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LEGISLATIVE ACTION

Senate

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House

Floor: WD/2R

04/23/2014 10:33 AM

Senator Brandes moved the following:

1 **Senate Amendment to Amendment (588260) (with title**
2 **amendment)**

3
4 Between lines 3084 and 3085
5 insert:

6 Section 93. Subsection (2) of section 1012.2315, Florida
7 Statutes, is amended to read:

8 1012.2315 Assignment of teachers.—

9 (2) ASSIGNMENT TO SCHOOLS GRADED "D" or "F".—

10 (a) A school district ~~districts~~ may not assign a higher
11 percentage than the school district average of temporarily



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12 certified teachers, teachers in need of improvement, or out-of-
13 field teachers to schools graded "D" or "F" pursuant to s.
14 1008.34.

15 (b) Beginning July 1, 2014, a school district may assign an
16 individual newly hired as instructional personnel to a school
17 that has earned a grade of "F" in the previous year or any
18 combination of three consecutive grades of "D" or "F" in the
19 previous 3 years pursuant to s. 1008.34 if the individual:

20 1. Has received an effective rating or highly effective
21 rating in the immediate prior year's performance evaluation
22 pursuant s. 1012.34;

23 2. Is enrolled in a professional education training program
24 provided by Teach for America, holds a certificate issued
25 pursuant to s. 1012.56, and holds a probationary contract
26 pursuant to s. 1012.335(2) (a); or

27 3. Holds a probationary contract pursuant to s.
28 1012.335(2) (a), holds a certificate issued pursuant to s.
29 1012.56, and has successful teaching experience and if, in the
30 judgment of the school principal, students would benefit from
31 the placement of that individual.

32
33 Each school district shall annually certify to the Commissioner
34 of Education that the requirements in this subsection have ~~this~~
35 ~~requirement has~~ been met. If the commissioner determines that a
36 school district is not in compliance with this subsection, the
37 State Board of Education shall be notified and shall take action
38 pursuant to s. 1008.32 in the next regularly scheduled meeting
39 to require compliance.

40 Section 94. Subsection (1) of section 1012.27, Florida



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41 Statutes, is amended to read:

42 1012.27 Public school personnel; powers and duties of
43 district school superintendent.—The district school
44 superintendent is responsible for directing the work of the
45 personnel, subject to the requirements of this chapter, and in
46 addition the district school superintendent shall perform the
47 following:

48 (1) POSITIONS, QUALIFICATIONS, AND NOMINATIONS.—

49 (a) Recommend to the district school board duties and
50 responsibilities which need to be performed and positions which
51 need to be filled to make possible the development of an
52 adequate school program in the district.

53 (b) Recommend minimum qualifications of personnel for these
54 various positions, and nominate in writing persons to fill such
55 positions.

56 ~~(c) The district school superintendent's recommendations~~
57 ~~for filling instructional positions at the school level must~~
58 Consider nominations received from school principals of the
59 respective schools for filling instructional positions at the
60 school level.

61 (d) Comply with s. 1012.2315(2) (b) for the assignment of
62 newly hired individuals to schools described in s.
63 1012.2315(2) (b).

64
65 Before transferring a teacher who holds a professional teaching
66 certificate from one school to another under this subsection,
67 the district school superintendent shall consult with the
68 principal of the receiving school and allow the principal to
69 review the teacher's records, including student performance



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70 demonstrated under s. 1012.34, and interview the teacher. If, in
71 the judgment of the principal, students would not benefit from
72 the placement, an alternative placement may be sought. A
73 principal may refuse the placement in accordance with s.
74 1012.28(6).

75
76 ===== T I T L E A M E N D M E N T =====

77 And the title is amended as follows:

78 Between lines 3539 and 3540

79 insert:

80 amending s. 1012.2315, F.S.; authorizing a school
81 district to assign to a school that has earned failing
82 grades certain newly hired instructional personnel;
83 amending s. 1012.27, F.S.; revising the powers of a
84 district school superintendent to include filling
85 instructional positions and assigning newly hired
86 instructional personnel;