

1 A bill to be entitled

2 An act relating to quality of school personnel; amending
3 s. 1004.04, F.S.; revising criteria for admission to
4 teacher preparation programs; requiring a certification
5 ombudsman; authorizing certain postsecondary institutions
6 to develop and implement short-term teaching experiences;
7 creating s. 1004.85, F.S.; providing a definition;
8 providing for postsecondary institutions to create
9 educator preparation institutes; providing purpose of the
10 institutes; authorizing institutes to offer alternative
11 educator certification programs; requiring Department of
12 Education response to a request for approval; providing
13 criteria for alternative certification programs; providing
14 requirements for program participants; providing for
15 participants to receive a credential signifying mastery of
16 professional preparation and education competence;
17 authorizing school districts to use an alternative
18 certification program at an educator preparation institute
19 to satisfy certain requirements; requiring performance
20 evaluations; requiring certain criteria for instructors;
21 providing rulemaking authority; amending s. 1012.05, F.S.;
22 requiring the department to concentrate on retention of
23 teachers; requiring the department to provide certain
24 resources for teachers and to establish an Educator
25 Appreciation Week; requiring district school boards to
26 adopt policies for mentors and support for first-time
27 teachers; amending s. 1012.231, F.S.; authorizing a salary
28 career ladder for certain classifications of instructional
29 personnel; providing criteria for certain lead teachers;

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30 amending s. 1012.32, F.S.; requiring background screening
31 for contractual personnel, charter school personnel, and
32 certain instructional and noninstructional personnel;
33 deleting provision for probationary status for new
34 employees pending fingerprint processing; prohibiting
35 certain persons from providing services; providing for
36 appeals; providing for payment of costs; deleting a
37 refingerprinting requirement; requiring the Department of
38 Law Enforcement to retain and enter fingerprints into the
39 statewide automated fingerprint identification system;
40 requiring the Department of Law Enforcement to search
41 arrest fingerprint cards against retained fingerprints and
42 to report identified arrest records; providing school
43 district responsibilities and the imposition of a fee;
44 requiring refingerprinting for personnel whose
45 fingerprints are not retained; amending s. 1012.33, F.S.;
46 revising provisions relating to acceptance of teaching
47 service; amending s. 1012.35, F.S.; requiring background
48 screening and additional requirements for substitute
49 teachers; requiring the department to develop certain
50 resources and school districts to develop performance
51 appraisal measures; amending s. 1012.39, F.S.; requiring
52 background screening and qualifications for substitute
53 teachers; requiring background screening for teachers in
54 adult education programs and nondegreed teachers of career
55 and technical programs; creating s. 1012.465, F.S.;
56 requiring background screening for certain
57 noninstructional personnel and contractors with the school
58 district; requiring such persons to report conviction of a

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59 | disqualifying offense; providing for suspension of
60 | personnel who do not meet screening requirements; amending
61 | s. 1012.55, F.S.; providing department duties relating to
62 | identification of appropriate certification for certain
63 | instruction; requiring background screening for certain
64 | instructors; amending s. 1012.56, F.S.; clarifying
65 | required response of the department to applicants for
66 | certification; revising eligibility criteria for
67 | certification applicants; requiring an affidavit for
68 | educator certification; requiring background screening for
69 | educator certification; revising means of demonstrating
70 | mastery of general knowledge, subject area knowledge, and
71 | professional preparation and education competence;
72 | providing background screening requirements; requiring
73 | persons to report conviction of a disqualifying offense;
74 | providing for suspension from position and revocation or
75 | suspension of certification; creating s. 1012.561, F.S.;
76 | providing requirements relating to notification of the
77 | address of record of a certified educator or applicant for
78 | certification; amending s. 1012.57, F.S.; requiring
79 | background screening for adjunct educators; amending s.
80 | 1012.585, F.S.; revising means of renewal of a
81 | professional certificate; revising means of earning
82 | inservice points; providing requirements for training in
83 | the teaching of reading for renewal of a professional
84 | certificate; amending s. 1002.33, F.S.; requiring
85 | background screening for employees and members of the
86 | governing boards of charter schools; providing an
87 | effective date.

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

Section 1. Subsection (4) of section 1004.04, Florida Statutes, is amended, subsections (10), (11), and (12) are renumbered as subsections (11), (12), and (13), respectively, and a new subsection (10) is added to said section, to read:

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

(4) INITIAL STATE PROGRAM APPROVAL.--

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

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

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

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117 rule or any college or university otherwise approved pursuant to
 118 State Board of Education rule.

119 2. Demonstrate mastery of general knowledge, including the
 120 ability to read, write, and compute, by passing the General
 121 Knowledge Test of the Florida Teacher Certification Examination,
 122 the College Level Academic Skills Test, a corresponding
 123 component of the National Teachers Examination series, or a
 124 similar test pursuant to rules of the State Board of Education.

125
 126 Each teacher preparation program may waive these admissions
 127 requirements for up to 10 percent of the students admitted.
 128 Programs shall implement strategies to ensure that students
 129 admitted under a waiver receive assistance to demonstrate
 130 competencies to successfully meet requirements for
 131 certification.

132 (c) Each teacher preparation program approved by the
 133 Department of Education, as provided for by this section, shall
 134 provide a certification ombudsman to facilitate the process and
 135 procedures required for graduates to obtain educator
 136 professional or temporary certification pursuant to s. 1012.56.

137 (10) SHORT-TERM EXPERIENCES AS TEACHER ASSISTANTS.--
 138 Postsecondary institutions offering teacher preparation programs
 139 and community colleges, in collaboration with school districts,
 140 may develop and implement a program to provide short-term
 141 experiences as teacher assistants prior to beginning a teacher
 142 preparation program or alternative certification program. The
 143 program shall serve individuals with baccalaureate degrees who
 144 are interested in the teaching profession. This experience may
 145 be accepted for use in teacher preparation programs and

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146 competency-based alternative certification programs, where
 147 applicable.

