

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Kilmer offered the following:

2

3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

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

9 1004.04 Public accountability and state approval for  
10 teacher preparation programs.--

11 (4) INITIAL STATE PROGRAM APPROVAL.--

12 (a) A program approval process based on standards adopted  
13 pursuant to subsections (2) and (3) must be established for  
14 postsecondary teacher preparation programs, phased in according  
15 to timelines determined by the Department of Education, and  
16 fully implemented for all teacher preparation programs in the

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17 state. Each program shall be approved by the department,  
18 consistent with the intent set forth in subsection (1) and based  
19 primarily upon significant, objective, and quantifiable graduate  
20 performance measures.

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

25 1. Have a grade point average of at least 2.5 on a 4.0  
26 scale for the general education component of undergraduate  
27 studies or have completed the requirements for a baccalaureate  
28 degree with a minimum grade point average of 2.5 on a 4.0 scale  
29 from any college or university accredited by a regional  
30 accrediting association as defined by State Board of Education  
31 rule or any college or university otherwise approved pursuant to  
32 State Board of Education rule.

33 2. Demonstrate mastery of general knowledge, including the  
34 ability to read, write, and compute, by passing the General  
35 Knowledge Test of the Florida Teacher Certification Examination,  
36 the College Level Academic Skills Test, a corresponding  
37 component of the National Teachers Examination series, or a  
38 similar test pursuant to rules of the State Board of Education.

39  
40 Each teacher preparation program may waive these admissions  
41 requirements for up to 10 percent of the students admitted.  
42 Programs shall implement strategies to ensure that students  
43 admitted under a waiver receive assistance to demonstrate

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44 competencies to successfully meet requirements for  
45 certification.

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

51 (10) SHORT-TERM EXPERIENCES AS TEACHER ASSISTANTS.--  
52 Postsecondary institutions offering teacher preparation programs  
53 and community colleges, in collaboration with school districts,  
54 may develop and implement a program to provide short-term  
55 experiences as teacher assistants prior to beginning a teacher  
56 preparation program or alternative certification program. The  
57 program shall serve individuals with baccalaureate degrees who  
58 are interested in the teaching profession. This experience may  
59 be accepted for use in teacher preparation programs and  
60 competency-based alternative certification programs, where  
61 applicable.

62 Section 2. Section 1004.85, Florida Statutes, is created  
63 to read:

64 1004.85 Postsecondary educator preparation institutes.--

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

68 (2) Postsecondary institutions may seek approval from the  
69 Department of Education to create educator preparation  
70 institutes for the purpose of providing any or all of the  
71 following:

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72 (a) Professional development instruction to assist  
73 teachers in improving classroom instruction and in meeting  
74 certification or recertification requirements.

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

77 (c) Instruction to assist paraprofessionals in meeting  
78 education and training requirements.

79 (d) Instruction for baccalaureate degree holders to become  
80 certified teachers as provided in this section in order to  
81 increase routes to the classroom for mid-career professionals  
82 who hold a baccalaureate degree and college graduates who were  
83 not education majors.

84 (3) Educator preparation institutes approved pursuant to  
85 this section may offer alternative certification programs  
86 specifically designed for noneducation major baccalaureate  
87 degree holders to enable program participants to meet the  
88 educator certification requirements of s. 1012.56. Such programs  
89 shall be competency-based educator certification preparation  
90 programs that prepare educators through an alternative route. An  
91 educator preparation institute choosing to offer an alternative  
92 certification program pursuant to the provisions of this section  
93 must implement a program previously approved by the Department  
94 of Education for this purpose or a program developed by the  
95 institute and approved by the department for this purpose.  
96 Approved programs shall be available for use by other approved  
97 educator preparation institutes.

98 (a) Within 90 days after receipt of a request for  
99 approval, the Department of Education shall approve an

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100 alternative certification program or issue a statement of the  
101 deficiencies in the request for approval. The department shall  
102 approve an alternative certification program if the institute  
103 provides sufficient evidence of the following:

104 1. Instruction must be provided in professional knowledge  
105 and subject matter content that includes educator-accomplished  
106 practices and competencies specified in State Board of Education  
107 rule; meets subject matter content requirements and professional  
108 competency testing requirements; and includes competencies  
109 associated with teaching scientifically based reading  
110 instruction and strategies that research has shown to be  
111 successful in improving reading among low-performing readers.

112 2. The program must provide field experience with  
113 supervision from qualified educators.

114 3. The program must provide a certification ombudsman to  
115 facilitate the process and procedures required for participants  
116 who complete the program to meet any requirements related to the  
117 background screening pursuant to s. 1012.32 and educator  
118 professional or temporary certification pursuant to s. 1012.56.

119 (b) Each program participant must:

120 1. Meet certification requirements pursuant to s.  
121 1012.56(1) by obtaining a statement of status of eligibility and  
122 meet the requirements of s. 1012.56(2)(a)-(f).

123 2. Participate in field experience that is appropriate to  
124 his or her educational plan.

125 3. Fully demonstrate his or her ability to teach the  
126 subject area for which he or she is seeking certification prior  
127 to completion of the program.

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128       (c) Upon completion of an alternative certification  
129 program approved pursuant to this subsection, a participant  
130 shall receive a credential from the sponsoring institution  
131 signifying satisfaction of the requirements of s. 1012.56(5)  
132 relating to mastery of professional preparation and education  
133 competence. A participant shall be eligible for educator  
134 certification through the Department of Education upon  
135 satisfaction of all requirements for certification set forth in  
136 s. 1012.56(2), including demonstration of mastery of general  
137 knowledge, subject area knowledge, and professional preparation  
138 and education competence, through testing or other statutorily  
139 authorized means.

140       (d) If an institution offers an alternative certification  
141 program approved pursuant to this subsection, such program may  
142 be used by the school district or districts served by that  
143 institution to fully satisfy the requirements for the provision  
144 of a competency-based professional preparation alternative  
145 certification program as required in s. 1012.56(7).

146       (4) Each institute approved pursuant to this section shall  
147 submit to the Department of Education annual performance  
148 evaluations that measure the effectiveness of the programs,  
149 including the pass rates of participants on all examinations  
150 required for teacher certification, employment rates,  
151 longitudinal retention rates, and employer satisfaction surveys.  
152 The employer satisfaction surveys must be designed to measure  
153 the sufficient preparation of the educator to enter the  
154 classroom.

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

159       (6) Educator preparation institutes approved pursuant to  
160 this section and providing approved instructional programs for  
161 any of the purposes in subsection (2) are eligible for funding  
162 from federal and state funds, as appropriated by the  
163 Legislature.

164       (7) The State Board of Education may adopt rules pursuant  
165 to ss. 120.536(1) and 120.54 to implement the provisions of this  
166 section.

167       Section 3. Section 1012.05, Florida Statutes, is amended  
168 to read:

169       1012.05 Teacher recruitment and retention.--

170       (1) The Department of Education, in cooperation with  
171 teacher organizations, district personnel offices, and schools,  
172 colleges, and departments of all public and nonpublic  
173 postsecondary educational institutions, shall concentrate on the  
174 recruitment and retention of qualified teachers.

175       (2) The Department of Education shall:

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

179       (b) Advertise in major newspapers, national professional  
180 publications, and other professional publications and in public  
181 and nonpublic postsecondary educational institutions.

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

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- 183 (d) Conduct periodic communications with district  
184 personnel directors regarding applicants.
- 185 (e) Provide district access to the applicant database by  
186 computer or telephone.
- 187 (f) Develop and distribute promotional materials related  
188 to the teaching profession as a career.
- 189 (g) Publish and distribute information pertaining to  
190 employment opportunities, application procedures, and all routes  
191 toward teacher certification in Florida, and teacher salaries.
- 192 (h) Provide information related to certification  
193 procedures.
- 194 (i) Develop and sponsor the Florida Future Educator of  
195 America Program throughout the state.
- 196 (j) Develop, in consultation with school district staff  
197 including, but not limited to, district school superintendents,  
198 district school board members, and district human resources  
199 personnel, a long-range plan for educator recruitment and  
200 retention.
- 201 (k) Identify best practices for retaining high-quality  
202 teachers.
- 203 (l) Develop, in consultation with Workforce Florida, Inc.,  
204 and the Agency for Workforce Innovation, created pursuant to ss.  
205 445.004 and 20.50, respectively, a plan for accessing and  
206 identifying available resources in the state's workforce system  
207 for the purpose of enhancing teacher recruitment and retention.
- 208 (m) In consultation with school districts, create  
209 guidelines and identify best practices for mentors of first-time  
210 teachers and for new teacher support programs that focus on the

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211 professional assistance needed by first-time teachers throughout  
212 the first year of teaching.

213 (n)(m) Develop and implement a First Response Center to  
214 provide educator candidates one-stop shopping for information on  
215 teaching careers in Florida and establish the Teacher Lifeline  
216 Network to provide online support to beginning teachers and  
217 those needing assistance.

218 (o) Develop and implement an online teacher tool kit that  
219 contains a menu of resources, based on the Sunshine State  
220 Standards, which all teachers can use to enhance classroom  
221 instruction and increase teacher effectiveness to improve  
222 student achievement.

223 (p) Establish an Educator Appreciation Week to recognize  
224 the significant contributions made by educators to their  
225 students and school communities.

226 (q) Notify each teacher, via e-mail, of each item in the  
227 General Appropriations Act that provides direct benefit to  
228 teachers, including, but not limited to, the Dale Hickam  
229 Excellent Teaching Program, the Florida Teachers Lead Program  
230 Stipend, teacher liability insurance protection, and teacher  
231 death benefits.

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

235 (b) By September 15 and February 15 each school year, each  
236 school district shall electronically submit to the Department of  
237 Education accurate public school e-mail addresses for all

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238 instructional and administrative personnel as defined in s.  
239 1012.01(2) and (3).

