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LEGISLATIVE ACTION

Senate

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House

The Committee on Governmental Oversight and Accountability
(Dean) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. This act may be cited as the "Quality Teachers
for All Students Act."

Section 2. Paragraph (r) is added to subsection (2) of
section 39.202, Florida Statutes, to read:

39.202 Confidentiality of reports and records in cases of
child abuse or neglect.-



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13 (2) Except as provided in subsection (4), access to such
14 records, excluding the name of the reporter which shall be
15 released only as provided in subsection (5), shall be granted
16 only to the following persons, officials, and agencies:

17 (r) Employees or agents of the Department of Education and
18 district school board employees responsible for the
19 investigation or prosecution of misconduct by certified
20 educators.

21 Section 3. Present subsection (13) of section 1004.04,
22 Florida Statutes, is renumbered as subsection (14), and a new
23 subsection (13) is added to that section, to read:

24 1004.04 Public accountability and state approval for
25 teacher preparation programs.—

26 (13) REPORT.—By March 1, 2010, and biennially thereafter,
27 the Department of Education shall report to the State Board of
28 Education on the effectiveness of the graduates of state-
29 approved teacher preparation programs. The report shall include
30 an analysis of the public school student learning gains on
31 statewide assessments, pursuant to s. 1008.22, by students who
32 were taught by graduates of each state-approved teacher
33 preparation program.

34 Section 4. Subsection (6) of section 1012.21, Florida
35 Statutes, is amended to read:

36 1012.21 Department of Education duties; K-12 personnel.—

37 (6) REPORTING.—The Department of Education shall annually:

38 (a) Post online links to each school district's collective
39 bargaining contracts and the salary and benefits of the
40 personnel or officers of any educator association which were
41 paid by the school district pursuant to s. 1012.22.



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42 (b) Notify the President of the Senate and the Speaker of
43 the House of Representatives of any school district that does
44 not comply with the requirements of s. 1012.22(1)(c).

45 Section 5. Paragraph (c) of subsection (1) of section
46 1012.22, Florida Statutes, is amended to read:

47 1012.22 Public school personnel; powers and duties of the
48 district school board.—The district school board shall:

49 (1) Designate positions to be filled, prescribe
50 qualifications for those positions, and provide for the
51 appointment, compensation, promotion, suspension, and dismissal
52 of employees as follows, subject to the requirements of this
53 chapter:

54 (c) *Compensation and salary schedules.*—

55 ~~1. The district school board shall adopt a salary schedule~~
56 ~~or salary schedules designed to furnish incentives for~~
57 ~~improvement in training and for continued efficient service to~~
58 ~~be used as a basis for paying all school employees and fix and~~
59 ~~authorize the compensation of school employees on the basis~~
60 ~~thereof.~~

61 ~~1.2.~~ A district school board, in determining the salary
62 schedule for instructional personnel, must base a portion of
63 each employee's compensation on performance demonstrated under
64 s. 1012.34, ~~must consider the prior teaching experience of a~~
65 ~~person who has been designated state teacher of the year by any~~
66 ~~state in the United States, and must consider prior professional~~
67 ~~experience in the field of education gained in positions in~~
68 ~~addition to district level instructional and administrative~~
69 ~~positions.~~

70 ~~2.3.~~ In developing the salary schedule, the district school



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71 board shall seek input from parents, teachers, and
72 representatives of the business community.

73 ~~3.4. Beginning with the 2007-2008 academic year,~~ Each
74 district school board shall adopt a salary schedule with
75 differentiated pay for both instructional personnel and school-
76 based administrators. The salary schedule is subject to
77 negotiation as provided in chapter 447 and must allow
78 differentiated pay based on district-determined factors,
79 including, but not limited to, additional responsibilities,
80 school demographics, critical shortage areas, and level of job
81 performance difficulties. Each district school board shall
82 annually report to the Department of Education on its adopted
83 differentiated pay policy in the manner and format prescribed by
84 the department.

85
86 The State Board of Education shall adopt rules pursuant to ss.
87 120.536(1) and 120.54 to implement this paragraph. The rules
88 must include compliance requirements for district salary
89 schedules regarding individual performance and differentiated
90 pay, reporting formats, and procedures for review of salary
91 schedules.

92 Section 6. Subsection (5) of section 1012.2315, Florida
93 Statutes, is amended to read:

94 1012.2315 Assignment of teachers.—

95 (5) REPORT.—The Department of Education shall annually:

96 (a) Post on its Internet website the percentage of
97 classroom teachers by school who are temporarily certified
98 teachers, teachers in need of improvement, or out-of-field
99 teachers.



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100 (b) Report to the President of the Senate and the Speaker
101 of the House of Representatives any school district that does
102 not comply with this section. Schools graded "D" or "F" shall
103 annually report their teacher retention rate. Included in this
104 report shall be reasons listed for leaving by each teacher who
105 left the school for any reason.

106 Section 7. Subsection (3) of section 1012.28, Florida
107 Statutes, is amended to read:

108 1012.28 Public school personnel; duties of school
109 principals.-

110 (3) Each school principal is responsible for the
111 performance of all personnel employed by the district school
112 board and assigned to the school to which the principal is
113 assigned. The school principal shall faithfully and effectively
114 apply the personnel appraisal ~~assessment~~ system approved by the
115 district school board pursuant to s. 1012.34.

116 Section 8. Section 1012.34, Florida Statutes, is amended to
117 read:

118 1012.34 Appraisal ~~Assessment~~ procedures and criteria.-

119 (1) For the purpose of increasing student achievement by
120 improving the quality of instructional, administrative, and
121 supervisory services in the public schools of the state, the
122 district school superintendent shall establish procedures for
123 evaluating ~~assessing~~ the performance of duties and
124 responsibilities of all instructional, administrative, and
125 supervisory personnel employed by the school district. The
126 Department of Education must approve each district's
127 instructional personnel appraisal ~~assessment~~ system.

128 (2) The following conditions must be considered in the



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129 design of the district's instructional personnel appraisal
130 ~~assessment~~ system:

131 (a) The system must be designed to support district and
132 school level improvement plans.

133 (b) The system must provide appropriate appraisal
134 instruments, procedures, and criteria for continuous quality
135 improvement of the professional skills of instructional
136 personnel.

137 (c) The system must include a mechanism to give parents an
138 opportunity to provide input into employee performance
139 appraisals ~~assessments~~ when appropriate.

140 (d) In addition to addressing generic teaching
141 competencies, districts must determine those teaching fields for
142 which special procedures and criteria will be developed,
143 including a process for determining the professional education
144 competence of a teacher who holds a temporary certificate as
145 required under s. 1012.56.

146 (e) Each district school board may establish a peer
147 assistance process. The plan may provide a mechanism for
148 assistance of persons who are placed on performance probation as
149 well as offer assistance to other employees who request it.

150 (f) Each ~~The~~ district school board shall provide training
151 programs that are based upon guidelines provided by the
152 Department of Education to ensure that all individuals with
153 evaluation responsibilities understand the proper use of the
154 appraisal ~~assessment~~ criteria and procedures.

155 (g) The system must include a process for monitoring the
156 effective and consistent use of appraisal criteria by
157 supervisors and administrators and a process for evaluating the



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158 effectiveness of the system itself in improving the level of
159 instruction and learning in the district's schools.

160 (3) The appraisal assessment procedure for instructional
161 personnel and school administrators must be primarily based on
162 the performance of students assigned to their classrooms or
163 schools, as appropriate, and must emphasize avoidance of
164 insufficient student learning gains as described in s.
165 1012.21(6)(c) and (d) and defined by rule of the State Board of
166 Education. Pursuant to this section, a school district's
167 performance appraisal assessment is not limited to basing
168 unsatisfactory performance of instructional personnel and school
169 administrators upon student performance, but may include other
170 criteria approved to evaluate assess instructional personnel and
171 school administrators' performance, or any combination of
172 student performance and other approved criteria. The procedures
173 must comply with, but are not limited to, the following
174 requirements:

175 (a) An appraisal assessment must be conducted for each
176 employee at least once a year, except that an appraisal for each
177 first-year teacher must be conducted at least twice a year. The
178 appraisal assessment must be based upon sound educational
179 principles and contemporary research in effective educational
180 practices. ~~The assessment must primarily use data and indicators~~
181 ~~of improvement in student performance assessed annually as~~
182 ~~specified in s. 1008.22 and may consider results of peer reviews~~
183 ~~in evaluating the employee's performance. Student performance~~
184 ~~must be measured by state assessments required under s. 1008.22~~
185 ~~and by local assessments for subjects and grade levels not~~
186 ~~measured by the state assessment program.~~ The appraisal



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187 ~~assessment~~ criteria must include, but are not limited to,
188 indicators that relate to the following:

189 1. Performance of students. The appraisal must primarily
190 use data and indicators of improvement in student performance
191 assessed annually as specified in s. 1008.22 and by district-
192 determined assessments for subjects and grade levels not
193 measured by the state assessment program.