148 Section 2. Section 1004.85, Florida Statutes, is created
 149 to read:

150 1004.85 Postsecondary educator preparation institutes.--

151 (1) As used in this section, "educator preparation
 152 institute" means an institute created by a postsecondary
 153 institution and approved by the Department of Education.

154 (2) Postsecondary institutions may seek approval from the
 155 Department of Education to create educator preparation
 156 institutes for the purpose of providing any or all of the
 157 following:

158 (a) Professional development instruction to assist
 159 teachers in improving classroom instruction and in meeting
 160 certification or recertification requirements.

161 (b) Instruction to assist potential and existing
 162 substitute teachers in performing their duties.

163 (c) Instruction to assist paraprofessionals in meeting
 164 education and training requirements.

165 (d) Instruction for baccalaureate degree holders to become
 166 certified teachers as provided in this section in order to
 167 increase routes to the classroom for mid-career professionals
 168 who hold a baccalaureate degree and college graduates who were
 169 not education majors.

170 (3) Educator preparation institutes approved pursuant to
 171 this section may offer alternative certification programs
 172 specifically designed for noneducation major baccalaureate
 173 degree holders to enable program participants to meet the
 174 educator certification requirements of s. 1012.56. Such programs

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175 shall be competency-based educator certification preparation
 176 programs that prepare educators through an alternative route. An
 177 educator preparation institute choosing to offer an alternative
 178 certification program pursuant to the provisions of this section
 179 must implement a program previously approved by the Department
 180 of Education for this purpose or a program developed by the
 181 institute and approved by the department for this purpose.
 182 Approved programs shall be available for use by other approved
 183 educator preparation institutes.

184 (a) Within 90 days after receipt of a request for
 185 approval, the Department of Education shall approve an
 186 alternative certification program or issue a statement of the
 187 deficiencies in the request for approval. The department shall
 188 approve an alternative certification program if the institute
 189 provides sufficient evidence of the following:

190 1. Instruction must be provided in professional knowledge
 191 and subject matter content that includes educator-accomplished
 192 practices and competencies specified in State Board of Education
 193 rule and meets subject matter content requirements, professional
 194 competency testing requirements, and competencies associated
 195 with teaching scientifically based reading instruction and
 196 strategies that research has shown to be successful in improving
 197 reading among low-performing readers.

198 2. The program must provide field experience with
 199 supervision from qualified educators.

200 3. The program must provide a certification ombudsman to
 201 facilitate the process and procedures required for participants
 202 who complete the program to meet any requirements related to the

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203 background screening pursuant to s. 1012.32 and educator
 204 professional or temporary certification pursuant to s. 1012.56.
 205 (b) Each program participant must:
 206 1. Meet certification requirements pursuant to s.
 207 1012.56(1) by obtaining a statement of status of eligibility and
 208 meet the requirements of s. 1012.56(2)(a)-(f).
 209 2. Participate in field experience that is appropriate to
 210 his or her educational plan.
 211 3. Fully demonstrate his or her ability to teach the
 212 subject area for which he or she is seeking certification prior
 213 to completion of the program.
 214 (c) Upon completion of an alternative certification
 215 program approved pursuant to this subsection, a participant
 216 shall receive a credential from the sponsoring institution
 217 signifying satisfaction of the requirements of s. 1012.56(5)
 218 relating to mastery of professional preparation and education
 219 competence. A participant shall be eligible for educator
 220 certification through the Department of Education upon
 221 satisfaction of all requirements for certification set forth in
 222 s. 1012.56(2), including demonstration of mastery of general
 223 knowledge, subject area knowledge, and professional preparation
 224 and education competence, through testing or other statutorily
 225 authorized means.
 226 (d) If an institution offers an alternative certification
 227 program approved pursuant to this subsection, such program may
 228 be used by the school district or districts served by that
 229 institution to fully satisfy the requirements for the provision
 230 of a competency-based professional preparation alternative
 231 certification program as required in s. 1012.56(7).

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232 (4) Each institute approved pursuant to this section shall
 233 submit to the Department of Education annual performance
 234 evaluations that measure the effectiveness of the programs,
 235 including the pass rates of participants on all examinations
 236 required for teacher certification, employment rates,
 237 longitudinal retention rates, and employer satisfaction surveys.
 238 The employer satisfaction surveys must be designed to measure
 239 the sufficient preparation of the educator to enter the
 240 classroom.

241 (5) Instructors for an alternative certification program
 242 approved pursuant to this section must possess a master's degree
 243 in education or a master's degree in an appropriate related
 244 field and document teaching experience.

245 (6) Educator preparation institutes approved pursuant to
 246 this section and providing approved instructional programs for
 247 any of the purposes in subsection (2) are eligible for funding
 248 from federal and state funds, as appropriated by the
 249 Legislature. (7) The State Board of Education may adopt rules
 250 pursuant to ss. 120.536(1) and 120.54 to implement the
 251 provisions of this section.

252 Section 3. Section 1012.05, Florida Statutes, is amended
 253 to read:

254 1012.05 Teacher recruitment and retention.--

255 (1) The Department of Education, in cooperation with
 256 teacher organizations, district personnel offices, and schools,
 257 colleges, and departments of all public and nonpublic
 258 postsecondary educational institutions, shall concentrate on the
 259 recruitment and retention of qualified teachers.

260 (2) The Department of Education shall:

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

264 (b) Advertise in major newspapers, national professional
 265 publications, and other professional publications and in public
 266 and nonpublic postsecondary educational institutions.

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

268 (d) Conduct periodic communications with district
 269 personnel directors regarding applicants.

270 (e) Provide district access to the applicant database by
 271 computer or telephone.

272 (f) Develop and distribute promotional materials related
 273 to the teaching profession as a career.

274 (g) Publish and distribute information pertaining to
 275 employment opportunities, application procedures, and all routes
 276 toward teacher certification in Florida, and teacher salaries.

277 (h) Provide information related to certification
 278 procedures.

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

281 (j) Develop, in consultation with school district staff
 282 including, but not limited to, district school superintendents,
 283 district school board members, and district human resources
 284 personnel, a long-range plan for educator recruitment and
 285 retention.

286 (k) Identify best practices for retaining high-quality
 287 teachers.

288 (l) Develop, in consultation with Workforce Florida, Inc.,
 289 and the Agency for Workforce Innovation, created pursuant to ss.

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290 445.004 and 20.50, respectively, a plan for accessing and
 291 identifying available resources in the state's workforce system
 292 and tourism offices for the purpose of enhancing teacher
 293 recruitment and retention.

294 (m) In consultation with school districts, create
 295 guidelines and identify best practices for mentors of first-time
 296 teachers and for new teacher support programs that focus on the
 297 professional assistance needed by first-time teachers throughout
 298 the first year of teaching.

299 (n)~~(m)~~ Develop and implement a First Response Center to
 300 provide educator candidates one-stop shopping for information on
 301 teaching careers in Florida and establish the Teacher Lifeline
 302 Network to provide online support to beginning teachers and
 303 those needing assistance.

304 (o) Develop and implement an online teacher tool kit that
 305 contains a menu of resources, based on the Sunshine State
 306 Standards, which all teachers can use to enhance classroom
 307 instruction and increase teacher effectiveness to improve
 308 student achievement.

309 (p) Establish an Educator Appreciation Week to recognize
 310 the significant contributions made by educators to their
 311 students and school communities.

312 (3) Each district school board shall adopt policies
 313 relating to mentors and support for first-time teachers based
 314 upon guidelines issued by the Department of Education.

315 (4)~~(3)~~ The Department of Education, in cooperation with
 316 district personnel offices, shall sponsor a job fair in a
 317 central part of the state to match in-state educators and

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318 potential educators and out-of-state educators and potential
 319 educators with teaching opportunities in this state.

320 (5)~~(4)~~ Subject to proviso in the General Appropriations
 321 Act, the Commissioner of Education may use funds appropriated by
 322 the Legislature and funds from federal grants and other sources
 323 to provide incentives for teacher recruitment and preparation
 324 programs. The purpose of the use of such funds is to recruit and
 325 prepare individuals who do not graduate from state-approved
 326 teacher preparation programs to teach in a Florida public
 327 school. The commissioner may contract with entities other than,
 328 and including, approved teacher preparation programs to provide
 329 intensive teacher training leading to passage of the required
 330 certification exams for the desired subject area or coverage.
 331 The commissioner shall survey school districts to evaluate the
 332 effectiveness of such programs.

333 (6) The Commissioner of Education is directed to take
 334 steps that provide flexibility and consistency in meeting the
 335 high-quality teacher criteria defined in the No Child Left
 336 Behind Act through a high, objective, uniform state system of
 337 evaluation.

338 Section 4. Subsections (2) and (3) of section 1012.231,
 339 Florida Statutes, are renumbered as subsections (3) and (4),
 340 respectively, and a new subsection (2) is added to said section
 341 to read:

342 1012.231 BEST Florida Teaching salary career ladder
 343 program; assignment of teachers.--

344 (2) SALARY CAREER LADDER FOR CERTAIN CLASSIFICATIONS OF
 345 INSTRUCTIONAL PERSONNEL.--Each school district may incorporate
 346 one or more individuals into the district career ladder program

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347 as lead teachers pursuant to paragraph (1)(c) for the following
 348 classifications:

349 (a) Student personnel services as defined in s.
 350 1012.01(2)(b).

351 (b) Librarians/media specialists as defined in s.
 352 1012.01(2)(c).

353 (c) Other instructional staff as defined in s.
 354 1012.01(2)(d).

355 (d) Teachers of English for Speakers of Other Languages
 356 pursuant to s. 1003.56.

357
 358 If a school district chooses to incorporate individuals
 359 identified in this subsection into the district career ladder
 360 program, a lead teacher designated pursuant to this subsection
 361 shall serve as a team leader, intern coordinator, or
 362 professional development coordinator; shall participate in
 363 direct instruction of students throughout the school year; and
 364 shall serve as faculty for professional development activities
 365 as determined by the State Board of Education. To be eligible
 366 for designation as a lead teacher, an educator must demonstrate
 367 outstanding performance pursuant to s. 1012.34(3)(a).

368 Section 5. Section 1012.32, Florida Statutes, is amended,
 369 to read:

370 1012.32 Qualifications of personnel.--

371 (1) To be eligible for appointment in any position in any
 372 district school system, a person shall be of good moral
 373 character; shall have attained the age of 18 years, if he or she
 374 is to be employed in an instructional capacity; and shall, when
 375 required by law, hold a certificate or license issued under

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376 rules of the State Board of Education or the Department of
 377 Children and Family Services, except when employed pursuant to
 378 s. 1012.55 or under the emergency provisions of s. 1012.24.
 379 Previous residence in this state shall not be required in any
 380 school of the state as a prerequisite for any person holding a
 381 valid Florida certificate or license to serve in an
 382 instructional capacity.