240 ~~(4)(3)~~ The Department of Education, in cooperation with  
241 district personnel offices, shall sponsor a job fair in a  
242 central part of the state to match in-state educators and  
243 potential educators and out-of-state educators and potential  
244 educators with teaching opportunities in this state.

245 ~~(5)(4)~~ Subject to proviso in the General Appropriations  
246 Act, the Commissioner of Education may use funds appropriated by  
247 the Legislature and funds from federal grants and other sources  
248 to provide incentives for teacher recruitment and preparation  
249 programs. The purpose of the use of such funds is to recruit and  
250 prepare individuals who do not graduate from state-approved  
251 teacher preparation programs to teach in a Florida public  
252 school. The commissioner may contract with entities other than,  
253 and including, approved teacher preparation programs to provide  
254 intensive teacher training leading to passage of the required  
255 certification exams for the desired subject area or coverage.  
256 The commissioner shall survey school districts to evaluate the  
257 effectiveness of such programs.

258 ~~(6)~~ The commissioner is directed to take steps that  
259 provide flexibility and consistency in meeting the high-quality  
260 teacher criteria defined in the federal No Child Left Behind Act  
261 through a High, Objective, Uniform State Standard of Evaluation  
262 (HOUSSE).

263 Section 4. Subsections (2) and (3) of section 1012.231,  
264 Florida Statutes, are renumbered as subsections (3) and (4),  
265 respectively, a new subsection (2) is added to said section,

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266 and, for the purpose of incorporating the amendment to section  
267 1012.01(2), Florida Statutes, in a reference thereto, subsection  
268 (1) of said section is reenacted, to read:

269 1012.231 BEST Florida Teaching salary career ladder  
270 program; assignment of teachers.--

271 (1) SALARY CAREER LADDER FOR CLASSROOM TEACHERS.--

272 Beginning with the 2004-2005 academic year, each district school  
273 board shall implement a salary career ladder for classroom  
274 teachers as defined in s. 1012.01(2)(a). Performance shall be  
275 defined as designated in s. 1012.34(3)(a)1.-7. District school  
276 boards shall designate categories of classroom teachers  
277 reflecting these salary career ladder levels as follows:

278 (a) *Associate teacher*.--Classroom teachers in the school  
279 district who have not yet received a professional certificate or  
280 those with a professional certificate who are evaluated as low-  
281 performing teachers.

282 (b) *Professional teacher*.--Classroom teachers in the  
283 school district who have received a professional certificate.

284 (c) *Lead teacher*.--Classroom teachers in the school  
285 district who are responsible for leading others in the school as  
286 department chair, lead teacher, grade-level leader, intern  
287 coordinator, or professional development coordinator. Lead  
288 teachers must participate on a regular basis in the direct  
289 instruction of students and serve as faculty for professional  
290 development activities as determined by the State Board of  
291 Education. To be eligible for designation as a lead teacher, a  
292 teacher must demonstrate outstanding performance pursuant to s.

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293 1012.34(3)(a)1.-7. and must have been a "professional teacher"  
294 pursuant to paragraph (b) for at least 1 year.

295 (d) *Mentor teacher*.--Classroom teachers in the school  
296 district who serve as regular mentors to other teachers who are  
297 either not performing satisfactorily or who strive to become  
298 more proficient. Mentor teachers must serve as faculty-based  
299 professional development coordinators and regularly demonstrate  
300 and share their expertise with other teachers in order to remain  
301 mentor teachers. Mentor teachers must also participate on a  
302 regular basis in the direct instruction of low-performing  
303 students. To be eligible for designation as a mentor teacher, a  
304 teacher must demonstrate outstanding performance pursuant to s.  
305 1012.34(3)(a)1.-7. and must have been a "lead teacher" pursuant  
306 to paragraph (c) for at least two years.

307

308 Promotion of a teacher to a higher level on the salary career  
309 ladder shall be based upon prescribed performance criteria and  
310 not based upon length of service.

311 (2) SALARY CAREER LADDER FOR CERTAIN CLASSIFICATIONS OF  
312 INSTRUCTIONAL PERSONNEL.--Each school district may incorporate  
313 one or more individuals into the district career ladder program  
314 as lead teachers pursuant to paragraph (1)(c) for the following  
315 classifications:

316 (a) Student personnel services as defined in s.  
317 1012.01(2)(b).

318 (b) Librarians/media specialists as defined in s.  
319 1012.01(2)(c).

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320 (c) Other instructional staff as defined in s.  
321 1012.01(2)(d).

322 (d) Teachers of English for Speakers of Other Languages  
323 pursuant to s. 1003.56.

324

325 If a school district chooses to incorporate individuals  
326 identified in this subsection into the district career ladder  
327 program, a lead teacher designated pursuant to this subsection  
328 shall serve as a team leader, intern coordinator, or  
329 professional development coordinator; shall participate in  
330 direct instruction of students throughout the school year; and  
331 shall serve as faculty for professional development activities  
332 as determined by the State Board of Education. To be eligible  
333 for designation as a lead teacher, an educator must demonstrate  
334 outstanding performance pursuant to s. 1012.34(3)(a).

335 Section 5. Section 1012.32, Florida Statutes, is amended  
336 to read:

337 1012.32 Qualifications of personnel.--

338 (1) To be eligible for appointment in any position in any  
339 district school system, a person shall be of good moral  
340 character; shall have attained the age of 18 years, if he or she  
341 is to be employed in an instructional capacity; and shall, when  
342 required by law, hold a certificate or license issued under  
343 rules of the State Board of Education or the Department of  
344 Children and Family Services, except when employed pursuant to  
345 s. 1012.55 or under the emergency provisions of s. 1012.24.  
346 Previous residence in this state shall not be required in any  
347 school of the state as a prerequisite for any person holding a

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348 valid Florida certificate or license to serve in an  
349 instructional capacity.

350 (2)(a) Instructional and noninstructional personnel who  
351 are hired or contracted to fill positions requiring direct  
352 contact with students in any district school system or  
353 university lab school shall, upon employment or engagement to  
354 provide services, undergo background screening as required under  
355 s. 1012.56 or s. 1012.465, whichever is applicable, file a  
356 ~~complete set of fingerprints taken by an authorized law~~  
357 ~~enforcement officer or an employee of the school or district who~~  
358 ~~is trained to take fingerprints.~~

359 (b) Instructional and noninstructional personnel who are  
360 hired or contracted to fill positions in any charter school and  
361 members of the governing board of any charter school, in  
362 compliance with s. 1002.33(12)(g), shall, upon employment,  
363 engagement of services, or appointment, undergo background  
364 screening as required under s. 1012.56 or s. 1012.465, whichever  
365 is applicable, by filing with the district school board for the  
366 school district in which the charter school is located a  
367 complete set of fingerprints taken by an authorized law  
368 enforcement agency or an employee of the school or school  
369 district who is trained to take fingerprints.

370 (c) Instructional and noninstructional personnel who are  
371 hired or contracted to fill positions requiring direct contact  
372 with students in an alternative school that operates under  
373 contract with a district school system shall, upon employment or  
374 engagement to provide services, undergo background screening as  
375 required under s. 1012.56 or s. 1012.465, whichever is

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376 applicable, by filing with the district school board for the  
377 school district to which the alternative school is under  
378 contract a complete set of fingerprints taken by an authorized  
379 law enforcement agency or an employee of the school or school  
380 district who is trained to take fingerprints.

381 (d) Student teachers, persons participating in a field  
382 experience pursuant to s. 1004.04(6) or s. 1004.85, and persons  
383 participating in a short-term experience as a teacher assistant  
384 pursuant to s. 1004.04(10) in any district school system, lab  
385 school, or charter school shall, upon engagement to provide  
386 services, undergo background screening as required under s.  
387 1012.56.

388  
389 These Fingerprints shall be submitted to the Department of Law  
390 Enforcement for state processing and to the Federal Bureau of  
391 Investigation for federal processing. Persons subject to this  
392 subsection ~~The new employees shall be on probationary status~~  
393 ~~pending fingerprint processing and determination of compliance~~  
394 ~~with standards of good moral character. Employees found through~~  
395 ~~fingerprint processing to have been convicted of a crime~~  
396 ~~involving moral turpitude shall not be employed,~~ engaged to  
397 provide services, or serve in any position requiring direct  
398 contact with students. Probationary persons subject to this  
399 subsection ~~employees~~ terminated because of their criminal record  
400 ~~shall~~ have the right to appeal such decisions. The cost of the  
401 background screening ~~fingerprint processing~~ may be borne by the  
402 district school board, the charter school, or the employee, the  
403 contractor, or a person subject to this subsection.

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404 ~~(b) Personnel who have been fingerprinted or screened~~  
405 ~~pursuant to this subsection and who have not been unemployed for~~  
406 ~~more than 90 days shall not be required to be refingerprinted or~~  
407 ~~rescreened in order to comply with the requirements of this~~  
408 ~~subsection.~~

409 (3)(a) Beginning July 1, 2004, all fingerprints submitted  
410 to the Department of Law Enforcement as required by subsection  
411 (2) shall be retained by the Department of Law Enforcement in a  
412 manner provided by rule and entered in the statewide automated  
413 fingerprint identification system authorized by s. 943.05(2)(b).  
414 Such fingerprints shall thereafter be available for all purposes  
415 and uses authorized for arrest fingerprint cards entered in the  
416 statewide automated fingerprint identification system pursuant  
417 to s. 943.051.

418 (b) Beginning December 15, 2004, the Department of Law  
419 Enforcement shall search all arrest fingerprint cards received  
420 under s. 943.051 against the fingerprints retained in the  
421 statewide automated fingerprint identification system under  
422 paragraph (a). Any arrest record that is identified with the  
423 retained fingerprints of a person subject to the background  
424 screening under this section shall be reported to the employing  
425 or contracting school district or the school district with which  
426 the person is affiliated. Each school district is required to  
427 participate in this search process by payment of an annual fee  
428 to the Department of Law Enforcement and by informing the  
429 Department of Law Enforcement of any change in the affiliation,  
430 employment, or contractual status or place of affiliation,  
431 employment, or contracting of its instructional and

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432 noninstructional personnel whose fingerprints are retained under  
433 paragraph (a). The Department of Law Enforcement shall adopt a  
434 rule setting the amount of the annual fee to be imposed upon  
435 each school district for performing these searches and  
436 establishing the procedures for the retention of instructional  
437 and noninstructional personnel fingerprints and the  
438 dissemination of search results. The fee may be borne by the  
439 district school board, the contractor, or the person  
440 fingerprinted.

441 (c) Personnel whose fingerprints are not retained by the  
442 Department of Law Enforcement under paragraphs (a) and (b) are  
443 required to be refingerprinted and must meet state and federal  
444 background screening requirements as described in this section,  
445 upon reemployment or reengagement to provide services, in order  
446 to comply with the requirements of this subsection.

447 Section 6. Paragraph (g) of subsection (3) of section  
448 1012.33, Florida Statutes, is amended to read:

449 1012.33 Contracts with instructional staff, supervisors,  
450 and school principals.--

451 (3)

452 ~~(g) Beginning July 1, 2001,~~ For each employee who enters  
453 into a written contract, pursuant to this section, in a school  
454 ~~district in which the employee was not employed as of June 30,~~  
455 ~~2001,~~ for purposes of pay, a district school board must  
456 recognize and accept each year of full-time public school  
457 teaching service earned in the State of Florida or outside the  
458 state and for which the employee received a satisfactory  
459 performance evaluation. Instructional personnel employed

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460 pursuant to s. 121.091(9)(b)3. are exempt from the provisions of  
461 this paragraph.

462 Section 7. Section 1012.35, Florida Statutes, is amended  
463 to read:

464 1012.35 Substitute teachers.--

465 (1)(a) Each district school board shall adopt rules  
466 prescribing the compensation of, and the procedure for  
467 employment of, substitute teachers. Such procedure for  
468 employment shall include, but is not limited to, the background  
469 screening ~~filing of a complete set of fingerprints~~ as required  
470 in s. 1012.32; documentation of a minimum education level of a  
471 high school diploma or its equivalent; and completion of an  
472 initial orientation/training program in school district policies  
473 and procedures addressing school safety and security procedures,  
474 educational liability laws, professional responsibilities, and  
475 ethics.

476 (b) Candidates without prior teaching experience, as  
477 determined by the employing school district, must complete an  
478 additional training program that includes classroom management  
479 skills and instructional strategies.

480 (c) The required training programs for substitute teachers  
481 may be provided by educator preparation institutes established  
482 pursuant to s. 1004.85, community colleges, colleges of  
483 education, district school boards, educational consortia, or  
484 commercial vendors.

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

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

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

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

498       1012.39 Employment of substitute teachers, teachers of  
499 adult education, nondegreed teachers of career education, and  
500 career specialists; students performing clinical field  
501 experience.--

502       (1) Notwithstanding ss. 1012.32, 1012.55, 1012.56, and  
503 1012.57, or any other provision of law or rule to the contrary,  
504 each district school board shall establish the minimal  
505 qualifications for:

506       (a) Substitute teachers to be employed pursuant to s.  
507 1012.35. The qualifications shall require the filing of a  
508 background screening ~~complete set of fingerprints~~ in the same  
509 manner as required by s. 1012.32; documentation of a minimum  
510 education level of a high school diploma or its equivalent; and  
511 completion of an initial orientation/training program in school  
512 district policies and procedures addressing school safety and  
513 security procedures, educational liability laws, professional  
514 responsibilities, and ethics.

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

521 (c) Part-time and full-time nondegreed teachers of career  
522 and technical programs. Qualifications shall be established for  
523 agriculture, business, health occupations, family and consumer  
524 sciences, industrial, marketing, career specialist, and public  
525 service education teachers, based primarily on successful  
526 occupational experience rather than academic training. The  
527 qualifications for such teachers shall require:

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

532 2. Documentation of education and successful occupational  
533 experience including documentation of:

534 a. A high school diploma or the equivalent.

535 b. Completion of 6 years of full-time successful  
536 occupational experience or the equivalent of part-time  
537 experience in the teaching specialization area. Alternate means  
538 of determining successful occupational experience may be  
539 established by the district school board.

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

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542 d. For full-time teachers, completion of professional  
543 education training in teaching methods, course construction,  
544 lesson planning and evaluation, and teaching special needs  
545 students. This training may be completed through coursework from  
546 an accredited or approved institution or an approved district  
547 teacher education program.

548 e. Demonstration of successful teaching performance.

549 Section 9. Section 1012.465, Florida Statutes, is created  
550 to read:

551 1012.465 Background screening requirements for certain  
552 noninstructional school district employees and contractors.--

553 (1) Noninstructional school district employees or  
554 contractual personnel who have direct contact with students or  
555 have access to or control of school funds must meet background  
556 screening requirements as described in s. 1012.32.

557 (2) Every 5 years following employment or entry into a  
558 contract in a capacity described in subsection (1), each person  
559 who is so employed or under contract with the school district  
560 must meet background screening requirements at which time the  
561 school district shall request the Department of Law Enforcement  
562 to forward the fingerprints to the Federal Bureau of  
563 Investigation for the federal background screening. If, for any  
564 reason following employment or entry into a contract in a  
565 capacity described in subsection (1), the fingerprints of a  
566 person who is so employed or under contract with the school  
567 district are not retained by the Department of Law Enforcement  
568 under s. 1012.32(3)(a) and (b), the person must file a complete  
569 set of fingerprints with the district school superintendent of

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570 the employing or contracting school district. Upon submission of  
571 fingerprints for this purpose, the school district shall request  
572 the Department of Law Enforcement to forward the fingerprints to  
573 the Federal Bureau of Investigation for federal background  
574 screening, and the fingerprints shall be retained by the  
575 Department of Law Enforcement under s. 1012.32(3)(a) and (b).  
576 The cost of the state and federal criminal history check may be  
577 borne by the district school board, the contractor, or the  
578 person fingerprinted. Under penalty of perjury, each person who  
579 is employed or under contract in a capacity described in  
580 subsection (1) must agree to inform his or her employer or the  
581 party with whom he or she is under contract within 48 hours if  
582 convicted of any disqualifying offense while he or she is  
583 employed or under contract in that capacity.

584 (3) If it is found that a person who is employed or under  
585 contract in a capacity described in subsection (1) does not meet  
586 the background screening requirements described in s. 1012.32,  
587 the person shall be immediately suspended from working in that  
588 capacity and shall remain suspended until final resolution of  
589 any appeals.

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

592 1012.55 Positions for which certificates required.--

593 (1) The State Board of Education shall classify school  
594 services, designate the certification subject areas, establish  
595 competencies, including the use of technology to enhance student  
596 learning, and certification requirements for all school-based  
597 personnel, and adopt rules in accordance with which the

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598 professional, temporary, and part-time certificates shall be  
599 issued by the Department of Education to applicants who meet the  
600 standards prescribed by such rules for their class of service.  
601 Each person employed or occupying a position as school  
602 supervisor, school principal, teacher, library media specialist,  
603 school counselor, athletic coach, or other position in which the  
604 employee serves in an instructional capacity, in any public  
605 school of any district of this state shall hold the certificate  
606 required by law and by rules of the State Board of Education in  
607 fulfilling the requirements of the law for the type of service  
608 rendered. The Department of Education shall identify appropriate  
609 educator certification for the instruction of specified courses  
610 in an annual publication of a directory of course code numbers  
611 for all programs and courses that are funded through the Florida  
612 Education Finance Program. However, the state board shall adopt  
613 rules authorizing district school boards to employ selected  
614 noncertificated personnel to provide instructional services in  
615 the individuals' fields of specialty or to assist instructional  
616 staff members as education paraprofessionals.

617 (4) A commissioned or noncommissioned military officer who  
618 is an instructor of junior reserve officer training shall be  
619 exempt from requirements for teacher certification, except for  
620 the background screening ~~filing of fingerprints~~ pursuant to s.  
621 1012.32, if he or she meets the following qualifications:

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

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624 (b) Satisfies criteria established by the appropriate  
625 military service for certification by the service as a junior  
626 reserve officer training instructor.

627 (c) Has an exemplary military record.

628

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

633 Section 11. Subsection (1), paragraphs (b) and (d) of  
634 subsection (2), and subsections (3), (4), and (5) of section  
635 1012.56, Florida Statutes, are amended, subsections (9) through  
636 (15) are renumbered as subsections (10) through (16),  
637 respectively, and a new subsection (9) is added to said section,  
638 to read:

639 1012.56 Educator certification requirements.--

640 (1) APPLICATION.--Each person seeking certification  
641 pursuant to this chapter shall submit a completed application  
642 containing the applicant's social security number to the  
643 Department of Education and remit the fee required pursuant to  
644 s. 1012.59 and rules of the State Board of Education. Pursuant  
645 to the federal Personal Responsibility and Work Opportunity  
646 Reconciliation Act of 1996, each party is required to provide  
647 his or her social security number in accordance with this  
648 section. Disclosure of social security numbers obtained through  
649 this requirement is limited to the purpose of administration of  
650 the Title IV-D program of the Social Security Act for child  
651 support enforcement. Pursuant to s. 120.60, the department shall

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652 issue within 90 calendar days after the stamped receipted date  
653 of the completed application:

654 (a) If the applicant meets the requirements, a  
655 professional certificate covering the classification, level, and  
656 area for which the applicant is deemed qualified and a document  
657 explaining the requirements for renewal of the professional  
658 certificate; or

659 (b) If the applicant meets the requirements and if  
660 requested by an employing school district or an employing  
661 private school with a professional education competence  
662 demonstration program pursuant to paragraphs (5)(f) and (7)(b),  
663 a temporary certificate covering the classification, level, and  
664 area for which the applicant is deemed qualified and an official  
665 statement of status of eligibility; or

666 (c)~~(b)~~ If an applicant does not meet the requirements for  
667 either certificate, an official statement of status of  
668 eligibility.

669  
670 The statement of status of eligibility must advise the applicant  
671 of any qualifications that must be completed to qualify for  
672 certification. Each statement of status of eligibility is valid  
673 for 3 years after its date of issuance, except as provided in  
674 paragraph (2)(d).

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

677 (b) File an affidavit ~~a written statement, under oath,~~  
678 that the applicant subscribes to and will uphold the principles  
679 incorporated in the Constitution of the United States and the

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680 Constitution of the State of Florida and that the information  
681 provided in the application is true, accurate, and complete. The  
682 affidavit shall be by original signature or by electronic  
683 authentication. The affidavit shall include substantially the  
684 following warning:

685  
686 WARNING: Giving false information in order to obtain or renew a  
687 Florida educator's certificate is a criminal offense under  
688 Florida law. Anyone giving false information on this affidavit  
689 is subject to criminal prosecution as well as disciplinary  
690 action by the Education Practices Commission.

691  
692 (d) Submit to background screening in accordance with  
693 subsection (9) a fingerprint check from the Department of Law  
694 Enforcement and the Federal Bureau of Investigation pursuant to  
695 s. 1012.32. If the background screening indicates fingerprint  
696 reports indicate a criminal history or if the applicant  
697 acknowledges a criminal history, the applicant's records shall  
698 be referred to the investigative section in the Department of  
699 Education Bureau of Educator Standards for review and  
700 determination of eligibility for certification. If the applicant  
701 fails to provide the necessary documentation requested by the  
702 department Bureau of Educator Standards within 90 days after the  
703 date of the receipt of the certified mail request, the statement  
704 of eligibility and pending application shall become invalid.

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

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- 707 (a) Achievement of passing scores on basic skills  
708 examination required by state board rule;
- 709 (b) Achievement of passing scores on the College Level  
710 Academic Skills Test earned prior to July 1, 2002;
- 711 (c) A valid professional standard teaching certificate  
712 issued by another state;
- 713 (d) A valid certificate issued by the National Board for  
714 Professional Teaching Standards or a national educator  
715 credentialing board approved by the State Board of Education; or
- 716 (e) Documentation of two semesters of successful teaching  
717 in a community college, state university, or private college or  
718 university that awards an associate or higher degree and is an  
719 accredited institution or an institution of higher education  
720 identified by the Department of Education as having a quality  
721 program.
- 722 (4) MASTERY OF SUBJECT AREA KNOWLEDGE.--Acceptable means  
723 of demonstrating mastery of subject area knowledge are:
- 724 (a) Achievement of passing scores on subject area  
725 examinations required by state board rule;
- 726 (b) Completion of the subject area specialization  
727 requirements specified in state board rule and verification of  
728 the attainment of the essential subject matter competencies by  
729 the district school superintendent of the employing school  
730 district or chief administrative officer of the employing state-  
731 supported or private school for a subject area for which a  
732 subject area examination has not been developed and required by  
733 state board rule;

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734 (c) Completion of the subject area specialization  
735 requirements specified in state board rule for a subject  
736 coverage requiring a master's or higher degree and achievement  
737 of a passing score on the subject area examination specified in  
738 state board rule;

739 (d) A valid professional standard teaching certificate  
740 issued by another state; or

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

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

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

751 (b) Completion of a teacher preparation program at a  
752 postsecondary educational institution outside Florida and  
753 achievement of a passing score on the professional education  
754 competency examination required by state board rule;

755 (c) A valid professional standard teaching certificate  
756 issued by another state;

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

760 (e) Documentation of two semesters of successful teaching  
761 in a community college, state university, or private college or

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762 university that awards an associate or higher degree and is an  
763 accredited institution or an institution of higher education  
764 identified by the Department of Education as having a quality  
765 program;

766 (f) Completion of professional preparation courses as  
767 specified in state board rule, successful completion of a  
768 professional education competence demonstration program pursuant  
769 to paragraph (7)(b), and achievement of a passing score on the  
770 professional education competency examination required by state  
771 board rule; ~~or~~

772 (g) Successful completion of a professional preparation  
773 alternative certification and education competency program,  
774 outlined in paragraph (7)(a); or

775 (h) Successful completion of an alternative certification  
776 program pursuant to s. 1004.85 and achievement of a passing  
777 score on the professional education competency examination  
778 required by state board rule.

779 (9) BACKGROUND SCREENING REQUIRED, INITIALLY AND  
780 PERIODICALLY.--

781 (a) Each person who seeks certification under this chapter  
782 must meet the background screening requirements described in s.  
783 1012.32 unless state and federal background screening has been  
784 conducted by a district school board or the Department of  
785 Education within 12 months before the date the person initially  
786 obtains certification under this chapter, the results of which  
787 are submitted to the district school board or to the Department  
788 of Education.

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789       (b) A person may not receive a certificate under this  
790 chapter until the background screening has been completed and  
791 the results have been submitted to the Department of Education  
792 or to the district school superintendent of the school district  
793 that employs the person. Every 5 years after obtaining initial  
794 certification, each person who is required to be certified under  
795 this chapter must meet background screening requirements as  
796 described in s. 1012.32 at which time the school district shall  
797 request the Department of Law Enforcement to forward the  
798 fingerprints to the Federal Bureau of Investigation for the  
799 federal background screening. If, for any reason after obtaining  
800 initial certification, the fingerprints of a person who is  
801 required to be certified under this chapter are not retained by  
802 the Department of Law Enforcement under s. 1012.32(3)(a) and  
803 (b), the person must file a complete set of fingerprints with  
804 the district school superintendent of the employing school  
805 district. Upon submission of fingerprints for this purpose, the  
806 school district shall request the Department of Law Enforcement  
807 to forward the fingerprints to the Federal Bureau of  
808 Investigation for federal background screening, and the  
809 fingerprints shall be retained by the Department of Law  
810 Enforcement under s. 1012.32(3)(a) and (b). The cost of the  
811 state and federal criminal history check may be borne by the  
812 district school board or the employee. Under penalty of perjury,  
813 each person who is certified under this chapter must agree to  
814 inform his or her employer within 48 hours if convicted of any  
815 disqualifying offense while he or she is employed in a position  
816 for which such certification is required.

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817 (c) If it is found under s. 1012.796 that a person who is  
818 employed in a position requiring certification under this  
819 chapter does not meet the background screening requirements, the  
820 person's certification shall be immediately revoked or suspended  
821 and he or she shall be immediately suspended from the position  
822 requiring certification.

823 Section 12. Section 1012.561, Florida Statutes, is created  
824 to read:

825 1012.561 Address of record.--Each certified educator or  
826 applicant for certification is responsible for maintaining his  
827 or her current address with the Department of Education and for  
828 notifying the department in writing of a change of address. By  
829 January 1, 2005, each educator and applicant for certification  
830 must have on file with the department a current mailing address.  
831 Thereafter, a certified educator or applicant for certification  
832 who is employed by a district school board shall notify his or  
833 her employing school district in writing within 10 days after a  
834 change of address. At a minimum, the employing district school  
835 board shall notify the department quarterly of the addresses of  
836 certified educators or applicants for certification in the  
837 manner prescribed by the department. A certified educator or  
838 applicant for certification not employed by a district school  
839 board shall personally notify the department in writing within  
840 30 days after a change of address. Electronic notification shall  
841 be permitted by the department; however, it shall be the  
842 responsibility of the certified educator or applicant for  
843 certification to ascertain that the electronic notification was  
844 received by the department.

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845 Section 13. Section 1012.57, Florida Statutes, is amended  
846 to read:

847 1012.57 Certification of adjunct educators.--

848 (1) Notwithstanding the provisions of ss. 1012.32,  
849 1012.55, and 1012.56, or any other provision of law or rule to  
850 the contrary, district school boards shall adopt rules to allow  
851 for the issuance of an adjunct teaching certificate to any  
852 applicant who fulfills the requirements of s. 1012.56(2)(a)-(f)  
853 and (9) and who has expertise in the subject area to be taught.  
854 An applicant shall be considered to have expertise in the  
855 subject area to be taught if the applicant demonstrates  
856 sufficient subject area mastery through passage of a subject  
857 area test. The adjunct teaching certificate shall be used for  
858 part-time teaching positions. The intent of this provision is to  
859 allow school districts to tap the wealth of talent and expertise  
860 represented in Florida's citizens who may wish to teach part-  
861 time in a Florida public school by permitting school districts  
862 to issue adjunct certificates to qualified applicants. Adjunct  
863 certificateholders should be used as a strategy to reduce the  
864 teacher shortage; thus, adjunct certificateholders should  
865 supplement a school's instructional staff, not supplant it. Each  
866 school principal shall assign an experienced peer mentor to  
867 assist the adjunct teaching certificateholder during the  
868 certificateholder's first year of teaching, and an adjunct  
869 certificateholder may participate in a district's new teacher  
870 training program. District school boards shall provide the  
871 adjunct teaching certificateholder an orientation in classroom  
872 management prior to assigning the certificateholder to a school.

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873 Each adjunct teaching certificate is valid for 5 school years  
874 and is renewable if the applicant has received satisfactory  
875 performance evaluations during each year of teaching under  
876 adjunct teaching certification.

877 (2) Individuals who are certified and employed under  
878 ~~pursuant to~~ this section shall have the same rights and  
879 protection of laws as teachers certified under ~~pursuant to~~ s.  
880 1012.56.

881 Section 14. Paragraph (d) of subsection (3) of section  
882 1012.585, Florida Statutes, is amended to read:

883 1012.585 Process for renewal of professional  
884 certificates.--

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

887 (d) The State Board of Education shall adopt rules for the  
888 expanded use of training for renewal of the professional  
889 certificate for educators who are required to complete training  
890 in teaching students of limited English proficiency and training  
891 in the teaching of reading as follows:

892 1. A teacher who holds a professional certificate may use  
893 college credits or inservice points completed in English-for-  
894 Speakers-of-Other-Languages training and training in the  
895 teaching of reading in excess of 6 semester hours during one  
896 certificate-validity period toward renewal of the professional  
897 certificate during the subsequent validity periods.

898 2. A teacher who holds a temporary certificate may use  
899 college credits or inservice points completed in English-for-  
900 Speakers-of-Other-Languages training and training in the

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901 teaching of reading toward renewal of the teacher's first  
902 professional certificate. Such training must not have been  
903 included within the degree program, and the teacher's temporary  
904 and professional certificates must be issued for consecutive  
905 school years.

906 Section 15. Paragraph (g) of subsection (12) of section  
907 1002.33, Florida Statutes, is amended to read:

908 1002.33 Charter schools.--

909 (12) EMPLOYEES OF CHARTER SCHOOLS.--

910 (g) A charter school shall employ or contract with  
911 employees who have undergone background screening ~~been~~  
912 ~~fingerprinted~~ as provided in s. 1012.32. Members of the  
913 governing board of the charter school shall also undergo  
914 background screening ~~be fingerprinted~~ in a manner similar to  
915 that provided in s. 1012.32.

916 Section 16. Subsection (2) of section 1012.01, Florida  
917 Statutes, is amended to read:

918 1012.01 Definitions.--Specific definitions shall be as  
919 follows, and wherever such defined words or terms are used in  
920 the Florida K-20 Education Code, they shall be used as follows:

921 (2) INSTRUCTIONAL PERSONNEL.--"Instructional personnel"  
922 means any K-12 staff member whose function includes the  
923 provision of direct instructional services to students.  
924 Instructional personnel also includes K-12 personnel whose  
925 functions provide direct support in the learning process of  
926 students. Included in the classification of instructional  
927 personnel are the following K-12 personnel:

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928           (a) *Classroom teachers.*--Classroom teachers are staff  
929 members assigned the professional activity of instructing  
930 students in courses in classroom situations, including basic  
931 instruction, exceptional student education, career and technical  
932 education, and adult education, including substitute teachers.

933           (b) *Student personnel services.*--Student personnel  
934 services include staff members responsible for: advising  
935 students with regard to their abilities and aptitudes,  
936 educational and occupational opportunities, and personal and  
937 social adjustments; providing placement services; performing  
938 educational evaluations; and similar functions. Included in this  
939 classification are guidance counselors, social workers,  
940 occupational/placement specialists, and school psychologists.

941           (c) *Librarians/media specialists.*--Librarians/media  
942 specialists are staff members responsible for providing school  
943 library media services. These employees are responsible for  
944 evaluating, selecting, organizing, and managing media and  
945 technology resources, equipment, and related systems;  
946 facilitating access to information resources beyond the school;  
947 working with teachers to make resources available in the  
948 instructional programs; assisting teachers and students in media  
949 productions; and instructing students in the location and use of  
950 information resources.

951           (d) *Other instructional staff.*--Other instructional staff  
952 are staff members who are part of the instructional staff but  
953 are not classified in one of the categories specified in  
954 paragraphs (a)-(c). Included in this classification are primary  
955 specialists, learning resource specialists, instructional

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956 | trainers, adjunct educators certified pursuant to s. 1012.57,  
957 | and similar positions.

958 |       (e) *Education paraprofessionals*.--Education  
959 | paraprofessionals are individuals who are under the direct  
960 | supervision of an instructional staff member, aiding the  
961 | instructional process. Included in this classification are  
962 | classroom paraprofessionals in regular instruction, exceptional  
963 | education paraprofessionals, career education paraprofessionals,  
964 | adult education paraprofessionals, library paraprofessionals,  
965 | physical education and playground paraprofessionals, and other  
966 | school-level paraprofessionals.

967 |       Section 17. For the purpose of incorporating the amendment  
968 | to section 1012.01(2), Florida Statutes, in a reference thereto,  
969 | paragraph (b) of subsection (1) of section 112.1915, Florida  
970 | Statutes, is reenacted to read:

971 |       112.1915 Teachers and school administrators; death  
972 | benefits.--Any other provision of law to the contrary  
973 | notwithstanding:

974 |       (1) As used in this section, the term:

975 |       (b) "Teacher" means any instructional staff personnel as  
976 | described in s. 1012.01(2).

977 |       Section 18. Paragraphs (a) and (b) of subsection (13) of  
978 | section 121.091, Florida Statutes, are amended, and, for the  
979 | purpose of incorporating the amendment to section 1012.01(2),  
980 | Florida Statutes, in a reference thereto, paragraph (b) of  
981 | subsection (9) of said section is reenacted, to read:

982 |       121.091 Benefits payable under the system.--Benefits may  
983 | not be paid under this section unless the member has terminated

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984 employment as provided in s. 121.021(39)(a) or begun  
985 participation in the Deferred Retirement Option Program as  
986 provided in subsection (13), and a proper application has been  
987 filed in the manner prescribed by the department. The department  
988 may cancel an application for retirement benefits when the  
989 member or beneficiary fails to timely provide the information  
990 and documents required by this chapter and the department's  
991 rules. The department shall adopt rules establishing procedures  
992 for application for retirement benefits and for the cancellation  
993 of such application when the required information or documents  
994 are not received.

995 (9) EMPLOYMENT AFTER RETIREMENT; LIMITATION.--

996 (b)1. Any person who is retired under this chapter, except  
997 under the disability retirement provisions of subsection (4),  
998 may be reemployed by any private or public employer after  
999 retirement and receive retirement benefits and compensation from  
1000 his or her employer without any limitations, except that a  
1001 person may not receive both a salary from reemployment with any  
1002 agency participating in the Florida Retirement System and  
1003 retirement benefits under this chapter for a period of 12 months  
1004 immediately subsequent to the date of retirement. However, a  
1005 DROP participant shall continue employment and receive a salary  
1006 during the period of participation in the Deferred Retirement  
1007 Option Program, as provided in subsection (13).

1008 2. Any person to whom the limitation in subparagraph 1.  
1009 applies who violates such reemployment limitation and who is  
1010 reemployed with any agency participating in the Florida  
1011 Retirement System before completion of the 12-month limitation

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1012 period shall give timely notice of this fact in writing to the  
1013 employer and to the division and shall have his or her  
1014 retirement benefits suspended for the balance of the 12-month  
1015 limitation period. Any person employed in violation of this  
1016 paragraph and any employing agency which knowingly employs or  
1017 appoints such person without notifying the Division of  
1018 Retirement to suspend retirement benefits shall be jointly and  
1019 severally liable for reimbursement to the retirement trust fund  
1020 of any benefits paid during the reemployment limitation period.  
1021 To avoid liability, such employing agency shall have a written  
1022 statement from the retiree that he or she is not retired from a  
1023 state-administered retirement system. Any retirement benefits  
1024 received while reemployed during this reemployment limitation  
1025 period shall be repaid to the retirement trust fund, and  
1026 retirement benefits shall remain suspended until such repayment  
1027 has been made. Benefits suspended beyond the reemployment  
1028 limitation shall apply toward repayment of benefits received in  
1029 violation of the reemployment limitation.

1030 3. A district school board may reemploy a retired member  
1031 as a substitute or hourly teacher, education paraprofessional,  
1032 transportation assistant, bus driver, or food service worker on  
1033 a noncontractual basis after he or she has been retired for 1  
1034 calendar month, in accordance with s. 121.021(39). A district  
1035 school board may reemploy a retired member as instructional  
1036 personnel, as defined in s. 1012.01(2)(a), on an annual  
1037 contractual basis after he or she has been retired for 1  
1038 calendar month, in accordance with s. 121.021(39). Any other  
1039 retired member who is reemployed within 1 calendar month after

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1040 retirement shall void his or her application for retirement  
1041 benefits. District school boards reemploying such teachers,  
1042 education paraprofessionals, transportation assistants, bus  
1043 drivers, or food service workers are subject to the retirement  
1044 contribution required by subparagraph 7.

1045 4. A community college board of trustees may reemploy a  
1046 retired member as an adjunct instructor, that is, an instructor  
1047 who is noncontractual and part-time, or as a participant in a  
1048 phased retirement program within the Florida Community College  
1049 System, after he or she has been retired for 1 calendar month,  
1050 in accordance with s. 121.021(39). Any retired member who is  
1051 reemployed within 1 calendar month after retirement shall void  
1052 his or her application for retirement benefits. Boards of  
1053 trustees reemploying such instructors are subject to the  
1054 retirement contribution required in subparagraph 7. A retired  
1055 member may be reemployed as an adjunct instructor for no more  
1056 than 780 hours during the first 12 months of retirement. Any  
1057 retired member reemployed for more than 780 hours during the  
1058 first 12 months of retirement shall give timely notice in  
1059 writing to the employer and to the division of the date he or  
1060 she will exceed the limitation. The division shall suspend his  
1061 or her retirement benefits for the remainder of the first 12  
1062 months of retirement. Any person employed in violation of this  
1063 subparagraph and any employing agency which knowingly employs or  
1064 appoints such person without notifying the Division of  
1065 Retirement to suspend retirement benefits shall be jointly and  
1066 severally liable for reimbursement to the retirement trust fund  
1067 of any benefits paid during the reemployment limitation period.

