Bill No. CS/SB 7070, 1st Eng. (2019)

Amendment No.

CHZ	MRER	Δ CTTON

Senate House

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Representative Polsky offered the following:

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Amendment (with title amendment)

Remove lines 1646-2275 and insert:

Section 15. Subsection (11) and paragraph (d) of subsection (13) of section 1011.62, Florida Statutes, are amended, and subsection (21) is added to that section, to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

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- (11) VIRTUAL EDUCATION CONTRIBUTION. The Legislature may annually provide in the Florida Education Finance Program a virtual education contribution. The amount of the virtual education contribution shall be the difference between the amount per FTE established in the General Appropriations Act for virtual education and the amount per FTE for each district and the Florida Virtual School, which may be calculated by taking the sum of the base FEFP allocation, the discretionary local effort, the state-funded discretionary contribution, the discretionary millage compression supplement, the research-based reading instruction allocation, best and brightest teacher and principal allocation, and the instructional materials allocation, and then dividing by the total unweighted FTE. This difference shall be multiplied by the virtual education unweighted FTE for programs and options identified in s. 1002.455 and the Florida Virtual School and its franchises to equal the virtual education contribution and shall be included as a separate allocation in the funding formula.
- (13) FEDERALLY CONNECTED STUDENT SUPPLEMENT.—The federally connected student supplement is created to provide supplemental funding for school districts to support the education of students connected with federally owned military installations, National Aeronautics and Space Administration (NASA) real property, and Indian lands. To be eligible for this supplement, the district must be eligible for federal Impact Aid Program

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funds under s. 8003 of Title VIII of the Elementary and Secondary Education Act of 1965. The supplement shall be allocated annually to each eligible school district in the General Appropriations Act. The supplement shall be the sum of the student allocation and an exempt property allocation.

- (d) The amount allocated for each eligible school district shall be recalculated during the year using actual student membership, as amended, from the most recent February survey and the tax-exempt valuation from the most recent assessment roll.

 Upon recalculation, if the total allocation is greater than the amount provided in the General Appropriations Act, it must be prorated to the level of the appropriation based on each district's share of the total recalculated amount.
- The turnaround school supplemental services allocation is created to provide district-managed turnaround schools, as identified in s. 1008.33(4)(a), schools that earn three consecutive grades below a "C," as identified in s. 1008.33(4)(b)3., and schools that have improved to a "C" and are no longer in turnaround status, as identified in s. 1008.33(4)(c), with funds to offer services designed to improve the overall academic and community welfare of the schools' students and their families.
- (a)1. Services funded by the allocation may include, but are not limited to, tutorial and after-school programs, student

counseling, nutrition education, parental counseling, and an
extended school day and school year. In addition, services may
include models that develop a culture that encourages students
to complete high school and to attend college or career
training, set high academic expectations, and inspire character
development.

- 2. A school district may enter into a formal agreement with a nonprofit organization that has tax-exempt status under s. 501(c)(3) of the Internal Revenue Code to implement an integrated student support service model that provides students and families with access to wrap-around services, including, but not limited to, health services, after-school programs, drug prevention programs, college and career readiness programs, and food and clothing banks.
- (b) Before distribution of the allocation, the school district shall develop and submit a plan for implementation to its school board for approval no later than August 1 of each fiscal year.
- (c) At a minimum, the plan required under paragraph (b) must:
- 1. Establish comprehensive support services that develop family and community partnerships;
- 2. Establish clearly defined and measurable high academic and character standards;