194 2. Instructional practice. For instructional personnel,
195 performance criteria must include indicators based on each of
196 the Florida Educator Accomplished Practices adopted by the State
197 Board of Education under s. 1012.52.

198 3. Instructional leadership. For school-based
199 administrators, performance criteria must include indicators
200 based on each of the leadership standards adopted by the State
201 Board of Education under s. 1012.986.

202 4. Professional responsibilities. Such criteria must
203 include professional responsibilities and employment
204 requirements as established by the State Board of Education and
205 through policies of the district school board.

206 ~~2. Ability to maintain appropriate discipline.~~

207 ~~3. Knowledge of subject matter. The district school board~~
208 ~~shall make special provisions for evaluating teachers who are~~
209 ~~assigned to teach out-of-field.~~

210 ~~4. Ability to plan and deliver instruction and the use of~~
211 ~~technology in the classroom.~~

212 ~~5. Ability to evaluate instructional needs.~~

213 ~~6. Ability to establish and maintain a positive~~
214 ~~collaborative relationship with students' families to increase~~
215 ~~student achievement.~~



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216 ~~7. Other professional competencies, responsibilities, and~~
217 ~~requirements as established by rules of the State Board of~~
218 ~~Education and policies of the district school board.~~

219 (b) All personnel must be fully informed of the criteria
220 and procedures associated with the appraisal ~~assessment~~ process
221 before the appraisal ~~assessment~~ takes place.

222 (c) The individual responsible for supervising the employee
223 must evaluate ~~assess~~ the employee's performance. The evaluator
224 must submit a written report of the appraisal ~~assessment~~ to the
225 district school superintendent for the purpose of reviewing the
226 employee's contract. The evaluator must submit the written
227 report to the employee no later than 10 days after the appraisal
228 ~~assessment~~ takes place. The evaluator must discuss the written
229 report of appraisal ~~assessment~~ with the employee. The employee
230 shall have the right to initiate a written response to the
231 appraisal ~~assessment~~, and the response shall become a permanent
232 attachment to his or her personnel file.

233 (d) If an employee is not performing his or her duties in a
234 satisfactory manner, the evaluator shall notify the employee in
235 writing of such determination. The notice must describe such
236 unsatisfactory performance and include notice of the following
237 procedural requirements:

238 1. Upon delivery of a notice of unsatisfactory performance,
239 the evaluator must confer with the employee, make
240 recommendations with respect to specific areas of unsatisfactory
241 performance, and provide assistance in helping to correct
242 deficiencies within a prescribed period of time.

243 2.a. If the employee holds a professional service contract
244 as provided in s. 1012.33, the employee shall be placed on



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245 performance probation and governed by the provisions of this
246 section for 90 calendar days following the receipt of the notice
247 of unsatisfactory performance to demonstrate corrective action.
248 School holidays and school vacation periods are not counted when
249 calculating the 90-calendar-day period. During the 90 calendar
250 days, the employee who holds a professional service contract
251 must be evaluated periodically and apprised of progress achieved
252 and must be provided assistance and inservice training
253 opportunities to help correct the noted performance
254 deficiencies. At any time during the 90 calendar days, the
255 employee who holds a professional service contract may request a
256 transfer to another appropriate position with a different
257 supervising administrator; however, a transfer does not extend
258 the period for correcting performance deficiencies.