383 (2)(a) Instructional and noninstructional personnel who
 384 are hired or contracted to fill positions requiring direct
 385 contact with students in any district school system or
 386 university lab school shall, upon employment or engagement to
 387 provide services, undergo background screening as required under
 388 s. 1012.56 or s. 1012.465, whichever is applicable, file a
 389 ~~complete set of fingerprints taken by an authorized law~~
 390 ~~enforcement officer or an employee of the school or district who~~
 391 ~~is trained to take fingerprints.~~

392 (b) Instructional and noninstructional personnel who are
 393 hired or contracted to fill positions in any charter school and
 394 members of the governing board of any charter school, in
 395 compliance with s. 1002.33(12)(g), shall, upon employment,
 396 engagement of services, or appointment, undergo background
 397 screening as required under s. 1012.56 or s. 1012.465, whichever
 398 is applicable, by filing with the district school board for the
 399 school district in which the charter school is located a
 400 complete set of fingerprints taken by an authorized law
 401 enforcement agency or an employee of the school or school
 402 district who is trained to take fingerprints.

403 (c) Instructional and noninstructional personnel who are
 404 hired or contracted to fill positions requiring direct contact

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405 with students in an alternative school that operates under
 406 contract with a district school system shall, upon employment or
 407 engagement to provide services, undergo background screening as
 408 required under s. 1012.56 or s. 1012.465, whichever is
 409 applicable, by filing with the district school board for the
 410 school district to which the alternative school is under
 411 contract a complete set of fingerprints taken by an authorized
 412 law enforcement agency or an employee of the school or school
 413 district who is trained to take fingerprints.

414 (d) Student teachers, persons participating in a field
 415 experience pursuant to s. 1004.04(6) or s. 1004.85, and persons
 416 participating in a short-term experience as a teacher assistant
 417 pursuant to s. 1004.04(10) in any district school system, lab
 418 school, or charter school shall, upon engagement to provide
 419 services, undergo background screening as required under s.
 420 1012.56.

421
 422 These Fingerprints shall be submitted to the Department of Law
 423 Enforcement for state processing and to the Federal Bureau of
 424 Investigation for federal processing. Persons subject to this
 425 subsection ~~The new employees shall be on probationary status~~
 426 ~~pending fingerprint processing and determination of compliance~~
 427 ~~with standards of good moral character. Employees found through~~
 428 fingerprint processing to have been convicted of a crime
 429 involving moral turpitude shall not be employed, engaged to
 430 provide services, or serve in any position requiring direct
 431 contact with students. Probationary persons subject to this
 432 subsection ~~employees~~ terminated because of their criminal record
 433 ~~shall~~ have the right to appeal such decisions. The cost of the

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434 background screening ~~fingerprint processing~~ may be borne by the
 435 district school board, the charter school, ~~or~~ the employee, the
 436 contractor, or a person subject to this subsection.

437 ~~(b) Personnel who have been fingerprinted or screened~~
 438 ~~pursuant to this subsection and who have not been unemployed for~~
 439 ~~more than 90 days shall not be required to be refingerprinted or~~
 440 ~~rescreened in order to comply with the requirements of this~~
 441 ~~subsection.~~

442 (3)(a) Beginning July 1, 2004, all fingerprints submitted
 443 to the Department of Law Enforcement as required by subsection
 444 (2) shall be retained by the Department of Law Enforcement in a
 445 manner provided by rule and entered in the statewide automated
 446 fingerprint identification system authorized by s. 943.05(2)(b).
 447 Such fingerprints shall thereafter be available for all purposes
 448 and uses authorized for arrest fingerprint cards entered in the
 449 statewide automated fingerprint identification system pursuant
 450 to s. 943.051.

451 (b) Beginning December 15, 2004, the Department of Law
 452 Enforcement shall search all arrest fingerprint cards received
 453 under s. 943.051 against the fingerprints retained in the
 454 statewide automated fingerprint identification system under
 455 paragraph (a). Any arrest record that is identified with the
 456 retained fingerprints of a person subject to the background
 457 screening under this section shall be reported to the employing
 458 or contracting school district or the school district with which
 459 the person is affiliated. Each school district is required to
 460 participate in this search process by payment of an annual fee
 461 to the Department of Law Enforcement and by informing the
 462 Department of Law Enforcement of any change in the affiliation,

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463 employment, or contractual status or place of affiliation,
464 employment, or contracting of its instructional and
465 noninstructional personnel whose fingerprints are retained under
466 paragraph (a). The Department of Law Enforcement shall adopt a
467 rule setting the amount of the annual fee to be imposed upon
468 each school district for performing these searches and
469 establishing the procedures for the retention of instructional
470 and noninstructional personnel fingerprints and the
471 dissemination of search results. The fee may be borne by the
472 district school board, the contractor, or the person
473 fingerprinted.

474 (c) Personnel whose fingerprints are not retained by the
475 Department of Law Enforcement under paragraphs (a) and (b) are
476 required to be refingerprinted and must meet level 2 screening
477 requirements as described in s. 435.04, upon reemployment or
478 reengagement to provide services, in order to comply with the
479 requirements of this subsection.

480 Section 6. Paragraph (g) of subsection (3) of section
481 1012.33, Florida Statutes, is amended to read:

482 1012.33 Contracts with instructional staff, supervisors,
483 and school principals.--

484 (3)

485 ~~(g) Beginning July 1, 2001,~~ For each employee who enters
486 into a written contract, pursuant to this section, in a school
487 district ~~in which the employee was not employed as of June 30,~~
488 ~~2001,~~ for purposes of pay, a district school board must
489 recognize and accept each year of full-time public school
490 teaching service earned in the State of Florida or outside the
491 state and for which the employee received a satisfactory

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492 performance evaluation. Instructional personnel employed
493 pursuant to s. 121.091(9)(b)3. are exempt from the provisions of
494 this paragraph.