3.	Increase	parental	involvement	and	engagement	in	the
child's	education	•					

- 4. Describe how instructional personnel will be identified, recruited, retained, and rewarded;
- 5. Provide professional development that focuses on academic rigor, direct instruction, and creating high academic and character standards;
- 6. Provide focused instruction to improve student academic proficiency, which may include additional instruction time beyond the normal school day or school year; and
- 7. Include a strategy for continuing to provide services after the school is no longer in turnaround status by virtue of achieving a grade of "C" or higher.
- (d) Each school district shall submit its approved plans to the commissioner by September 1 of each fiscal year.
- (e) Subject to legislative appropriation, each school district's allocation must be based on the unweighted FTE student enrollment at the eligible schools and a per-FTE funding amount of \$500 or as provided in the General Appropriations Act. The supplement provided in the General Appropriations Act shall be based on the most recent school grades and shall serve as a proxy for the official calculation. Once school grades are available for the school year immediately preceding the fiscal year coinciding with the appropriation, the supplement shall be recalculated for the official participating schools as part of

the subsequent FEFP calculation. The commissioner may prepare a
preliminary calculation so that districts may proceed with
timely planning and use of the funds. If the calculated funds
for the statewide allocation exceed the funds appropriated, the
allocation of funds to each school district must be prorated
based on each school district's share of the total unweighted
FTE student enrollment for the eligible schools.

(f) Subject to legislative appropriation, each school shall remain eligible for the allocation for a maximum of 4 continuous fiscal years while implementing a turnaround option pursuant to s. 1008.33(4). In addition, a school that improves to a grade of "C" or higher shall remain eligible to receive the allocation for a maximum of 2 continuous fiscal years after exiting turnaround status.

Section 16. Paragraph (a) of subsection (2) of section 1011.71, Florida Statutes, is amended to read:

1011.71 District school tax.—

- (2) In addition to the maximum millage levy as provided in subsection (1), each school board may levy not more than 1.5 mills against the taxable value for school purposes for charter schools pursuant to s. 1013.62(1) and (3) and for district schools to fund:
- (a) New construction, and remodeling projects, as set forth in s. 1013.64(6)(b) and included in the district's educational plant survey pursuant to s. 1013.31, without regard

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to prioritization, sites and site improvement or expansion to new sites, existing sites, auxiliary facilities, athletic facilities, or ancillary facilities.

Section 17. Effective upon becoming a law, subsections (2), (3), and (7) of section 1012.56, Florida Statutes, are amended to read:

1012.56 Educator certification requirements.-

- (2) ELIGIBILITY CRITERIA.—To be eligible to seek certification, a person must:
 - (a) Be at least 18 years of age.
- (b) File an affidavit that the applicant subscribes to and will uphold the principles incorporated in the Constitution of the United States and the Constitution of the State of Florida and that the information provided in the application is true, accurate, and complete. The affidavit shall be by original signature or by electronic authentication. The affidavit shall include substantially the following warning:

155 156 WARNING: Giving false information in order to obtain or renew a

Florida educator's certificate is a criminal offense under Florida law. Anyone giving false information on this affidavit is subject to criminal prosecution as well as disciplinary action by the Education Practices Commission.

(c) Document receipt of a bachelor's or higher degree from an accredited institution of higher learning, or a nonaccredited

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institution of higher learning that the Department of Education has identified as having a quality program resulting in a bachelor's degree, or higher. Each applicant seeking initial certification must have attained at least a 2.5 overall grade point average on a 4.0 scale in the applicant's major field of study. The applicant may document the required education by submitting official transcripts from institutions of higher education or by authorizing the direct submission of such official transcripts through established electronic network systems. The bachelor's or higher degree may not be required in areas approved in rule by the State Board of Education as nondegreed areas. The State Board of Education may adopt rules that, for purposes of demonstrating completion of specific certification requirements, allow for the acceptance of college course credits recommended by the American Council for Education (ACE), as posted on an official ACE transcript.

(d) Submit to background screening in accordance with subsection (10). If the background screening indicates a criminal history or if the applicant acknowledges a criminal history, the applicant's records shall be referred to the investigative section in the Department of Education for review and determination of eligibility for certification. If the applicant fails to provide the necessary documentation requested by the department within 90 days after the date of the receipt

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of the certified mail request, the statement of eligibility and pending application shall become invalid.