259 b. Within 14 days after the close of the 90 calendar days,
260 the evaluator must evaluate ~~assess~~ whether the performance
261 deficiencies have been corrected and forward a recommendation to
262 the district school superintendent. Within 14 days after
263 receiving the evaluator's recommendation, the district school
264 superintendent must notify the employee who holds a professional
265 service contract in writing whether the performance deficiencies
266 have been satisfactorily corrected and whether the district
267 school superintendent will recommend that the district school
268 board continue or terminate his or her employment contract. If
269 the employee wishes to contest the district school
270 superintendent's recommendation, the employee must, within 15
271 days after receipt of the district school superintendent's
272 recommendation, submit a written request for a hearing. The
273 hearing shall be conducted at the district school board's



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274 election in accordance with one of the following procedures:

275 (I) A direct hearing conducted by the district school board
276 within 60 days after receipt of the written appeal. The hearing
277 shall be conducted in accordance with the provisions of ss.
278 120.569 and 120.57. A majority vote of the membership of the
279 district school board shall be required to sustain the district
280 school superintendent's recommendation. The determination of the
281 district school board shall be final as to the sufficiency or
282 insufficiency of the grounds for termination of employment; or

283 (II) A hearing conducted by an administrative law judge
284 assigned by the Division of Administrative Hearings of the
285 Department of Management Services. The hearing shall be
286 conducted within 60 days after receipt of the written appeal in
287 accordance with chapter 120. The recommendation of the
288 administrative law judge shall be made to the district school
289 board. A majority vote of the membership of the district school
290 board shall be required to sustain or change the administrative
291 law judge's recommendation. The determination of the district
292 school board shall be final as to the sufficiency or
293 insufficiency of the grounds for termination of employment.

294 (4) The district school superintendent shall notify the
295 department of any instructional personnel who receive two
296 consecutive unsatisfactory evaluations and who have been given
297 written notice by the district that their employment is being
298 terminated or is not being renewed or that the district school
299 board intends to terminate, or not renew, their employment. The
300 department shall conduct an investigation to determine whether
301 action shall be taken against the certificateholder pursuant to
302 s. 1012.795 ~~s. 1012.795(1)(c)~~.



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303 ~~(5) The district school superintendent shall develop a~~
304 ~~mechanism for evaluating the effective use of assessment~~
305 ~~criteria and evaluation procedures by administrators who are~~
306 ~~assigned responsibility for evaluating the performance of~~
307 ~~instructional personnel. The use of the assessment and~~
308 ~~evaluation procedures shall be considered as part of the annual~~
309 ~~assessment of the administrator's performance. The system must~~
310 ~~include a mechanism to give parents and teachers an opportunity~~
311 ~~to provide input into the administrator's performance~~
312 ~~assessment, when appropriate.~~

313 ~~(5)(6) Nothing in This section does not shall be construed~~
314 ~~to grant a probationary employee a right to continued employment~~
315 ~~beyond the term of his or her contract.~~

316 ~~(6)(7) The district school board shall establish a~~
317 ~~procedure annually reviewing instructional personnel appraisal~~
318 ~~assessment systems to determine compliance with this section.~~
319 ~~All substantial revisions to an approved system must be reviewed~~
320 ~~and approved by the district school board before being used to~~
321 ~~evaluate assess instructional personnel. Upon request by a~~
322 ~~school district, the department shall provide assistance in~~
323 ~~developing, improving, or reviewing an appraisal assessment~~
324 ~~system.~~

325 ~~(7)(8) The State Board of Education shall adopt rules~~
326 ~~pursuant to ss. 120.536(1) and 120.54, that establish uniform~~
327 ~~guidelines for the submission, review, and approval of district~~
328 ~~procedures for the annual appraisal assessment of instructional~~
329 ~~personnel and that include criteria for evaluating professional~~
330 ~~performance.~~

331 Section 9. Section 1012.52, Florida Statutes, is amended to



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332 read:

333 1012.52 Teacher quality; legislative findings; Florida
334 Educator Accomplished Practices.—

335 (1) The Legislature intends to implement a comprehensive
336 approach to increase students' academic achievement and improve
337 teaching quality. The Legislature recognizes that professional
338 educators play an important role in shaping the future of this
339 state and the nation by developing the knowledge and skills of
340 our future workforce and laying the foundation for good
341 citizenship and full participation in community and civic life.
342 The Legislature also recognizes its role in meeting the state's
343 educational priorities so as to provide opportunity for all
344 students to achieve at the levels set by the Sunshine State
345 Standards.

346 (2) The Legislature further finds that effective educators
347 are able to do the following:

348 (a) Write and speak in a logical and understandable style,
349 using appropriate grammar and sentence structure, and
350 demonstrate a command of standard English, enunciation, clarity
351 of oral directions, and pace and precision in speaking.

