

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 389

Teacher Quality

**SPONSOR(S):** Gibson

**TIED BILLS:**

**IDEN./SIM. BILLS:** SB 92

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) PreK-12 Committee		Howlette	Mizereck
2) Criminal Justice Committee			
3) Education Appropriations Committee			
4) Education Council			
5) _____			

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### SUMMARY ANALYSIS

House bill 389 adds to the list of capabilities of effective educators in section 1012.52(2), Florida Statutes. The bill adds to legislative findings to enunciate that an effective educator in this state is able to demonstrate an awareness of actions that may constitute a hate crime by completing the hate crimes training program offered by the Department of Legal Affairs.

The bill takes effect July 1, 2005

#### Substantive Impact

District professional development systems would need to include completion of the hate crimes training program offered by the Office of Civil Rights within the Department of Legal Affairs as evidence of meeting this effective educator capability.

#### Fiscal Impact

See fiscal comments.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. HOUSE PRINCIPLES ANALYSIS:

**Provide limited government** – The bill expands government requirements for educators, which are used in teacher evaluation and professional development systems.

#### B. EFFECT OF PROPOSED CHANGES:

The bill would require districts to incorporate specific hate crime prevention training into staff development systems, and incorporate the effective educator capability of recognizing hate crimes into evaluation systems. The purpose of the legislation is to ensure that teachers are able to demonstrate an awareness of actions that may constitute a hate crime.

Currently, section 1012.52, Florida Statutes outlines the Legislature's findings as to what an effective educator is able to do. This list of effective educator capabilities has been amended periodically and is included primarily in district-administered evaluation systems for teachers, along with the Educator Accomplished Practices. Because these evaluation systems vary in local districts, competency in the abilities listed is assessed in a variety of ways. A teacher's demonstration of an awareness of hate crimes can be assessed by districts in existing performance-based evaluations. Requiring completion of a specific training course could be problematic.

The Department currently partners with a number of entities to assist with delivery of professional development to teachers in school districts, and each school district has an approved system for professional development which could incorporate training provided by another state agency, such as the training described in the bill.

#### C. SECTION DIRECTORY:

**Section 1:** Amends s. 1012.52, F.S., to add demonstrate an awareness of hate crimes.

**Section 2:** Sets an effective date of July 1, 2005

### II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

#### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues: This bill does not appear to have a fiscal impact on state government revenues.

2. Expenditures:

Depending upon the delivery model selected, the bill could require expenditures by the Department of Legal Affairs to develop and/or increase training offerings.

#### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues: This bill does not appear to have a fiscal impact on local government revenues.

2. Expenditures:

School districts would have to assume the responsibility for including this training in professional development systems for more than 178,000 current teachers. Costs would vary with delivery methods.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

This bill does not appear to have a direct economic impact on the private sector.

D. FISCAL COMMENTS:

The fiscal impact of the bill is indeterminate. The Department of Legal Affairs and school districts would need to coordinate development and delivery of the training. Depending upon current capacity, the expansion of staff development could require additional funding for both entities.

### III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not require a city or county to spend funds or to take any action requiring the expenditure of funds.

2. Other:

B. RULE-MAKING AUTHORITY:

C. DRAFTING ISSUES OR OTHER COMMENTS:

### IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES