

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Subcommittee on Education

BILL: PCS/CS/SB 934 (233914)

INTRODUCER: Appropriations Subcommittee on Education; Education Committee; and Senator Wright

SUBJECT: Education

DATE: April 9, 2021

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Westmark</u>	<u>Bouck</u>	<u>ED</u>	Fav/CS
2.	<u>Underhill</u>	<u>Elwell</u>	<u>AED</u>	Recommend: Fav/CS
3.	_____	_____	<u>AP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 934 modifies provisions related to district school boards, high-performing school districts, educator certification and nondegreed career teacher qualifications, teacher preparation programs and educator preparation institutes (EPIs), and school leadership. Specifically, the bill:

- Modifies the uniform core curricula for state-approved teacher preparation programs and EPI competency-based program requirements.
- Removes the General Knowledge Test as an admission requirement to a teacher preparation program.
- Provides that completion of an EPI may demonstrate education and successful occupational experience for nondegreed teachers of career education, and also professional preparation and education competence toward an educator certificate.
- Specifies that a master's degree or higher degree may demonstrate mastery of general knowledge toward an educator certificate.
- Authorizes an organization of private schools or a consortium of charter schools as specified to design alternative preparation programs for certified teachers to add on additional coverages to their certificate.
- Modifies the William Cecil Golden Professional Development Program for School Leaders to expand the definition of an educational leader and expand the collaborative network.
- Authorizes members of special committees and advisory committees to conduct daily business in person or through the use of telecommunications networks.
- Authorizes high-performing school districts to provide up to two days of virtual instruction as part of the required 180 actual teaching days.

The bill does not affect state expenditures or revenues.

The bill takes effect July 1, 2021.

II. Present Situation:

Educator Certification Requirements

Initial Eligibility

To be eligible to seek certification of an educator in Florida, a person must:

- Meet general eligibility criteria to ensure competence and capability to perform the duties, functions, and responsibilities as an educator, including a minimum age, an oath of loyalty, demonstration of a bachelor's or higher degree, and background screening.
- Demonstrate mastery of general knowledge if the person serves as a classroom teacher.
- Demonstrate mastery of subject area knowledge.
- Demonstrate mastery of professional preparation and education competence.¹

Mastery of General Knowledge

Acceptable means to demonstrate mastery of general knowledge to meet educator certification requirements include:

- Achievement of passing scores on the general knowledge examination required by State Board of Education (SBE) rule;
- Documentation of a valid professional standard teaching certificate issued by another state;
- Documentation of a valid certificate issued by the National Board for Professional Teaching Standards or a national educator credentialing board approved by the SBE;
- Documentation of two semesters of successful, full-time or part-time teaching in a Florida College System (FCS) institution, state university, or private college or university that awards an associate or higher degree and is an accredited institution or an institution of higher education identified by the Department of Education (DOE) as having a quality program; or
- Achievement of passing scores, identified in SBE 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.²

Mastery of Subject Area Knowledge

Acceptable means of demonstrating mastery of subject area knowledge to meet educator certification requirements include:

¹ Section 1012.56(2), F.S.

² Section 1012.56(3), F.S. 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. Section 1012.56(3)(e), F.S.

- For a subject requiring only a baccalaureate degree, a passing score on an examination specified in SBE rule,³ and may include passing scores on foreign language proficiency examinations, if applicable, or verification of the attainment of subject matter competencies;
- For a subject requiring a master's or higher degree, completion of the subject area specialization requirements specified in SBE rule and achievement of a passing score on the Florida-developed subject area examination or a standardized examination specified in SBE rule;
- Documentation of a valid professional standard teaching certificate issued by another state;
- Documentation of a valid certificate issued by the National Board for Professional Teaching Standards or a national educator credentialing board approved by the SBE;
- Documentation of successful completion of a United States Defense Language Institute Foreign Language Center program; or
- Documentation of a passing score on the Defense Language Proficiency Test.⁴

Mastery of Professional Preparation

Acceptable means of demonstrating mastery of professional preparation and education competence to meet educator certification requirements are:

- Successful completion of an approved teacher preparation program at a postsecondary educational institution within Florida and achievement of a passing score on the professional education competency examination required by SBE rule;
- Successful completion of a teacher preparation program at a postsecondary educational institution outside Florida and achievement of a passing score on the professional education competency examination required by SBE rule;
- Documentation of a valid professional standard teaching certificate issued by another state;
- Documentation of a valid certificate issued by the National Board for Professional Teaching Standards or a national educator credentialing board approved by the SBE;
- Documentation of two semesters of successful, full-time or part-time teaching in a FCS institution, state university, or private college or university that awards an associate or higher degree and is an accredited institution or an institution of higher education identified by the DOE as having a quality program and achievement of a passing score on the professional education competency examination required by SBE rule;
- Successful completion of professional preparation courses as specified in state board rule, successful completion of a specified professional preparation and education competence program, and achievement of a passing score on the professional education competency examination required by SBE rule;
- Successful completion of a specified professional development certification and education competency program; or
- Successful completion of a specified competency-based certification program and achievement of a passing score on the professional education competency examination required by rule of the SBE.⁵

³ Subject area examinations are required to be aligned to the Next Generation Sunshine State Standards. Section 1012.56(4), F.S.

⁴ Section 1012.56(5), F.S.

⁵ *Id.*

District Alternative Certification Programs

Educators who currently hold a valid Florida Temporary or Professional Certificate may be eligible to add another subject coverage or endorsement,⁶ according to subject specialization requirements outlined in SBE rule.⁷

Professional Development Certification Programs, formally known as District Alternative Certification Programs, are offered by Florida public school districts, charter schools, or charter management organizations to provide instruction for members of its instructional staff who are non-education baccalaureate or higher degree holders as specified in law,⁸ resulting in qualification for an initial Florida Professional Educator's Certificate.⁹ Certified teachers may add additional coverage through alternative preparation programs as defined in law.¹⁰ Each alternative teacher preparation program is required to be reviewed and approved by DOE to assure that persons who complete it are competent in the necessary areas of subject matter specialization.¹¹

DOE-approved district add-on programs include those offered by colleges, universities, and school districts.¹² Of the 91 providers of teacher preparation programs in Florida for 2020, 23 are districts that run their own programs.¹³

Non-degreed Teachers of Career Education

Qualifications for part-time and full-time non-degreed teachers of career programs are based primarily on successful occupational experience rather than academic training.¹⁴ The qualifications for such teachers require:

- The filing of a complete set of fingerprints as specified in law.
- Documentation of education and successful occupational experience, including:
 - A high school diploma or the equivalent.

⁶ An endorsement is a rider on a Florida certificate with a full subject coverage and denotes a particular expertise in an instructional level or methodology. Florida Department of Education, *Certificate Additions*, <https://www.fldoe.org/teaching/certification/additions/> (last visited March 3, 2021). Endorsements may include, but are not limited to, Autism Spectrum Disorders, English for Speakers of Other Languages (ESOL), Gifted, and Reading.

⁷ Florida Department of Education, *Certificate Additions*, <http://www.fldoe.org/teaching/certification/additions/> (last visited March 3, 2021). Educator certification requirements are addressed in s. 1012.56, F.S. See also Florida Department of Education, *Certificate Subjects*, <http://www.fldoe.org/teaching/certification/certificate-subjects/> (last visited March 3, 2021); Rules 6A-4.001 - 6A-4.078, F.A.C.

⁸ See s. 1012.56(8), F.S.

⁹ Florida Department of Education, *Professional Development Certification Programs*, <http://www.fldoe.org/teaching/preparation/pdcp.shtml> (last visited March 3, 2021).

¹⁰ Section 1012.575, F.S.

¹¹ Two or more school districts may jointly participate in an alternative preparation program for teachers. *Id.*

¹² See Florida Department of Education, *State-Approved Educator Preparation Programs*, <http://www.fldoe.org/teaching/preparation/initial-teacher-preparation-programs/approved-teacher-edu-programs.shtml> (last visited March 3, 2021). See also Rule 6A-5.066, F.A.C.

¹³ Sandi Jacobs, EducationCounsel, *A Summary and Analysis of Program Performance* (December 2020), available at <http://www.fldoe.org/core/fileparse.php/7502/urlt/2020FloridaTeacherPrepReport.pdf>, at 3.

¹⁴ Section 1012.39(1)(c), F.S.