352 (b) Read, comprehend, and interpret professional and other
353 written material.

354 (c) Compute, think logically, and solve problems.

355 (d) Recognize signs of students' difficulty with the
356 reading and computational process and apply appropriate measures
357 to improve students' reading and computational performance.

358 (e) Recognize patterns of physical, social, emotional, and
359 intellectual development in students, including exceptional
360 students in the regular classroom.



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361 (f) Recognize and demonstrate awareness of the educational
362 needs of students who have limited proficiency in English and
363 employ appropriate teaching strategies.

364 (g) Use and integrate appropriate technology in teaching
365 and learning processes and in managing, evaluating, and
366 improving instruction.

367 (h) Use assessment and other diagnostic strategies to
368 assist the continuous development and acquisition of knowledge
369 and understanding of the learner.

370 (i) Use teaching and learning strategies that include
371 consideration of each student's learning styles, needs, and
372 background.

373 (j) Demonstrate the ability to maintain a positive,
374 collaborative relationship with students' families to increase
375 student achievement.

376 (k) Recognize signs of tendency toward violence and severe
377 emotional distress in students and apply techniques of crisis
378 intervention.

379 (l) Recognize signs of alcohol and drug abuse in students
380 and know how to appropriately work with such students and seek
381 assistance designed to prevent future abuse.

382 (m) Recognize the physical and behavioral indicators of
383 child abuse and neglect and know rights and responsibilities
384 regarding reporting.

385 (n) Demonstrate the ability to maintain a positive
386 environment in the classroom while achieving order and
387 discipline.

388 (o) Demonstrate the ability to grade student performance
389 effectively.



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390 (p) Demonstrate knowledge and understanding of the value
391 of, and strategies for, promoting parental involvement in
392 education.

393 (3) The State Board of Education shall adopt by rule the
394 Florida Educator Accomplished Practices, which form the basis
395 for the state's expectations for effective instructional
396 practice. The Commissioner of Education shall periodically
397 review the Florida Educator Accomplished Practices based on
398 contemporary educational research and analysis of student
399 performance data. The commissioner shall include input from
400 associations representing teachers, principals, superintendents,
401 and school boards when reviewing the Florida Educator
402 Accomplished Practices. Upon finalizing any resulting revisions
403 to the Florida Educator Accomplished Practices, the commissioner
404 shall submit the revised practices and supporting evaluation
405 information to the Governor, the President of the Senate, and
406 the Speaker of the House of Representatives at least 21 days
407 before the State Board of Education considers adoption of the
408 revised practices.

409 Section 10. Subsection (1) and paragraphs (g) and (h) of
410 subsection (6) of section 1012.56, Florida Statutes, are
411 amended, paragraph (i) is added to subsection (6) of that
412 section, and subsection (18) is added to that section, to read:

413 1012.56 Educator certification requirements.—

414 (1) APPLICATION.—Each person seeking certification pursuant
415 to this chapter shall submit a completed application containing
416 the applicant's social security number to the Department of
417 Education and remit the fee required pursuant to s. 1012.59 and
418 rules of the State Board of Education. Pursuant to the federal



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419 Personal Responsibility and Work Opportunity Reconciliation Act
420 of 1996, each party is required to provide his or her social
421 security number in accordance with this section. Disclosure of
422 social security numbers obtained through this requirement is
423 limited to the purpose of administration of the Title IV-D
424 program of the Social Security Act for child support
425 enforcement. Pursuant to s. 120.60, the department shall issue
426 within 90 calendar days after the stamped receipted date of the
427 completed application:

428 (a) If the applicant meets the requirements, a professional
429 certificate covering the classification, level, and area for
430 which the applicant is deemed qualified and a document
431 explaining the requirements for renewal of the professional
432 certificate;

433 (b) If the applicant meets the requirements and if
434 requested by an employing school district or an employing
435 private school with a professional education competence
436 demonstration program pursuant to paragraphs (6) (f) ~~(5) (f)~~ and
437 (8) (b) ~~(7) (b)~~, a temporary certificate covering the
438 classification, level, and area for which the applicant is
439 deemed qualified and an official statement of status of
440 eligibility; or

441 (c) If an applicant does not meet the requirements for
442 either certificate, an official statement of status of
443 eligibility.

444
445 The statement of status of eligibility must advise the applicant
446 of any qualifications that must be completed to qualify for
447 certification. Each statement of status of eligibility is valid



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448 for 3 years after its date of issuance, except as provided in
449 paragraph (2) (d). For purposes of this section, the term
450 "private school" includes an approved Voluntary Prekindergarten
451 Education Program private prekindergarten provider.

452 (6) MASTERY OF PROFESSIONAL PREPARATION AND EDUCATION
453 COMPETENCE.—Acceptable means of demonstrating mastery of
454 professional preparation and education competence are:

455 (g) Successful completion of a professional preparation
456 alternative certification and education competency program,
457 outlined in paragraph (8) (a) ~~(7) (a)~~; or

458 (h) Successful completion of an alternative certification
459 program pursuant to s. 1004.85 and achievement of a passing
460 score on the professional education competency examination
461 required by rule of the State Board of Education; or

462 (i) Successful completion of a professional education
463 training program provided by Teach for America and achievement
464 of a passing score on the professional education competency
465 examination required by rule of the State Board of Education.

466 (18) MILITARY INSTRUCTOR EXPERIENCE AND AMERICAN COUNCIL ON
467 EDUCATION TRANSCRIPTS; RULES.—The State Board of Education may
468 adopt rules that:

469 (a) For purposes of demonstrating mastery of professional
470 preparation and education competence through the completion of
471 professional preparation courses as specified in state board
472 rule, allow a person to use his or her teaching experience as a
473 military instructor to verify occupational teaching experience
474 for the same number of years of instruction provided in one of
475 the branches of the United States Armed Forces.

476 (b) For purposes of demonstrating the completion of



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477 certification requirements specified in state board rule, allow
478 for the acceptance of college course credits recommended by the
479 American Council on Education (ACE), which are posted on an
480 official ACE transcript.

481 (c) This subsection applies to credit for instruction
482 performed, or course credits awarded, prior to, on, and after
483 July 1, 2009.

484 Section 11. Subsection (6) of section 1012.98, Florida
485 Statutes, is amended to read:

486 1012.98 School Community Professional Development Act.—

487 (6) An organization of private schools which has no fewer
488 than 10 member schools in this state, which publishes and files
489 with the Department of Education copies of its standards, and
490 the member schools of which comply with the provisions of part
491 II of chapter 1003, relating to compulsory school attendance, or
492 an organization of approved Voluntary Prekindergarten Education
493 Program providers with no fewer than 10 members in this state,
494 may also develop a professional development system that includes
495 a master plan for inservice activities and a program for
496 demonstration of professional education competence under s.
497 1012.56. The professional development system ~~and inservice plan~~
498 must be submitted to the commissioner for approval pursuant to
499 rules of the State Board of Education.

500 Section 12. Section 1012.986, Florida Statutes, is amended
501 to read:

502 1012.986 William Cecil Golden Professional Development
503 Program for School Leaders.—

504 (1) There is established the William Cecil Golden
505 Professional Development Program for School Leaders to provide



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506 high standards and sustained support for principals as
507 instructional leaders. The program shall consist of a
508 collaborative network of state and national professional
509 leadership organizations to respond to instructional leadership
510 needs throughout the state.

511 (2) The network shall support the human-resource
512 development needs of principals, principal leadership teams, and
513 candidates for principal leadership positions using the
514 framework of leadership standards adopted by the State Board of
515 Education, the Southern Regional Education Board, and the
516 National Staff Development Council. Leadership standards adopted
517 under this section must focus on instructional leadership and
518 include the ability to:

519 (a) Identify and promote effective instruction.

520 (b) Recruit and retain high-performing instructional
521 personnel.

522 (c) Manage resources so as to maximize their use for
523 improving student achievement.

524 (3) The goals ~~goal~~ of the network leadership program are ~~is~~
525 to:

526 (a) Provide resources to support and enhance the
527 principal's role as the instructional leader.

528 (b) Maintain a clearinghouse and disseminate data-supported
529 information related to enhanced student achievement, based on
530 educational research and best practices.

531 (c) Build the capacity to increase the quality of programs
532 for preservice education for aspiring principals and inservice
533 professional development for principals and principal leadership
534 teams.