- (e) Be of good moral character.
- (f) Be competent and capable of performing the duties, functions, and responsibilities of an educator.
- (g) Demonstrate mastery of general knowledge, pursuant to subsection (3), if the person serves as a classroom teacher pursuant to s. 1012.01(2)(a).
- (h) Demonstrate mastery of subject area knowledge, pursuant to subsection (5).
- (i) Demonstrate mastery of professional preparation and education competence, pursuant to subsection (6).
- (3) MASTERY OF GENERAL KNOWLEDGE.—Acceptable means of demonstrating mastery of general knowledge are:
- (a) Achievement of passing scores on the general knowledge examination required by state board rule;
- (b) Documentation of a valid professional standard teaching certificate issued by another state;
- (c) Documentation of a valid certificate issued by the National Board for Professional Teaching Standards or a national educator credentialing board approved by the State Board of Education;
- (d) Documentation of two semesters of successful, fulltime or part-time teaching in a Florida College System institution, state university, or private college or university

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

(e) Effective July 1, 2015, Achievement of passing scores, identified in state board rule, on national or international examinations that test comparable content and relevant standards in verbal, analytical writing, and quantitative reasoning skills, including, but not limited to, the verbal, analytical writing, and quantitative reasoning portions of the Graduate Record Examination. Passing scores identified in state board rule must be at approximately the same level of rigor as is required to pass the general knowledge examinations.

A school district that employs an individual who does not achieve passing scores on any subtest of the general knowledge examination must provide information regarding the availability of state-level and district-level supports and instruction to assist him or her in achieving a passing score. Such information must include, but need not be limited to, state-level test information guides, school district test preparation resources, and preparation courses offered by state universities and Florida College System institutions.

(7) TYPES AND TERMS OF CERTIFICATION.

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	(a)	The	Depa	artment	of	Edu	cation	sha	all :	issue	a p	rofessional
cert	ifica	te fo	or a	period	not	t to	exceed	d 5	year	rs to	any	applicant
who	fulfi	lls d	one o	of the	foll	owi	ng:					

- 1. Meets all the applicable requirements outlined in subsection (2).
- 2. For a professional certificate covering grades 6 through 12:
- Meets the applicable requirements of paragraphs (2)(a)a. (h). 243
 - b. Holds a master's or higher degree in the area of science, technology, engineering, or mathematics.
 - c. Teaches a high school course in the subject of the advanced degree.
 - Is rated highly effective as determined by the teacher's performance evaluation under s. 1012.34, based in part on student performance as measured by a statewide, standardized assessment or an Advanced Placement, Advanced International Certificate of Education, or International Baccalaureate examination.
 - e. Achieves a passing score on the Florida professional education competency examination required by state board rule.
 - 3. Meets the applicable requirements of paragraphs (2)(a)-(h) and completes a professional preparation and education competence program approved by the department pursuant to paragraph (8)(c). An applicant who completes the program and is

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rated highly effective as determined by his or her performance evaluation under s. 1012.34 is not required to take or achieve a passing score on the professional education competency examination in order to be awarded a professional certificate.

- (b) The department shall issue a temporary certificate to any applicant who completes the requirements outlined in paragraphs (2)(a)-(f) and completes the subject area content requirements specified in state board rule or demonstrates mastery of subject area knowledge pursuant to subsection (5) and holds an accredited degree or a degree approved by the Department of Education at the level required for the subject area specialization in state board rule.
- (c) The department shall issue one nonrenewable 2-year temporary certificate and one nonrenewable 5-year professional certificate to a qualified applicant who holds a bachelor's degree in the area of speech-language impairment to allow for completion of a master's degree program in speech-language impairment.

Each temporary certificate is valid for 3 school fiscal years and is nonrenewable. However, the requirement in paragraph (2)(g) must be met within 1 calendar year of the date of employment under the temporary certificate. Individuals who are employed under contract at the end of the 1 calendar year time period may continue to be employed through the end of the school