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1068 To avoid liability, such employing agency shall have a written  
1069 statement from the retiree that he or she is not retired from a  
1070 state-administered retirement system. Any retirement benefits  
1071 received by a retired member while reemployed in excess of 780  
1072 hours during the first 12 months of retirement shall be repaid  
1073 to the Retirement System Trust Fund, and retirement benefits  
1074 shall remain suspended until repayment is made. Benefits  
1075 suspended beyond the end of the retired member's first 12 months  
1076 of retirement shall apply toward repayment of benefits received  
1077 in violation of the 780-hour reemployment limitation.

1078 5. The State University System may reemploy a retired  
1079 member as an adjunct faculty member or as a participant in a  
1080 phased retirement program within the State University System  
1081 after the retired member has been retired for 1 calendar month,  
1082 in accordance with s. 121.021(39). Any retired member who is  
1083 reemployed within 1 calendar month after retirement shall void  
1084 his or her application for retirement benefits. The State  
1085 University System is subject to the retired contribution  
1086 required in subparagraph 7., as appropriate. A retired member  
1087 may be reemployed as an adjunct faculty member or a participant  
1088 in a phased retirement program for no more than 780 hours during  
1089 the first 12 months of his or her retirement. Any retired member  
1090 reemployed for more than 780 hours during the first 12 months of  
1091 retirement shall give timely notice in writing to the employer  
1092 and to the division of the date he or she will exceed the  
1093 limitation. The division shall suspend his or her retirement  
1094 benefits for the remainder of the first 12 months of retirement.  
1095 Any person employed in violation of this subparagraph and any

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1096 | employing agency which knowingly employs or appoints such person  
1097 | without notifying the Division of Retirement to suspend  
1098 | retirement benefits shall be jointly and severally liable for  
1099 | reimbursement to the retirement trust fund of any benefits paid  
1100 | during the reemployment limitation period. To avoid liability,  
1101 | such employing agency shall have a written statement from the  
1102 | retiree that he or she is not retired from a state-administered  
1103 | retirement system. Any retirement benefits received by a retired  
1104 | member while reemployed in excess of 780 hours during the first  
1105 | 12 months of retirement shall be repaid to the Retirement System  
1106 | Trust Fund, and retirement benefits shall remain suspended until  
1107 | repayment is made. Benefits suspended beyond the end of the  
1108 | retired member's first 12 months of retirement shall apply  
1109 | toward repayment of benefits received in violation of the 780-  
1110 | hour reemployment limitation.

1111 |         6. The Board of Trustees of the Florida School for the  
1112 | Deaf and the Blind may reemploy a retired member as a substitute  
1113 | teacher, substitute residential instructor, or substitute nurse  
1114 | on a noncontractual basis after he or she has been retired for 1  
1115 | calendar month, in accordance with s. 121.021(39). Any retired  
1116 | member who is reemployed within 1 calendar month after  
1117 | retirement shall void his or her application for retirement  
1118 | benefits. The Board of Trustees of the Florida School for the  
1119 | Deaf and the Blind reemploying such teachers, residential  
1120 | instructors, or nurses is subject to the retirement contribution  
1121 | required by subparagraph 7. Reemployment of a retired member as  
1122 | a substitute teacher, substitute residential instructor, or  
1123 | substitute nurse is limited to 780 hours during the first 12

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1124 months of his or her retirement. Any retired member reemployed  
1125 for more than 780 hours during the first 12 months of retirement  
1126 shall give timely notice in writing to the employer and to the  
1127 division of the date he or she will exceed the limitation. The  
1128 division shall suspend his or her retirement benefits for the  
1129 remainder of the first 12 months of retirement. Any person  
1130 employed in violation of this subparagraph and any employing  
1131 agency which knowingly employs or appoints such person without  
1132 notifying the Division of Retirement to suspend retirement  
1133 benefits shall be jointly and severally liable for reimbursement  
1134 to the retirement trust fund of any benefits paid during the  
1135 reemployment limitation period. To avoid liability, such  
1136 employing agency shall have a written statement from the retiree  
1137 that he or she is not retired from a state-administered  
1138 retirement system. Any retirement benefits received by a retired  
1139 member while reemployed in excess of 780 hours during the first  
1140 12 months of retirement shall be repaid to the Retirement System  
1141 Trust Fund, and his or her retirement benefits shall remain  
1142 suspended until payment is made. Benefits suspended beyond the  
1143 end of the retired member's first 12 months of retirement shall  
1144 apply toward repayment of benefits received in violation of the  
1145 780-hour reemployment limitation.

1146       7. The employment by an employer of any retiree or DROP  
1147 participant of any state-administered retirement system shall  
1148 have no effect on the average final compensation or years of  
1149 creditable service of the retiree or DROP participant. Prior to  
1150 July 1, 1991, upon employment of any person, other than an  
1151 elected officer as provided in s. 121.053, who has been retired

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1152 under any state-administered retirement program, the employer  
1153 shall pay retirement contributions in an amount equal to the  
1154 unfunded actuarial liability portion of the employer  
1155 contribution which would be required for regular members of the  
1156 Florida Retirement System. Effective July 1, 1991, contributions  
1157 shall be made as provided in s. 121.122 for retirees with  
1158 renewed membership or subsection (13) with respect to DROP  
1159 participants.

1160       8. Any person who has previously retired and who is  
1161 holding an elective public office or an appointment to an  
1162 elective public office eligible for the Elected Officers' Class  
1163 on or after July 1, 1990, shall be enrolled in the Florida  
1164 Retirement System as provided in s. 121.053(1)(b) or, if holding  
1165 an elective public office that does not qualify for the Elected  
1166 Officers' Class on or after July 1, 1991, shall be enrolled in  
1167 the Florida Retirement System as provided in s. 121.122, and  
1168 shall continue to receive retirement benefits as well as  
1169 compensation for the elected officer's service for as long as he  
1170 or she remains in elective office. However, any retired member  
1171 who served in an elective office prior to July 1, 1990,  
1172 suspended his or her retirement benefit, and had his or her  
1173 Florida Retirement System membership reinstated shall, upon  
1174 retirement from such office, have his or her retirement benefit  
1175 recalculated to include the additional service and compensation  
1176 earned.

1177       9. Any person who is holding an elective public office  
1178 which is covered by the Florida Retirement System and who is  
1179 concurrently employed in nonelected covered employment may elect

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1180 to retire while continuing employment in the elective public  
1181 office, provided that he or she shall be required to terminate  
1182 his or her nonelected covered employment. Any person who  
1183 exercises this election shall receive his or her retirement  
1184 benefits in addition to the compensation of the elective office  
1185 without regard to the time limitations otherwise provided in  
1186 this subsection. No person who seeks to exercise the provisions  
1187 of this subparagraph, as the same existed prior to May 3, 1984,  
1188 shall be deemed to be retired under those provisions, unless  
1189 such person is eligible to retire under the provisions of this  
1190 subparagraph, as amended by chapter 84-11, Laws of Florida.

1191 10. The limitations of this paragraph apply to  
1192 reemployment in any capacity with an "employer" as defined in s.  
1193 121.021(10), irrespective of the category of funds from which  
1194 the person is compensated.

1195 11. An employing agency may reemploy a retired member as a  
1196 firefighter or paramedic after the retired member has been  
1197 retired for 1 calendar month, in accordance with s. 121.021(39).  
1198 Any retired member who is reemployed within 1 calendar month  
1199 after retirement shall void his or her application for  
1200 retirement benefits. The employing agency reemploying such  
1201 firefighter or paramedic is subject to the retired contribution  
1202 required in subparagraph 8. Reemployment of a retired  
1203 firefighter or paramedic is limited to no more than 780 hours  
1204 during the first 12 months of his or her retirement. Any retired  
1205 member reemployed for more than 780 hours during the first 12  
1206 months of retirement shall give timely notice in writing to the  
1207 employer and to the division of the date he or she will exceed

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1208 the limitation. The division shall suspend his or her retirement  
1209 benefits for the remainder of the first 12 months of retirement.  
1210 Any person employed in violation of this subparagraph and any  
1211 employing agency which knowingly employs or appoints such person  
1212 without notifying the Division of Retirement to suspend  
1213 retirement benefits shall be jointly and severally liable for  
1214 reimbursement to the Retirement System Trust Fund of any  
1215 benefits paid during the reemployment limitation period. To  
1216 avoid liability, such employing agency shall have a written  
1217 statement from the retiree that he or she is not retired from a  
1218 state-administered retirement system. Any retirement benefits  
1219 received by a retired member while reemployed in excess of 780  
1220 hours during the first 12 months of retirement shall be repaid  
1221 to the Retirement System Trust Fund, and retirement benefits  
1222 shall remain suspended until repayment is made. Benefits  
1223 suspended beyond the end of the retired member's first 12 months  
1224 of retirement shall apply toward repayment of benefits received  
1225 in violation of the 780-hour reemployment limitation.

1226 (13) DEFERRED RETIREMENT OPTION PROGRAM.--In general, and  
1227 subject to the provisions of this section, the Deferred  
1228 Retirement Option Program, hereinafter referred to as the DROP,  
1229 is a program under which an eligible member of the Florida  
1230 Retirement System may elect to participate, deferring receipt of  
1231 retirement benefits while continuing employment with his or her  
1232 Florida Retirement System employer. The deferred monthly  
1233 benefits shall accrue in the System Trust Fund on behalf of the  
1234 participant, plus interest compounded monthly, for the specified  
1235 period of the DROP participation, as provided in paragraph (c).

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1236 Upon termination of employment, the participant shall receive  
1237 the total DROP benefits and begin to receive the previously  
1238 determined normal retirement benefits. Participation in the DROP  
1239 does not guarantee employment for the specified period of DROP.  
1240 Participation in the DROP by an eligible member beyond the  
1241 initial 60-month period as authorized in this subsection shall  
1242 be on an annual contractual basis for all participants.