495 Section 7. Section 1012.35, Florida Statutes, is amended
496 to read:

497 1012.35 Substitute teachers.--

498 (1)(a) Each district school board shall adopt rules
499 prescribing the compensation of, and the procedure for
500 employment of, substitute teachers. Such procedure for
501 employment shall include, but is not limited to, the background
502 screening ~~filing of a complete set of fingerprints~~ as required
503 in s. 1012.32; documentation of a minimum education level of a
504 high school diploma or its equivalent as described in s.
505 1003.429, s. 1003.43, or s. 1003.435; and completion of an
506 initial orientation/training program in school district policies
507 and procedures addressing school safety and security procedures,
508 educational liability laws, professional responsibilities, and
509 ethics.

510 (b) Candidates without prior teaching experience, as
511 determined by the employing school district, must complete an
512 additional training program that includes classroom management
513 skills and instructional strategies prior to employment.

514 (c) The required training programs for substitute teachers
515 may be provided by educator preparation institutes established
516 pursuant to s. 1004.85, community colleges, colleges of
517 education, district school boards, educational consortia, or
518 commercial vendors.

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519 (d) It is recommended that ongoing training and access to
 520 professional development offerings be made available to
 521 substitute teachers by the employing school district.

522 (2) The Department of Education shall develop web-based
 523 resources to enhance school district substitute teacher
 524 orientation programs and provide web-based training resources to
 525 meet the required training pursuant to paragraph (1)(b).

526 (3) School districts shall develop performance appraisal
 527 measures for assessing the quality of instruction delivered by
 528 substitute teachers who provide instruction for 30 or more days
 529 in a single classroom placement.

530 Section 8. Subsection (1) of section 1012.39, Florida
 531 Statutes, is amended to read:

532 1012.39 Employment of substitute teachers, teachers of
 533 adult education, nondegreed teachers of career education, and
 534 career specialists; students performing clinical field
 535 experience.--

536 (1) Notwithstanding ss. 1012.32, 1012.55, 1012.56, and
 537 1012.57, or any other provision of law or rule to the contrary,
 538 each district school board shall establish the minimal
 539 qualifications for:

540 (a) Substitute teachers to be employed pursuant to s.
 541 1012.35. The qualifications shall require the filing of a
 542 background screening ~~complete set of fingerprints~~ in the same
 543 manner as required by s. 1012.32; documentation of a minimum
 544 education level of a high school diploma or its equivalent as
 545 described in s. 1003.429, s. 1003.43, or s. 1003.435; and
 546 completion of an initial orientation/training program in school
 547 district policies and procedures addressing school safety and

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548 security procedures, educational liability laws, professional
 549 responsibilities, and ethics.

550 (b) Part-time and full-time teachers in adult education
 551 programs. The qualifications shall require the filing of a
 552 background screening ~~complete set of fingerprints~~ in the same
 553 manner as required by s. 1012.32. Faculty employed solely to
 554 conduct postsecondary instruction may be exempted from this
 555 requirement.

556 (c) Part-time and full-time nondegreed teachers of career
 557 and technical programs. Qualifications shall be established for
 558 agriculture, business, health occupations, family and consumer
 559 sciences, industrial, marketing, career specialist, and public
 560 service education teachers, based primarily on successful
 561 occupational experience rather than academic training. The
 562 qualifications for such teachers shall require:

563 1. The filing of a background screening ~~complete set of~~
 564 ~~fingerprints~~ in the same manner as required by s. 1012.32.
 565 Faculty employed solely to conduct postsecondary instruction may
 566 be exempted from this requirement.

567 2. Documentation of education and successful occupational
 568 experience including documentation of:

569 a. A high school diploma or the equivalent.

570 b. Completion of 6 years of full-time successful
 571 occupational experience or the equivalent of part-time
 572 experience in the teaching specialization area. Alternate means
 573 of determining successful occupational experience may be
 574 established by the district school board.

575 c. Completion of career education training conducted
 576 through the local school district inservice master plan.

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577 d. For full-time teachers, completion of professional
 578 education training in teaching methods, course construction,
 579 lesson planning and evaluation, and teaching special needs
 580 students. This training may be completed through coursework from
 581 an accredited or approved institution or an approved district
 582 teacher education program.

583 e. Demonstration of successful teaching performance.

584 Section 9. Section 1012.465, Florida Statutes, is created
 585 to read:

586 1012.465 Background screening requirements for certain
 587 noninstructional school district employees and contractors.--

588 (1) Noninstructional school district employees or
 589 contractual personnel who have direct contact with students or
 590 have access to or control of school funds must meet level 2
 591 screening requirements as described in s. 435.04.

592 (2) Every 5 years following employment or entry into a
 593 contract in a capacity described in subsection (1), each person
 594 who is so employed or under contract with the school district
 595 must meet level 2 screening requirements as described in s.
 596 435.04, at which time the school district shall request the
 597 Department of Law Enforcement to forward the fingerprints to the
 598 Federal Bureau of Investigation for the level 2 screening. If,
 599 for any reason following employment or entry into a contract in
 600 a capacity described in subsection (1), the fingerprints of a
 601 person who is so employed or under contract with the school
 602 district are not retained by the Department of Law Enforcement
 603 under s. 1012.32(3)(a) and (b), the person must file a complete
 604 set of fingerprints with the district school superintendent of
 605 the employing or contracting school district. Upon submission of

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606 fingerprints for this purpose, the school district shall request
 607 the Department of Law Enforcement to forward the fingerprints to
 608 the Federal Bureau of Investigation for the level 2 screening,
 609 and the fingerprints shall be retained by the Department of Law
 610 Enforcement under s. 1012.32(3)(a) and (b). The cost of the
 611 state and federal criminal history check required by level 2
 612 screening may be borne by the district school board, the
 613 contractor, or the person fingerprinted. Under penalty of
 614 perjury, each person who is employed or under contract in a
 615 capacity described in subsection (1) must agree to inform his or
 616 her employer or the party with whom he or she is under contract
 617 within 48 hours if convicted of any disqualifying offense while
 618 he or she is employed or under contract in that capacity.