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year in which they have been contracted. A school district shall
not employ, or continue the employment of, an individual in a
position for which a temporary certificate is required beyond
this time period if the individual has not met the requirement
of paragraph (2)(g). At least 1 year before an individual's
temporary certificate is set to expire, the department shall
electronically notify the individual of the date on which his or
her certificate will expire and provide a list of each method by
which the qualifications for a professional certificate can be
completed. The State Board of Education shall adopt rules to
allow the department to extend the validity period of a
temporary certificate for 2 years when the requirements for the
professional certificate, not including the requirement in
$\frac{1}{2}$ paragraph (2)(g), were not completed due to the serious illness
or injury of the applicant, the military service of an
applicant's spouse, or other extraordinary extenuating
circumstances, or if the certificateholder is rated highly
effective in the immediate prior year's performance evaluation
pursuant to s. 1012.34 or has completed a 2-year mentorship
program pursuant to s. 1012.56(8). The rules must authorize the
department to extend the validity period of a temporary
certificate for 1 year if the certificateholder is rated
effective or highly effective based solely on a student learning
growth formula approved by the Commissioner of Education
pursuant to s. $1012.34(8)$. The department shall <u>extend</u> reissue

the temporary certificate for 2 additional years upon approval
by the Commissioner of Education. A written request for
<pre>extension reissuance of the certificate shall be submitted by</pre>
the district school superintendent, the governing authority of \boldsymbol{a}
university lab school, the governing authority of a state-
supported school, or the governing authority of a private
school.

Section 18. Effective upon becoming a law, subsection (1) of section 1012.59, Florida Statutes, is amended to read:

1012.59 Certification fees.-

- (1) The State Board of Education, by rule, shall establish by rule separate fees for applications, examinations, certification, certification renewal, late renewal, recordmaking, and recordkeeping, and may establish procedures for scheduling and administering an examination upon an applicant's request. Unless otherwise specified in this subsection, each fee shall be based on department estimates of the revenue required to implement the provisions of law with respect to certification of school personnel. The application fee is shall be nonrefundable. The rule must specify an Each examination fee for the following:
 - (a) Initial registration for first-time test takers.
- (b) Retake of the full battery of subtests of an examination, if applicable. The retake fee for the full battery of subtests may not exceed the fee for the initial registration.

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335	(c) Retake for each subtest of an examination. The retake
336	fee for each subtest must be prorated based on the number of
337	subtests within the examination shall be sufficient to cover the
338	actual cost of developing and administering the examination.
339	Section 12. Section 1012.731, Florida Statutes, is amended
340	to read:
341	1012.731 The Florida best and brightest instructional
342	personnel allocation teacher Scholarship Program
343	(1) The Legislature recognizes that, second only to
344	parents, teachers play the most critical role within schools in
345	preparing students to achieve a high level of academic
346	performance. The Legislature further recognizes that research
347	has linked student outcomes to a teacher's own academic
348	achievement. Therefore, it is the intent of the Legislature to
349	designate teachers who have achieved high academic standards
350	during their own education as Florida's best and brightest
351	teacher scholars.
352	(1) (2) There is created the Florida best and brightest
353	teacher <u>allocation</u> which <u>Scholarship Program to be administered</u>
354	by the Department of Education. The scholarship program shall
355	provide categorical funding for scholarships to be awarded to
356	instructional personnel classroom teachers , as defined in s.

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level of academic achievement.

1012.01(2)(a)-(d) 1012.01(2)(a), who have demonstrated a high

	(2)	То	be	elig	gible	for	an	awaı	rd i	n the	amount	of	\$2 ,	000,
instr	uct	ciona	l pe	rsor	nnel	must	be	eval	Luate	ed as	highly	ef	fect	ive
under		. 101	2.34	in	the	scho	ol	year	imme	ediat	ely pre	ced	ing	the
year	in	whic	h th	e av	vard	is f	und	ed.						