1243 (a) *Eligibility of member to participate in the DROP.*--All  
1244 active Florida Retirement System members in a regularly  
1245 established position, and all active members of either the  
1246 Teachers' Retirement System established in chapter 238 or the  
1247 State and County Officers' and Employees' Retirement System  
1248 established in chapter 122 which systems are consolidated within  
1249 the Florida Retirement System under s. 121.011, are eligible to  
1250 elect participation in the DROP provided that:

1251 1. The member is not a renewed member of the Florida  
1252 Retirement System under s. 121.122, or a member of the State  
1253 Community College System Optional Retirement Program under s.  
1254 121.051, the Senior Management Service Optional Annuity Program  
1255 under s. 121.055, or the optional retirement program for the  
1256 State University System under s. 121.35.

1257 2. Except as provided in subparagraph 6., election to  
1258 participate is made within 12 months immediately following the  
1259 date on which the member first reaches normal retirement date,  
1260 or, for a member who reaches normal retirement date based on  
1261 service before he or she reaches age 62, or age 55 for Special  
1262 Risk Class members, election to participate may be deferred to  
1263 the 12 months immediately following the date the member attains

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1264 57, or age 52 for Special Risk Class members. For a member who  
1265 first reached normal retirement date or the deferred eligibility  
1266 date described above prior to the effective date of this  
1267 section, election to participate shall be made within 12 months  
1268 after the effective date of this section. A member who fails to  
1269 make an election within such 12-month limitation period shall  
1270 forfeit all rights to participate in the DROP. The member shall  
1271 advise his or her employer and the division in writing of the  
1272 date on which the DROP shall begin. Such beginning date may be  
1273 subsequent to the 12-month election period, but must be within  
1274 the 60-month or, with respect to members who are instructional  
1275 personnel employed by the Florida School for the Deaf and the  
1276 Blind and who have received authorization by the Board of  
1277 Trustees of the Florida School for the Deaf and the Blind to  
1278 participate in the DROP beyond 60 months, or who are  
1279 instructional personnel as defined in s. 1012.01(2)(a)-(d) in  
1280 grades K-12 and who have received authorization by the district  
1281 school superintendent or, effective June 1, 2004, by the  
1282 director or principal of a developmental research school as  
1283 described in s. 1002.32 to participate in the DROP beyond 60  
1284 months, the 96-month limitation period as provided in  
1285 subparagraph (b)1. When establishing eligibility of the member  
1286 to participate in the DROP for the 60-month or, with respect to  
1287 members who are instructional personnel employed by the Florida  
1288 School for the Deaf and the Blind and who have received  
1289 authorization by the Board of Trustees of the Florida School for  
1290 the Deaf and the Blind to participate in the DROP beyond 60  
1291 months, or who are instructional personnel as defined in s.

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1292 1012.01(2)(a)-(d) in grades K-12 and who have received  
1293 authorization by the district school superintendent or,  
1294 effective June 1, 2004, by the director or principal of a  
1295 developmental research school as described in s. 1002.32 to  
1296 participate in the DROP beyond 60 months, the 96-month maximum  
1297 participation period, the member may elect to include or exclude  
1298 any optional service credit purchased by the member from the  
1299 total service used to establish the normal retirement date. A  
1300 member with dual normal retirement dates shall be eligible to  
1301 elect to participate in DROP within 12 months after attaining  
1302 normal retirement date in either class.

1303 3. The employer of a member electing to participate in the  
1304 DROP, or employers if dually employed, shall acknowledge in  
1305 writing to the division the date the member's participation in  
1306 the DROP begins and the date the member's employment and DROP  
1307 participation will terminate.

1308 4. Simultaneous employment of a participant by additional  
1309 Florida Retirement System employers subsequent to the  
1310 commencement of participation in the DROP shall be permissible  
1311 provided such employers acknowledge in writing a DROP  
1312 termination date no later than the participant's existing  
1313 termination date or the 60-month limitation period as provided  
1314 in subparagraph (b)1.

1315 5. A DROP participant may change employers while  
1316 participating in the DROP, subject to the following:

1317 a. A change of employment must take place without a break  
1318 in service so that the member receives salary for each month of  
1319 continuous DROP participation. If a member receives no salary

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1320 during a month, DROP participation shall cease unless the  
1321 employer verifies a continuation of the employment relationship  
1322 for such participant pursuant to s. 121.021(39)(b).

1323 b. Such participant and new employer shall notify the  
1324 division on forms required by the division as to the identity of  
1325 the new employer.

1326 c. The new employer shall acknowledge, in writing, the  
1327 participant's DROP termination date, which may be extended but  
1328 not beyond the original 60-month or, with respect to members who  
1329 are instructional personnel employed by the Florida School for  
1330 the Deaf and the Blind and who have received authorization by  
1331 the Board of Trustees of the Florida School for the Deaf and the  
1332 Blind to participate in the DROP beyond 60 months, or who are  
1333 instructional personnel as defined in s. 1012.01(2)(a)-(d) in  
1334 grades K-12 and who have received authorization by the district  
1335 school superintendent or, effective June 1, 2004, by the  
1336 director or principal of a developmental research school as  
1337 described in s. 1002.32 to participate in the DROP beyond 60  
1338 months, the 96-month period provided in subparagraph (b)1.,  
1339 shall acknowledge liability for any additional retirement  
1340 contributions and interest required if the participant fails to  
1341 timely terminate employment, and shall be subject to the  
1342 adjustment required in sub-subparagraph (c)5.d.

1343 6. Effective July 1, 2001, for instructional personnel as  
1344 defined in s. 1012.01(2), election to participate in the DROP  
1345 shall be made at any time following the date on which the member  
1346 first reaches normal retirement date. The member shall advise  
1347 his or her employer and the division in writing of the date on

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1348 | which the Deferred Retirement Option Program shall begin. When  
1349 | establishing eligibility of the member to participate in the  
1350 | DROP for the 60-month or, with respect to members who are  
1351 | instructional personnel employed by the Florida School for the  
1352 | Deaf and the Blind and who have received authorization by the  
1353 | Board of Trustees of the Florida School for the Deaf and the  
1354 | Blind to participate in the DROP beyond 60 months, or who are  
1355 | instructional personnel as defined in s. 1012.01(2)(a)-(d) in  
1356 | grades K-12 and who have received authorization by the district  
1357 | school superintendent or, effective June 1, 2004, by the  
1358 | director or principal of a developmental research school as  
1359 | described in s. 1002.32 to participate in the DROP beyond 60  
1360 | months, the 96-month maximum participation period, as provided  
1361 | in subparagraph (b)1., the member may elect to include or  
1362 | exclude any optional service credit purchased by the member from  
1363 | the total service used to establish the normal retirement date.  
1364 | A member with dual normal retirement dates shall be eligible to  
1365 | elect to participate in either class.

1366 |       (b) *Participation in the DROP.*--

1367 |       1. An eligible member may elect to participate in the DROP  
1368 | for a period not to exceed a maximum of 60 calendar months or,  
1369 | with respect to members who are instructional personnel employed  
1370 | by the Florida School for the Deaf and the Blind and who have  
1371 | received authorization by the Board of Trustees of the Florida  
1372 | School for the Deaf and the Blind to participate in the DROP  
1373 | beyond 60 months, or who are instructional personnel as defined  
1374 | in s. 1012.01(2)(a)-(d) in grades K-12 and who have received  
1375 | authorization by the district school superintendent or,

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1376 | effective June 1, 2004, by the director or principal of a  
1377 | developmental research school as described in s. 1002.32 to  
1378 | participate in the DROP beyond 60 calendar months, 96 calendar  
1379 | months immediately following the date on which the member first  
1380 | reaches his or her normal retirement date or the date to which  
1381 | he or she is eligible to defer his or her election to  
1382 | participate as provided in subparagraph (a)2. However, a member  
1383 | who has reached normal retirement date prior to the effective  
1384 | date of the DROP shall be eligible to participate in the DROP  
1385 | for a period of time not to exceed 60 calendar months or, with  
1386 | respect to members who are instructional personnel employed by  
1387 | the Florida School for the Deaf and the Blind and who have  
1388 | received authorization by the Board of Trustees of the Florida  
1389 | School for the Deaf and the Blind to participate in the DROP  
1390 | beyond 60 months, or who are instructional personnel as defined  
1391 | in s. 1012.01(2)(a)-(d) in grades K-12 and who have received  
1392 | authorization by the district school superintendent or,  
1393 | effective June 1, 2004, by the director or principal of a  
1394 | developmental research school as described in s. 1002.32 to  
1395 | participate in the DROP beyond 60 calendar months, 96 calendar  
1396 | months immediately following the effective date of the DROP,  
1397 | except a member of the Special Risk Class who has reached normal  
1398 | retirement date prior to the effective date of the DROP and  
1399 | whose total accrued value exceeds 75 percent of average final  
1400 | compensation as of his or her effective date of retirement shall  
1401 | be eligible to participate in the DROP for no more than 36  
1402 | calendar months immediately following the effective date of the  
1403 | DROP.

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- 1404           2. Upon deciding to participate in the DROP, the member  
1405 shall submit, on forms required by the division:
- 1406           a. A written election to participate in the DROP;
- 1407           b. Selection of the DROP participation and termination  
1408 dates, which satisfy the limitations stated in paragraph (a) and  
1409 subparagraph 1. Such termination date shall be in a binding  
1410 letter of resignation with the employer, establishing a deferred  
1411 termination date. The member may change the termination date  
1412 within the limitations of subparagraph 1., but only with the  
1413 written approval of his or her employer;
- 1414           c. A properly completed DROP application for service  
1415 retirement as provided in this section; and
- 1416           d. Any other information required by the division.
- 1417           3. The DROP participant shall be a retiree under the  
1418 Florida Retirement System for all purposes, except for paragraph  
1419 (5)(f) and subsection (9) and ss. 112.3173, 112.363, 121.053,  
1420 and 121.122. However, participation in the DROP does not alter  
1421 the participant's employment status and such employee shall not  
1422 be deemed retired from employment until his or her deferred  
1423 resignation is effective and termination occurs as provided in  
1424 s. 121.021(39).
- 1425           4. Elected officers shall be eligible to participate in  
1426 the DROP subject to the following:
- 1427           a. An elected officer who reaches normal retirement date  
1428 during a term of office may defer the election to participate in  
1429 the DROP until the next succeeding term in that office. Such  
1430 elected officer who exercises this option may participate in the

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1431 DROP for up to 60 calendar months or a period of no longer than  
1432 such succeeding term of office, whichever is less.

