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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/11/2014	.	
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The Committee on Education (Brandes) recommended the following:

1 **Senate Substitute for Amendment (318464) (with title**
2 **amendment)**

3
4 Between lines 15 and 16

5 insert:

6 Section 1. 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. Has successfully completed a professional education
24 training program provided by Teach for America, holds a
25 certificate issued pursuant to s. 1012.56, and holds a
26 probationary contract 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, has successful teaching experience, and, 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 2. 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
57 For the purpose of this subsection, the district school
58 superintendent's recommendations for filling instructional
59 positions at the school level must consider nominations received
60 from school principals of the respective schools. The district
61 school superintendent may assign an individual newly hired as
62 instructional personnel to a school that has earned a grade of
63 "F" in the previous year or any combination of three consecutive
64 grades of "D" or "F" in the previous 3 years pursuant to s.
65 1008.34 if the individual holds a probationary contract pursuant
66 to s. 1012.335(2) (a), holds a certificate issued pursuant to s.
67 1012.56, has successful teaching experience, and, in the
68 judgment of the school principal, students would benefit from
69 the placement of that individual. Before transferring a teacher



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70 who holds a professional teaching certificate from one school to
71 another, the district school superintendent shall consult with
72 the principal of the receiving school and allow the principal to
73 review the teacher's records, including student performance
74 demonstrated under s. 1012.34, and interview the teacher. If, in
75 the judgment of the principal, students would not benefit from
76 the placement, an alternative placement may be sought. A
77 principal may refuse the placement in accordance with s.
78 1012.28(6).

79
80 ===== T I T L E A M E N D M E N T =====

81 And the title is amended as follows:

82 Delete line 2

83 and insert:

84 An act relating to education; amending s. 1012.2315,
85 F.S.; authorizing a school district to assign to a
86 school that has earned failing grades certain newly
87 hired instructional personnel; amending s. 1012.27,
88 F.S.; revising the powers of a district school
89 superintendent to include authorization to assign
90 certain newly hired instructional personnel to a
91 school that has earned failing grades based on the
92 judgment of a school principal; amending s.