619 (3) If it is found that a person who is employed or under
 620 contract in a capacity described in subsection (1) does not meet
 621 the level 2 requirements, the person shall be immediately
 622 suspended from working in that capacity and shall remain
 623 suspended until final resolution of any appeals.

624 Section 10. Subsections (1) and (4) of section 1012.55,
 625 Florida Statutes, are amended to read:

626 1012.55 Positions for which certificates required.--

627 (1) The State Board of Education shall classify school
 628 services, designate the certification subject areas, establish
 629 competencies, including the use of technology to enhance student
 630 learning, and certification requirements for all school-based
 631 personnel, and adopt rules in accordance with which the
 632 professional, temporary, and part-time certificates shall be
 633 issued by the Department of Education to applicants who meet the
 634 standards prescribed by such rules for their class of service.

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635 Each person employed or occupying a position as school
636 supervisor, school principal, teacher, library media specialist,
637 school counselor, athletic coach, or other position in which the
638 employee serves in an instructional capacity, in any public
639 school of any district of this state shall hold the certificate
640 required by law and by rules of the State Board of Education in
641 fulfilling the requirements of the law for the type of service
642 rendered. The Department of Education shall identify appropriate
643 educator certification for the instruction of specified courses
644 in an annual publication of a directory of course code numbers
645 for all programs and courses that are funded through the Florida
646 Education Finance Program. However, the state board shall adopt
647 rules authorizing district school boards to employ selected
648 noncertificated personnel to provide instructional services in
649 the individuals' fields of specialty or to assist instructional
650 staff members as education paraprofessionals.

651 (4) A commissioned or noncommissioned military officer who
652 is an instructor of junior reserve officer training shall be
653 exempt from requirements for teacher certification, except for
654 the background screening ~~filing of fingerprints~~ pursuant to s.
655 1012.32, if he or she meets the following qualifications:

656 (a) Is retired from active military duty, pursuant to
657 chapter 102 of Title 10, U.S.C.

658 (b) Satisfies criteria established by the appropriate
659 military service for certification by the service as a junior
660 reserve officer training instructor.

661 (c) Has an exemplary military record.

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663 If such instructor is assigned instructional duties other than
 664 junior reserve officer training, he or she shall hold the
 665 certificate required by law and rules of the state board for the
 666 type of service rendered.

667 Section 11. Subsection (1), paragraphs (b) and (d) of
 668 subsection (2), and subsections (3), (4), and (5) of section
 669 1012.56, Florida Statutes, are amended, subsections (9) through
 670 (15) are renumbered as subsections (10) through (16),
 671 respectively, and a new subsection (9) is added to said section,
 672 to read:

673 1012.56 Educator certification requirements.--

674 (1) APPLICATION.--Each person seeking certification
 675 pursuant to this chapter shall submit a completed application
 676 containing the applicant's social security number to the
 677 Department of Education and remit the fee required pursuant to
 678 s. 1012.59 and rules of the State Board of Education. Pursuant
 679 to the federal Personal Responsibility and Work Opportunity
 680 Reconciliation Act of 1996, each party is required to provide
 681 his or her social security number in accordance with this
 682 section. Disclosure of social security numbers obtained through
 683 this requirement is limited to the purpose of administration of
 684 the Title IV-D program of the Social Security Act for child
 685 support enforcement. Pursuant to s. 120.60, the department shall
 686 issue within 90 calendar days after the stamped receipted date
 687 of the completed application:

688 (a) If the applicant meets the requirements, a
 689 professional certificate covering the classification, level, and
 690 area for which the applicant is deemed qualified and a document

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691 explaining the requirements for renewal of the professional
 692 certificate; or

693 (b) If the applicant meets the requirements and if
 694 requested by an employing school district or an employing
 695 private school with a professional education competence
 696 demonstration program pursuant to paragraphs (5)(f) and (7)(b),
 697 a temporary certificate covering the classification, level, and
 698 area for which the applicant is deemed qualified and an official
 699 statement of status of eligibility; or

700 (c)(b) If an applicant does not meet the requirements for
 701 either certificate, an official statement of status of
 702 eligibility.

703
 704 The statement of status of eligibility must advise the applicant
 705 of any qualifications that must be completed to qualify for
 706 certification. Each statement of status of eligibility is valid
 707 for 3 years after its date of issuance, except as provided in
 708 paragraph (2)(d).

709 (2) ELIGIBILITY CRITERIA.--To be eligible to seek
 710 certification, a person must:

711 (b) File an affidavit ~~a written statement, under oath,~~
 712 that the applicant subscribes to and will uphold the principles
 713 incorporated in the Constitution of the United States and the
 714 Constitution of the State of Florida and that the information
 715 provided in the application is true, accurate, and complete. The
 716 affidavit shall be by original signature or by electronic
 717 authentication. The affidavit shall include substantially the
 718 following warning:

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720 WARNING: Giving false information in order to obtain or renew a
 721 Florida educator's certificate is a criminal offense under
 722 Florida law. Anyone giving false information on this affidavit
 723 is subject to criminal prosecution as well as disciplinary
 724 action by the Education Practices Commission.

725
 726 (d) Submit to background screening in accordance with
 727 subsection (9) a fingerprint check from the Department of Law
 728 Enforcement and the Federal Bureau of Investigation pursuant to
 729 s. 1012.32. If the background screening indicates fingerprint
 730 reports indicate a criminal history or if the applicant
 731 acknowledges a criminal history, the applicant's records shall
 732 be referred to the investigative section in the Department of
 733 Education Bureau of Educator Standards for review and
 734 determination of eligibility for certification. If the applicant
 735 fails to provide the necessary documentation requested by the
 736 department Bureau of Educator Standards within 90 days after the
 737 date of the receipt of the certified mail request, the statement
 738 of eligibility and pending application shall become invalid.