1433 b. An elected or a nonelected participant may run for a  
1434 term of office while participating in DROP and, if elected,  
1435 extend the DROP termination date accordingly, except, however,  
1436 if such additional term of office exceeds the 60-month  
1437 limitation established in subparagraph 1., and the officer does  
1438 not resign from office within such 60-month limitation, the  
1439 retirement and the participant's DROP shall be null and void as  
1440 provided in sub-subparagraph (c)5.d.

1441 c. An elected officer who is dually employed and elects to  
1442 participate in DROP shall be required to satisfy the definition  
1443 of termination within the 60-month or, with respect to members  
1444 who are instructional personnel employed by the Florida School  
1445 for the Deaf and the Blind and who have received authorization  
1446 by the Board of Trustees of the Florida School for the Deaf and  
1447 the Blind to participate in the DROP beyond 60 months, or who  
1448 are instructional personnel as defined in s. 1012.01(2)(a)-(d)  
1449 in grades K-12 and who have received authorization by the  
1450 district school superintendent or, effective June 1, 2004, by  
1451 the director or principal of a developmental research school as  
1452 described in s. 1002.32 to participate in the DROP beyond 60  
1453 months, the 96-month limitation period as provided in  
1454 subparagraph 1. for the nonelected position and may continue  
1455 employment as an elected officer as provided in s. 121.053. The  
1456 elected officer will be enrolled as a renewed member in the  
1457 Elected Officers' Class or the Regular Class, as provided in ss.  
1458 121.053 and 121.22, on the first day of the month after

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1459 termination of employment in the nonelected position and  
1460 termination of DROP. Distribution of the DROP benefits shall be  
1461 made as provided in paragraph (c).

1462 Section 19. For the purpose of incorporating the amendment  
1463 to section 1012.01(2), Florida Statutes, in a reference thereto,  
1464 paragraph (b) of subsection (2) of section 1011.685, Florida  
1465 Statutes, is reenacted to read:

1466 1011.685 Class size reduction; operating categorical  
1467 fund.--

1468 (2) Class size reduction operating categorical funds shall  
1469 be used by school districts for the following:

1470 (b) For any lawful operating expenditure, if the district  
1471 has met the constitutional maximums identified in s. 1003.03(1)  
1472 or the reduction of two students per year required by s.  
1473 1003.03(2); however, priority shall be given to increase  
1474 salaries of classroom teachers as defined in s. 1012.01(2)(a)  
1475 and to implement the salary career ladder defined in s.  
1476 1012.231.

1477 Section 20. For the purpose of incorporating the amendment  
1478 to section 1012.01(2), Florida Statutes, in references thereto,  
1479 paragraphs (a) and (b) of subsection (2) of section 1012.74,  
1480 Florida Statutes, are reenacted to read:

1481 1012.74 Florida educators professional liability insurance  
1482 protection.--

1483 (2)(a) Educator professional liability coverage for all  
1484 instructional personnel, as defined by s. 1012.01(2), who are  
1485 full-time personnel, as defined by the district school board

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1486 policy, shall be provided by specific appropriations under the  
1487 General Appropriations Act.

1488 (b) Educator professional liability coverage shall be  
1489 extended at cost to all instructional personnel, as defined by  
1490 s. 1012.01(2), who are part-time personnel, as defined by the  
1491 district school board policy, and choose to participate in the  
1492 state-provided program.

1493 Section 21. This act shall take effect upon becoming a  
1494 law.

1495

1496 ===== T I T L E A M E N D M E N T =====

1497 Remove the entire title and insert:

1498 A bill to be entitled

1499 An act relating to quality of school personnel; amending  
1500 s. 1004.04, F.S.; revising criteria for admission to  
1501 teacher preparation programs; requiring a certification  
1502 ombudsman; authorizing certain postsecondary institutions  
1503 to develop and implement short-term teaching experiences;  
1504 creating s. 1004.85, F.S.; providing a definition;  
1505 providing for postsecondary institutions to create  
1506 educator preparation institutes; providing purpose of the  
1507 institutes; authorizing institutes to offer alternative  
1508 educator certification programs; requiring Department of  
1509 Education response to a request for approval; providing  
1510 criteria for alternative certification programs; providing  
1511 requirements for program participants; providing for  
1512 participants to receive a credential signifying mastery of  
1513 professional preparation and education competence;

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1514 authorizing school districts to use an alternative  
1515 certification program at an educator preparation institute  
1516 to satisfy certain requirements; requiring performance  
1517 evaluations; requiring certain criteria for instructors;  
1518 providing rulemaking authority; amending s. 1012.05, F.S.;  
1519 requiring the department to concentrate on retention of  
1520 teachers; requiring the department to provide certain  
1521 resources for teachers and to establish an Educator  
1522 Appreciation Week; requiring the department to notify  
1523 teachers of items in the General Appropriations Act  
1524 providing direct benefit to teachers; requiring district  
1525 school boards to adopt policies for mentors and support  
1526 for first-time teachers; requiring school districts to  
1527 electronically submit certain public school e-mail  
1528 addresses; providing duties of the Commissioner of  
1529 Education; amending s. 1012.231, F.S.; authorizing a  
1530 salary career ladder for certain classifications of  
1531 instructional personnel; providing criteria for certain  
1532 lead teachers; reenacting s. 1012.231(1), F.S., relating  
1533 to the salary career ladder, to incorporate the amendment  
1534 to s. 1012.01(2), F.S., in a reference thereto; amending  
1535 s. 1012.32, F.S.; requiring background screening for  
1536 contractual personnel, charter school personnel, and  
1537 certain instructional and noninstructional personnel;  
1538 deleting provision for probationary status for new  
1539 employees pending fingerprint processing; prohibiting  
1540 certain persons from providing services; providing for  
1541 appeals; providing for payment of costs; deleting a

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1542 refingerprinting requirement; requiring the Department of  
1543 Law Enforcement to retain and enter fingerprints into the  
1544 statewide automated fingerprint identification system;  
1545 requiring the Department of Law Enforcement to search  
1546 arrest fingerprint cards against retained fingerprints and  
1547 to report identified arrest records; providing school  
1548 district responsibilities and the imposition of a fee;  
1549 requiring refingerprinting for personnel whose  
1550 fingerprints are not retained; amending s. 1012.33, F.S.;  
1551 revising provisions relating to acceptance of teaching  
1552 service; amending s. 1012.35, F.S.; requiring background  
1553 screening and additional requirements for substitute  
1554 teachers; requiring the department to develop certain  
1555 resources and school districts to develop performance  
1556 appraisal measures; amending s. 1012.39, F.S.; requiring  
1557 background screening and qualifications for substitute  
1558 teachers; requiring background screening for teachers in  
1559 adult education programs and nondegreed teachers of career  
1560 and technical programs; creating s. 1012.465, F.S.;  
1561 requiring background screening for certain  
1562 noninstructional personnel and contractors with the school  
1563 district; requiring such persons to report conviction of a  
1564 disqualifying offense; providing for suspension of  
1565 personnel who do not meet screening requirements; amending  
1566 s. 1012.55, F.S.; providing department duties relating to  
1567 identification of appropriate certification for certain  
1568 instruction; requiring background screening for certain  
1569 instructors; amending s. 1012.56, F.S.; clarifying

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1570 required response of the department to applicants for  
1571 certification; revising eligibility criteria for  
1572 certification applicants; requiring an affidavit for  
1573 educator certification; requiring background screening for  
1574 educator certification; revising means of demonstrating  
1575 mastery of general knowledge, subject area knowledge, and  
1576 professional preparation and education competence;  
1577 providing background screening requirements; requiring  
1578 persons to report conviction of a disqualifying offense;  
1579 providing for suspension from position and revocation or  
1580 suspension of certification; creating s. 1012.561, F.S.;  
1581 providing requirements relating to notification of the  
1582 address of record of a certified educator or applicant for  
1583 certification; amending s. 1012.57, F.S.; requiring  
1584 background screening for adjunct educators; amending s.  
1585 1012.585, F.S.; providing requirements for training in the  
1586 teaching of reading for renewal of a professional  
1587 certificate; amending s. 1002.33, F.S.; requiring  
1588 background screening for employees and members of the  
1589 governing boards of charter schools; amending s. 1012.01,  
1590 F.S.; revising definition of the term "instructional  
1591 personnel"; reenacting s. 112.1915(1)(b), F.S., relating  
1592 to death benefits for teachers, to incorporate the  
1593 amendment to s. 1012.01(2), F.S., in a reference thereto;  
1594 amending s. 121.091, F.S.; authorizing the director or  
1595 principal of a developmental research school to authorize  
1596 instructional personnel to participate in the DROP;  
1597 reenacting s. 121.091(9)(b), F.S., relating to Florida

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1598 Retirement System benefits, s. 1011.685(2)(b), F.S.,  
1599 relating to class size reduction operating categorical  
1600 funds, and s. 1012.74(2)(a) and (b), F.S., relating to  
1601 educator professional liability coverage, to incorporate  
1602 the amendment to s. 1012.01(2), F.S., in references  
1603 thereto; providing an effective date.  
1604