- (3) To be eligible for an award in an amount of up to \$1,100, instructional personnel must be evaluated as effective under s. 1012.34 in the school year immediately preceding the year in which the award is funded.
- (4) A school district employee who is no longer employed as instructional personnel may receive an award if the employee was instructional personnel in the previous school year and was rated highly effective or effective.
- (3) (a) To be eligible for a scholarship in the amount of \$6,000, a classroom teacher must:
- 1. Have achieved a composite score at or above the 80th percentile on either the SAT or the ACT based on the National Percentile Ranks in effect when the classroom teacher took the assessment and have been evaluated as highly effective pursuant to s. 1012.34 in the school year immediately preceding the year in which the scholarship will be awarded, unless the classroom teacher is newly hired by the district school board and has not been evaluated pursuant to s. 1012.34.
- 2. Beginning with the 2020-2021 school year, have achieved a composite score at or above the 77th percentile or, if the classroom teacher graduated cum laude or higher with a

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baccalaureate degree, the 71st percentile on either the SAT,
ACT, GRE, LSAT, GMAT, or MCAT based on the National Percentile
Ranks in effect when the classroom teacher took the assessment;
and have been evaluated as highly effective pursuant to s.
1012.34, or have been evaluated as highly effective based on a
commissioner-approved student learning growth formula pursuant
to s. 1012.34(8), in the school year immediately preceding the
year in which the scholarship will be awarded, unless the
classroom teacher is newly hired by the district school board
and has not been evaluated pursuant to s. 1012.34.

(b)1. In order to demonstrate eligibility for an award, an

(b)1. In order to demonstrate eligibility for an award, an eligible classroom teacher must submit to the school district, no later than November 1, an official record of his or her qualifying assessment score and, beginning with the 2020-2021 school year, an official transcript demonstrating that he or she graduated cum laude or higher with a baccalaureate degree, if applicable. Once a classroom teacher is deemed eligible by the school district, the teacher shall remain eligible as long as he or she remains employed by the school district as a classroom teacher at the time of the award and receives an annual performance evaluation rating of highly effective pursuant to s. 1012.34 or is evaluated as highly effective based on a commissioner-approved student learning growth formula pursuant to s. 1012.34(8) for the 2019-2020 school year or thereafter.

408	2. A school district employee who is no longer a classroom
409	teacher may receive an award if the employee was a classroom
410	teacher in the prior school year, was rated highly effective,
411	and met the requirements of this section as a classroom teacher.
412	(c) Notwithstanding the requirements of this subsection,
413	for the 2017-2018, 2018-2019, and 2019-2020 school years, any
414	classroom teacher who:
415	1. Was evaluated as highly effective pursuant to s.
416	1012.34 in the school year immediately preceding the year in
417	which the scholarship will be awarded shall receive a
418	scholarship of \$1200, including a classroom teacher who received
419	an award pursuant to paragraph (a).
420	2. Was evaluated as effective pursuant to s. 1012.34 in
421	the school year immediately preceding the year in which the
422	scholarship will be awarded a scholarship of up to \$800. If the
423	number of eligible classroom teachers under this subparagraph
424	exceeds the total allocation, the department shall prorate the
425	per-teacher scholarship amount.
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427	This paragraph expires July 1, 2020.
428	(5) (4) Annually, by December 1, each school district shall

(a) The number of eligible instructional personnel

classroom teachers who qualify for the <u>award</u> scholarship.

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submit to the Department of Education:

(.	b)	The	name	and	ma	ster	r school	ider	ntific	ati	on number
(MSID)	of	each	scho	ool :	in '	the	district	to	which	an	eligible
instru	ctic	onal	perso	onne.	l a:	re c	classroom	tea	cher	is	assigned.

- (c) The name of the school principal of each eligible instructional personnel's classroom teacher's school if he or she has served as the school's principal for at least 2 consecutive school years including the current school year.
- (6) (5) Annually, by February 1, the department shall calculate and disburse the scholarship funds allocated to each school district for each eligible instructional personnel classroom teacher to receive an award a scholarship in accordance with this section.
- (7)(6) Annually, by April 1, each school district shall distribute the funds award the scholarship to each eligible instructional personnel classroom teacher.
- (8) (7) For purposes of this section, the term "school district" includes the Florida School for the Deaf and the Blind and charter school governing boards.
- Section 13. Section 1012.732, Florida Statutes, is amended to read:
- 1012.732 The Florida best and brightest principal allocation Scholarship Program.—
- (1) The Legislature recognizes that the most effective school principals establish a safe and supportive school environment for students and faculty. Research shows that these

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principals increase student learning by providing opportunities for the professional growth, collaboration, and autonomy that classroom teachers need to become and remain highly effective educational professionals. As a result, these principals are able to recruit and retain more of the best classroom teachers and improve student outcomes at their schools, including schools serving low-income and high-need student populations. Therefore, it is the intent of the Legislature to designate school principals whose school faculty has a high percentage of classroom teachers who are designated as Florida's best and brightest teacher scholars pursuant to s. 1012.731 as Florida's best and brightest principals.

(1) (2) There is created the Florida best and brightest principal allocation which Scholarship Program to be administered by the Department of Education. The program shall provide categorical funding for scholarships to be awarded to school principals, as defined in s. 1012.01(3)(c)1., who have recruited and retained a high percentage of best and brightest teachers.

(2) (3) A school principal identified pursuant to \underline{s} . $\underline{1012.731(5)(c)}$ s. $\underline{1012.731(4)(c)}$ is eligible to receive \underline{an} award \underline{a} schoolarship under this section if he or she has served as school principal at his or her school for at least 2 consecutive school years including the current school year and his or her school has a ratio of best and brightest $\underline{instructional}$ personnel

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identified pursuant to s. 1012.731 teachers to other
<u>instructional personnel</u> classroom teachers that is at the 80th
percentile or higher for schools within the same grade group,
statewide, including elementary schools, middle schools, high
schools, and schools with a combination of grade levels.
(3) (4) Annually, by February 1, the Department of

- (3) (4) Annually, by February 1, the Department of Education shall identify eligible school principals and calculate and disburse the funds allocated to each school district for each eligible school principal to receive an award a scholarship. An award A scholarship of \$5,000 must be awarded to every eligible school principal assigned to a Title I school and an award a scholarship of \$4,000 to every eligible school principal who is not assigned to a Title I school.
- (4)(5) Annually, by April 1, each school district must distribute funds award a scholarship to each eligible school principal.
- $\underline{(5)}$ (6) A school district must provide a best and brightest principal with the additional authority and responsibilities provided in s. 1012.28(8) for a minimum of 2 years.
- (6) (7) For purposes of this section, the term "school district" includes the Florida School for the Deaf and the Blind and charter school governing boards.

TITLE AMENDMENT

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Amendment No.

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Remove lines 161-234 and insert: under specified circumstances; creating the turnaround school supplemental services allocation; providing a purpose; providing for services that may be funded by the allocation; authorizing school districts to enter into formal agreements with certain organizations to provide specified services to students and families; requiring a school district to submit a plan to its school board before distribution of the allocation; specifying requirements for such plans; requiring each school district to annually submit approved plans to the commissioner by a specified date; specifying the basis for each school district's funding allocation; providing for a school's continued eligibility for funding; amending s. 1011.71, F.S.; conforming provisions to changes made by the act; amending s. 1012.56, F.S.; deleting obsolete language; requiring school districts to provide test support information to individuals who do not meet passing scores on any subtest of the general knowledge examination; deleting the requirement that an individual who holds a temporary certificate demonstrate mastery of general knowledge within a specified timeframe; removing the prohibition on employment for an individual who has not met specified requirements; expanding

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circumstances under which the State Board of Education is required to adopt rules to allow the department to extend the validity period of a temporary certificate; requiring the department to extend, rather than reissue, a temporary certificate in certain circumstances; amending s. 1012.59, F.S.; revising requirements for rulemaking by the state board relating to certification fees; deleting a requirement that an examination fee be sufficient to cover the actual cost of developing and administering the examination; amending s. 1012.731, F.S.; renaming the Florida Best and Brightest Teacher Scholarship Program as the Florida best and brightest instructional personnel allocation; revising eligibility criteria; revising the amount of funds distributed to an eligible instructional personnel through the allocation; conforming provisions to changes made by the act; revising a definition; amending s. 1012.732, F.S.; renaming the Florida Best and Brightest Principal Scholarship Program as the Florida best and brightest principal allocation; conforming provisions to changes made by the act; revising a definition; amending s. 1013.31, F.S.; authorizing a

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