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535 (d) Support best teaching and research-based instructional
536 practices through dissemination and modeling at the preservice
537 and inservice levels for both teachers and principals.

538 ~~(4)(2)~~ The Department of Education shall coordinate ~~through~~
539 the network ~~identified in subsection (1)~~ to offer the program
540 through multiple delivery systems, including:

541 (a) Approved school district training programs.

542 (b) Interactive technology-based instruction.

543 (c) Regional consortium service organizations pursuant to
544 s. 1001.451.

545 (d) State, regional, or local leadership academies.

546 (e) State-approved educational leadership programs in
547 public and nonpublic colleges and universities.

548 ~~(5)(3)~~ The State Board of Education shall adopt rules
549 pursuant to ss. 120.536(1) and 120.54 to administer this
550 section.

551 Section 13. Paragraph (g) of subsection (3) of section
552 1012.33, Florida Statutes, is repealed.

553 Section 14. No later than February 1, 2010, The
554 Commissioner of Education shall provide a written report to the
555 President of the Senate and the Speaker of the House of
556 Representatives with specific recommendations for legislation to
557 improve teacher quality. The report shall be data driven and
558 research-based and include the effects on student learning and
559 behavior, including dropout rates, when a student has one or
560 more ineffective classroom teachers. The report must include a
561 review, by district, on equity of staffing quality teachers in
562 schools across the district and a review, by district, on the
563 efforts pursued by superintendents and principals to remove



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564 ineffective teachers from the classroom. The report must include
565 recommendations on: teacher compensation and salary schedule
566 best practices; an expedited process for the termination of
567 ineffective classroom teachers; a methodology to identify the
568 number of ineffective classroom teachers, by district, whose
569 students make insufficient learning gains based on at least
570 three years of objective data on student learning; specific
571 policies to empower district school superintendents and school
572 principals to provide an effective teacher in each school
573 district classroom, and specific policies to hold district
574 school superintendents and school principals accountable for
575 inequity in staffing among the schools in the district and for
576 failure to act to provide an effective teacher in each school
577 district classroom.

578 Section 15. For the purpose of incorporating the amendment
579 made by this act to section 1012.22, Florida Statutes, in a
580 reference thereto, paragraph (a) of subsection (2) of section
581 1003.62, Florida Statutes, is reenacted to read:

582 1003.62 Academic performance-based charter school
583 districts.—The State Board of Education may enter into a
584 performance contract with district school boards as authorized
585 in this section for the purpose of establishing them as academic
586 performance-based charter school districts. The purpose of this
587 section is to examine a new relationship between the State Board
588 of Education and district school boards that will produce
589 significant improvements in student achievement, while complying
590 with constitutional and statutory requirements assigned to each
591 entity.

592 (2) EXEMPTION FROM STATUTES AND RULES.—



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593 (a) An academic performance-based charter school district
594 shall operate in accordance with its charter and shall be exempt
595 from certain State Board of Education rules and statutes if the
596 State Board of Education determines such an exemption will
597 assist the district in maintaining or improving its high-
598 performing status pursuant to paragraph (1)(a). However, the
599 State Board of Education may not exempt an academic performance-
600 based charter school district from any of the following
601 statutes:

602 1. Those statutes pertaining to the provision of services
603 to students with disabilities.

604 2. Those statutes pertaining to civil rights, including s.
605 1000.05, relating to discrimination.

606 3. Those statutes pertaining to student health, safety, and
607 welfare.

608 4. Those statutes governing the election or compensation of
609 district school board members.

610 5. Those statutes pertaining to the student assessment
611 program and the school grading system, including chapter 1008.

612 6. Those statutes pertaining to financial matters,
613 including chapter 1010.

614 7. Those statutes pertaining to planning and budgeting,
615 including chapter 1011, except that ss. 1011.64 and 1011.69
616 shall be eligible for exemption.

617 8. Sections 1012.22(1)(c) and 1012.27(2), relating to
618 differentiated pay and performance-pay policies for school
619 administrators and instructional personnel. Professional service
620 contracts shall be subject to the provisions of ss. 1012.33 and
621 1012.34.



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622 9. Those statutes pertaining to educational facilities,
623 including chapter 1013, except as specified under contract with
624 the State Board of Education. However, no contractual provision
625 that could have the effect of requiring the appropriation of
626 additional capital outlay funds to the academic performance-
627 based charter school district shall be valid.