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

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

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

745 (c) A valid professional standard teaching certificate
 746 issued by another state;

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747 (d) A valid certificate issued by the National Board for
 748 Professional Teaching Standards or a national educator
 749 credentialing board approved by the State Board of Education; or

750 (e) Documentation of two semesters of successful teaching
 751 in a community college, state university, or private college or
 752 university that awards an associate or higher degree and is an
 753 accredited institution or an institution of higher education
 754 identified by the Department of Education as having a quality
 755 program.

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

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

760 (b) Completion of the subject area specialization
 761 requirements specified in state board rule and verification of
 762 the attainment of the essential subject matter competencies by
 763 the district school superintendent of the employing school
 764 district or chief administrative officer of the employing state-
 765 supported or private school for a subject area for which a
 766 subject area examination has not been developed and required by
 767 state board rule;

768 (c) Completion of the subject area specialization
 769 requirements specified in state board rule for a subject
 770 coverage requiring a master's or higher degree and achievement
 771 of a passing score on the subject area examination specified in
 772 state board rule;

773 (d) A valid professional standard teaching certificate
 774 issued by another state; or

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775 (e) A valid certificate issued by the National Board for
 776 Professional Teaching Standards or a national educator
 777 credentialing board approved by the State Board of Education.

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

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

785 (b) Completion of a teacher preparation program at a
 786 postsecondary educational institution outside Florida and
 787 achievement of a passing score on the professional education
 788 competency examination required by state board rule;

789 (c) A valid professional standard teaching certificate
 790 issued by another state;

791 (d) A valid certificate issued by the National Board for
 792 Professional Teaching Standards or a national educator
 793 credentialing board approved by the State Board of Education;

794 (e) Documentation of two semesters of successful teaching
 795 in a community college, state university, or private college or
 796 university that awards an associate or higher degree and is an
 797 accredited institution or an institution of higher education
 798 identified by the Department of Education as having a quality
 799 program;

800 (f) Completion of professional preparation courses as
 801 specified in state board rule, successful completion of a
 802 professional education competence demonstration program pursuant
 803 to paragraph (7)(b), and achievement of a passing score on the

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804 professional education competency examination required by state
 805 board rule; ~~or~~

806 (g) Successful completion of a professional preparation
 807 alternative certification and education competency program,
 808 outlined in paragraph (7)(a); or

809 (h) Successful completion of an alternative certification
 810 program pursuant to s. 1004.85 and achievement of a passing
 811 score on the professional education competency examination
 812 required by state board rule.

813 (9) BACKGROUND SCREENING REQUIRED, INITIALLY AND
 814 PERIODICALLY.--

815 (a) Each person who seeks certification under this chapter
 816 must meet level 2 screening requirements as described in s.
 817 435.04 unless a level 2 screening has been conducted by a
 818 district school board or the Department of Education within 12
 819 months before the date the person initially obtains
 820 certification under this chapter, the results of which are
 821 submitted to the district school board or to the Department of
 822 Education.

823 (b) A person may not receive a certificate under this
 824 chapter until the level 2 screening has been completed and the
 825 results have been submitted to the Department of Education or to
 826 the district school superintendent of the school district that
 827 employs the person. Every 5 years after obtaining initial
 828 certification, each person who is required to be certified under
 829 this chapter must meet level 2 screening requirements as
 830 described in s. 435.04, at which time the school district shall
 831 request the Department of Law Enforcement to forward the
 832 fingerprints to the Federal Bureau of Investigation for the

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833 level 2 screening. If, for any reason after obtaining initial
 834 certification, the fingerprints of a person who is required to
 835 be certified under this chapter are not retained by the
 836 Department of Law Enforcement under s. 1012.32(3)(a) and (b),
 837 the person must file a complete set of fingerprints with the
 838 district school superintendent of the employing school district.
 839 Upon submission of fingerprints for this purpose, the school
 840 district shall request the Department of Law Enforcement to
 841 forward the fingerprints to the Federal Bureau of Investigation
 842 for the level 2 screening, and the fingerprints shall be
 843 retained by the Department of Law Enforcement under s.
 844 1012.32(3)(a) and (b). The cost of the state and federal
 845 criminal history check required by level 2 screening may be
 846 borne by the district school board or the employee. Under
 847 penalty of perjury, each person who is certified under this
 848 chapter must agree to inform his or her employer within 48 hours
 849 if convicted of any disqualifying offense while he or she is
 850 employed in a position for which such certification is required.

851 (c) If it is found under s. 1012.796 that a person who is
 852 employed in a position requiring certification under this
 853 chapter does not meet the level 2 screening requirements, the
 854 person's certification shall be immediately revoked or suspended
 855 and he or she shall be immediately suspended from the position
 856 requiring certification.

857 Section 12. Section 1012.561, Florida Statutes, is created
 858 to read:

859 1012.561 Address of record.--Each certified educator or
 860 applicant for certification is responsible for maintaining his
 861 or her current address with the Department of Education and for

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862 notifying the department in writing of a change of address. By
 863 January 1, 2005, each educator and applicant for certification
 864 must have on file with the department a current mailing address.
 865 Thereafter, a certified educator or applicant for certification
 866 who is employed by a district school board shall notify his or
 867 her employing school district in writing within 10 days after a
 868 change of address. At a minimum, the employing district school
 869 board shall notify the department quarterly of the addresses of
 870 certified educators or applicants for certification in the
 871 manner prescribed by the department. A certified educator or
 872 applicant for certification not employed by a district school
 873 board shall personally notify the department in writing within
 874 30 days after a change of address. Electronic notification shall
 875 be permitted by the department; however, it shall be the
 876 responsibility of the certified educator or applicant for
 877 certification to ascertain that the electronic notification was
 878 received by the department.

879 Section 13. Section 1012.57, Florida Statutes, is amended
 880 to read:

881 1012.57 Certification of adjunct educators.--

882 (1) Notwithstanding the provisions of ss. 1012.32,
 883 1012.55, and 1012.56, or any other provision of law or rule to
 884 the contrary, district school boards shall adopt rules to allow
 885 for the issuance of an adjunct teaching certificate to any
 886 applicant who fulfills the requirements of s. 1012.56(2)(a)-(f)
 887 and (9) and who has expertise in the subject area to be taught.
 888 An applicant shall be considered to have expertise in the
 889 subject area to be taught if the applicant demonstrates
 890 sufficient subject area mastery through passage of a subject

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891 area test. The adjunct teaching certificate shall be used for
 892 part-time teaching positions. The intent of this provision is to
 893 allow school districts to tap the wealth of talent and expertise
 894 represented in Florida's citizens who may wish to teach part-
 895 time in a Florida public school by permitting school districts
 896 to issue adjunct certificates to qualified applicants. Adjunct
 897 certificateholders should be used as a strategy to reduce the
 898 teacher shortage; thus, adjunct certificateholders should
 899 supplement a school's instructional staff, not supplant it. Each
 900 school principal shall assign an experienced peer mentor to
 901 assist the adjunct teaching certificateholder during the
 902 certificateholder's first year of teaching, and an adjunct
 903 certificateholder may participate in a district's new teacher
 904 training program. District school boards shall provide the
 905 adjunct teaching certificateholder an orientation in classroom
 906 management prior to assigning the certificateholder to a school.
 907 Each adjunct teaching certificate is valid for 5 school years
 908 and is renewable if the applicant has received satisfactory
 909 performance evaluations during each year of teaching under
 910 adjunct teaching certification.

911 (2) Individuals who are certified and employed under
 912 ~~pursuant to~~ this section shall have the same rights and
 913 protection of laws as teachers certified under ~~pursuant to~~ s.
 914 1012.56.

915 Section 14. Paragraph (b) of subsection (2) and paragraphs
 916 (a) and (d) of subsection (3) of section 1012.585, Florida
 917 Statutes, are amended to read:

918 1012.585 Process for renewal of professional
 919 certificates.--

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920 (2)

921 (b) A teacher with national certification from the

922 National Board for Professional Teaching Standards or a national

923 educator credentialing board approved by the State Board of

924 Education is deemed to meet state renewal requirements for the

925 life of the teacher's national certificate in the subject shown

926 on the national certificate. A complete renewal application and

927 fee shall be submitted. The Commissioner of Education shall

928 notify teachers of the renewal application and fee requirements.

929 (3) For the renewal of a professional certificate, the

930 following requirements must be met:

931 (a) The applicant must earn a minimum of 6 college credits

932 or 120 inservice points or a combination thereof. For each area

933 of specialization to be retained on a certificate, the applicant

934 must earn at least 3 of the required credit hours or equivalent

935 inservice points in the specialization area. Education in

936 "clinical educator" training pursuant to s. 1004.04(6)(b) and

937 credits or points that provide training in the area of

938 scientifically researched, knowledge-based reading literacy and

939 computational skills acquisition, exceptional student education,

940 normal child development, and the disorders of development may

941 be applied toward any specialization area. Credits or points

942 that provide training in the areas of drug abuse, child abuse

943 and neglect, strategies in teaching students having limited

944 proficiency in English, or dropout prevention, or training in

945 areas identified in the educational goals and performance

946 standards adopted pursuant to ss. 1000.03(5) and 1001.23 may be

947 applied toward any specialization area. Credits or points earned

948 through approved summer institutes may be applied toward the

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949 fulfillment of these requirements. Inservice points may also be
 950 earned by participation in professional growth components
 951 approved by the State Board of Education and specified pursuant
 952 to s. 1012.98 in the district's approved master plan for
 953 inservice educational training, including, but not limited to,
 954 serving as a trainer in an approved teacher training activity,
 955 serving as a reading coach, serving on an instructional
 956 materials committee or a state board or commission that deals
 957 with educational issues, or serving on an advisory council
 958 created pursuant to s. 1001.452.

959 (d) The State Board of Education shall adopt rules for the
 960 expanded use of training for renewal of the professional
 961 certificate for educators who are required to complete training
 962 in teaching students of limited English proficiency and training
 963 in the teaching of reading as follows:

964 1. A teacher who holds a professional certificate may use
 965 college credits or inservice points completed in English-for-
 966 Speakers-of-Other-Languages training and training in the
 967 teaching of reading in excess of 6 semester hours during one
 968 certificate-validity period toward renewal of the professional
 969 certificate during the subsequent validity periods.

970 2. A teacher who holds a temporary certificate may use
 971 college credits or inservice points completed in English-for-
 972 Speakers-of-Other-Languages training and training in the
 973 teaching of reading toward renewal of the teacher's first
 974 professional certificate. Such training must not have been
 975 included within the degree program, and the teacher's temporary
 976 and professional certificates must be issued for consecutive
 977 school years.

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978 Section 15. Paragraph (g) of subsection (12) of section
 979 1002.33, Florida Statutes, is amended to read:

980 1002.33 Charter schools.--

981 (12) EMPLOYEES OF CHARTER SCHOOLS.--

982 (g) A charter school shall employ or contract with
 983 employees who have undergone background screening ~~been~~
 984 ~~fingerprinted~~ as provided in s. 1012.32. Members of the
 985 governing board of the charter school shall also undergo
 986 background screening ~~be fingerprinted~~ in a manner similar to
 987 that provided in s. 1012.32.

988 Section 16. This act shall take effect upon becoming a
 989 law.