 2014 than an annual basis to update the participants on the status  
 2015 of, and rationale for changes to, state and federal law and  
 2016 funding policies.

2017 (c) Education leadership development programs must be  
 2018 consistent with standards adopted by the State Board of  
 2019 Education and must be approved by the department.



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2020           (d) Alternative education leadership development programs  
2021 that meet the standards of, and are approved by, the Department  
2022 of Education may be offered by a school district or  
2023 postsecondary educational institution.

2024           (e) The Commissioner of Education may conduct K-20  
2025 education leadership institutes for the purpose of communicating  
2026 the state's education priorities, best practices, and other  
2027 related research and facilitating the formation of a K-20  
2028 partnership.

2029           Section 30. Notwithstanding any provision of law to the  
2030 contrary, when a school is graded "F" or receives a second  
2031 consecutive grade of "D," the elected district school  
2032 superintendent, or if the district school superintendent is  
2033 appointed, the district school board, may request the  
2034 resignation of the school principal and teachers.

2035           Section 31. Each district school board shall review and  
2036 consider amending any collective bargaining contract that may  
2037 hinder the implementation of any provision of this act.

2038           Section 32. The Commissioner of Education shall conduct en  
2039 electronic mail or other survey of the classroom teachers in  
2040 each school district at the end of the 2003-2004 academic year  
2041 to determine whether the teachers received improved support from  
2042 their district school board, superintendent, and principal for  
2043 paperwork reduction and classroom discipline and shall use the  
2044 enforcement authority of s. 1008.32, Florida Statutes, as  
2045 appropriate, to ensure compliance with the BEST Florida Teaching  
2046 Act of 2003.



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2047 Section 33. Paragraph (a) of subsection (22) of section  
2048 121.021, Florida Statutes, is amended to read:

2049 121.021 Definitions.--The following words and phrases as  
2050 used in this chapter have the respective meanings set forth  
2051 unless a different meaning is plainly required by the context:

2052 (22) "Compensation" means the monthly salary paid a  
2053 member by his or her employer for work performed arising from  
2054 that employment.

2055 (a) Compensation shall include:

- 2056 1. Overtime payments paid from a salary fund.
- 2057 2. Accumulated annual leave payments.

2058 3. Payments in addition to the employee's base rate of  
2059 pay if all the following apply:

2060 a. The payments are paid according to a formal written  
2061 policy that applies to all eligible employees equally;

2062 b. The policy provides that payments shall commence no  
2063 later than the 11th year of employment;

2064 c. The payments are paid for as long as the employee  
2065 continues his or her employment; and

2066 d. The payments are paid at least annually.

2067 4. Amounts withheld for tax sheltered annuities or  
2068 deferred compensation programs, or any other type of salary  
2069 reduction plan authorized under the Internal Revenue Code.

2070 5. Payments made in lieu of a permanent increase in the  
2071 base rate of pay, whether made annually or in 12 or 26 equal  
2072 payments within a 12-month period, when the member's base pay  
2073 is at the maximum of his or her pay range. When a portion of a  
2074 member's annual increase raises his or her pay range and the



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2075 excess is paid as a lump sum payment, such lump sum payment  
2076 shall be compensation for retirement purposes.

2077 6. Effective July 1, 2002, salary supplements made  
2078 pursuant to s. ss. 1012.73 and 1012.72 requiring a valid  
2079 ~~National Board for Professional Standards certificate or~~  
2080 ~~equivalent status as provided in s. 1012.73(3)(e)5.~~,  
2081 notwithstanding the provisions of subparagraph 3.

2082 Section 34. This act shall take effect upon becoming a  
2083 law.