628 Section 16. For the purpose of incorporating the amendment
629 made by this act to section 1012.22, Florida Statutes, in a
630 reference thereto, paragraph (h) of subsection (2) of section
631 1003.621, Florida Statutes, is reenacted to read:

632 1003.621 Academically high-performing school districts.—It
633 is the intent of the Legislature to recognize and reward school
634 districts that demonstrate the ability to consistently maintain
635 or improve their high-performing status. The purpose of this
636 section is to provide high-performing school districts with
637 flexibility in meeting the specific requirements in statute and
638 rules of the State Board of Education.

639 (2) COMPLIANCE WITH STATUTES AND RULES.—Each academically
640 high-performing school district shall comply with all of the
641 provisions in chapters 1000-1013, and rules of the State Board
642 of Education which implement these provisions, pertaining to the
643 following:

644 (h) Sections 1012.22(1)(c) and 1012.27(2), relating to
645 differentiated pay and performance-pay policies for school
646 administrators and instructional personnel. Professional service
647 contracts are subject to the provisions of ss. 1012.33 and
648 1012.34.

649 Section 17. This act shall take effect upon becoming a law.
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651 ===== T I T L E A M E N D M E N T =====

652 And the title is amended as follows:

653 Delete everything before the enacting clause

654 and insert:

655 A bill to be entitled

656 An act relating to education personnel; providing a
657 short title; amending s. 39.202, F.S.; providing for
658 access to records by certain education employees or
659 agents in cases of child abuse or neglect; amending s.
660 1004.04, F.S.; requiring the Department of Education
661 to report to the State Board of Education on the
662 effectiveness of graduates of state-approved teacher
663 preparation programs; amending s. 1012.21, F.S.;
664 requiring the department to notify the Legislature
665 relating to school district compliance with
666 compensation and salary schedule requirements;
667 amending s. 1012.22, F.S.; deleting certain provisions
668 relating to district school board adoption of salary
669 schedules and the basis for an employee's
670 compensation; requiring each district school board to
671 report to the department on its adopted differentiated
672 pay policy; requiring rulemaking relating to school
673 district implementation of compensation and salary
674 schedule requirements; amending s. 1012.2315, F.S.;
675 revising department reporting requirements relating to
676 the assignment of classroom teachers; amending s.
677 1012.28, F.S.; conforming provisions; amending s.
678 1012.34, F.S.; revising provisions to require a school
679 district personnel appraisal system; specifying



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680 criteria and procedures for the appraisal process;
681 requiring approval of appraisal instruments; requiring
682 appraisals twice a year for first-year teachers;
683 requiring evaluation of the appraisal system;
684 conforming provisions; amending s. 1012.52, F.S.;
685 requiring the State Board of Education to adopt by
686 rule the Florida Educator Accomplished Practices;
687 requiring periodic review and revision of the
688 practices; amending s. 1012.56, F.S.; correcting
689 cross-references; authorizing Voluntary
690 Prekindergarten Education Program providers to meet
691 certain requirements relating to educator
692 certification; providing additional means of
693 demonstrating mastery of professional preparation and
694 education competence; authorizing State Board of
695 Education rules for acceptance of certain teaching
696 experience and course credits; providing for
697 retroactive application; amending s. 1012.98, F.S.;
698 authorizing certain organizations, including
699 organizations of Voluntary Prekindergarten Education
700 Program providers, to develop a professional
701 development system and a program for demonstration of
702 education competence; amending s. 1012.986, F.S.;
703 specifying criteria for leadership standards under the
704 William Cecil Golden Professional Development Program
705 for School Leaders; authorizing the program to be
706 offered through state-approved leadership programs;
707 repealing s. 1012.33(3)(g), F.S., relating to
708 acceptance of certain teaching service for purposes of



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709 pay for instructional staff, supervisors, and school
710 principals; requiring the Commissioner of Education to
711 report to the Legislature specific recommendations for
712 legislation to improve teacher quality; reenacting ss.
713 1003.62(2)(a) and 1003.621(2)(h), F.S., relating to
714 academic performance-based charter school districts
715 and academically high-performing school districts,
716 respectively, to incorporate the amendments made to s.
717 1012.22, F.S., in a reference thereto; providing an
718 effective date.