- Completion of six years of full-time successful occupational experience or the equivalent of part-time experience in the teaching specialization area.¹⁵
- Completion of career education training conducted through the local school district inservice master plan.
- For full-time teachers, completion of professional education training in teaching methods, course construction, lesson planning and evaluation, and teaching special needs students.¹⁶
- Demonstration of successful teaching performance.
- Documentation of industry certification when state or national industry certifications are available and applicable.¹⁷

Teacher Preparation Programs

The SBE maintains a system for development and approval of teacher preparation programs,¹⁸ and each teacher preparation program must be approved by the DOE as specified in law.¹⁹ Continued approval of a teacher preparation program is based on evidence that the program continues to implement the requirements for initial approval and upon significant, objective, and quantifiable measures of the program and the performance of the program completers.²⁰

The SBE establishes in rule uniform core curricula for each state-approved teacher preparation program. Such rules must include, but are not limited to, the following:

- Candidate instruction and assessment in the Florida Educator Accomplished Practices across content areas.
- The use of state-adopted content standards to guide curricula and instruction.
- Scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and multisensory intervention strategies.
- Content literacy and mathematics practices.
- Strategies appropriate for the instruction of English language learners.
- Strategies appropriate for the instruction of students with disabilities.
- Strategies to differentiate instruction based on student needs.
- The use of character-based classroom management.²¹

Each teacher preparation program approved by the DOE must require students to meet, at a minimum, the following as prerequisites for admission into the program:

- Have a grade point average of at least 2.5 on a 4.0 scale in coursework and at an institution specified in law.

¹⁵ The district school board may establish alternative qualifications for teachers with an industry certification in the career area in which they teach. *Id.*

¹⁶ This training may be completed through coursework from an accredited or approved institution or an approved district teacher education program. *Id.*

¹⁷ Section 1012.39(1)(c), F.S.

¹⁸ Section 1004.04(1)(b), F.S.

¹⁹ Section 1004.04(3)(c), F.S.

²⁰ Section 1004.04(4), F.S.

²¹ Section 1004.04(2)(a)-(b), F.S.

- Demonstrate mastery of general knowledge sufficient for entry into the program, including the ability to read, write, and perform in mathematics, by passing the General Knowledge Test of the Florida Teacher Certification Examination or, for a graduate level program, obtain a baccalaureate degree from an institution that is accredited or approved pursuant to the rules of the SBE.²²

Postsecondary Educator Preparation Institutes

Educator Preparation Institutes (EPIs) provide an alternate route to teacher certification.²³ EPIs are created by a postsecondary institution or a qualified private provider and approved by the DOE.²⁴ Postsecondary institutions that are accredited or approved as described in SBE rule may seek approval from the DOE to create EPIs for the purpose of providing:

- Professional development instruction to assist teachers in improving classroom instruction and in meeting certification or recertification requirements.
- Instruction to assist potential and existing substitute teachers in performing their duties.
- Instruction to assist paraprofessionals in meeting education and training requirements.
- Instruction for baccalaureate degree holders to become certified teachers as provided in this section in order to increase routes to the classroom for mid-career professionals who hold a baccalaureate degree and college graduates who were not education majors.²⁵

Approved EPIs may offer competency-based certification programs specifically designed for non-education major baccalaureate degree holders to enable program participants to meet the educator certification requirements. The DOE is required to approve the program if the EPI includes each of the following:

- Participant instruction and assessment in the Florida Educator Accomplished Practices across content areas.
- The use of state-adopted student content standards to guide curriculum and instruction.
- Scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and multisensory intervention strategies.
- Content literacy and mathematical practices.
- Strategies appropriate for instruction of English language learners.
- Strategies appropriate for instruction of students with disabilities.
- Strategies to differentiate instruction based on student needs.
- The use of character-based classroom management.²⁶

A private provider that has a proven history of delivering high-quality teacher preparation may also seek approval to offer a competency-based certification program specifically designed for

²² Section 1004.04(3)(b), F.S.

²³ Florida Department of Education, *Educator Preparation Institutes (EPIs)*, <http://www.fldoe.org/schools/higher-ed/fl-college-system/academic-student-affairs/educator-preparation-institutes-epis/> (last visited Feb. 26, 2021).

²⁴ Section 1004.85(1), F.S.

²⁵ Section 1004.85(2)(a), F.S.

²⁶ Section 1004.85(3), F.S.

non-education major baccalaureate degree holders to enable program participants to meet educator certification requirements.²⁷

School Leadership Programs

Public accountability and state approval of school leader preparation programs are outlined in law, and their purpose is to:

- Increase the supply of effective school leaders in the public schools of this state.
- Produce school leaders who are prepared to lead the state's diverse student population in meeting high standards for academic achievement.
- Enable school leaders to facilitate the development and retention of effective and highly effective classroom teachers.
- Produce leaders with the competencies and skills necessary to achieve the state's education goals.
- Sustain the state system of school improvement and education accountability.²⁸

William Cecil Golden Professional Development Program for School Leaders

The William Cecil Golden Professional Development Program for School Leaders was established to provide high standards and sustained support for principals as instructional leaders. The program consists of a collaborative network of state and national professional leadership organizations, coordinated by DOE, to support the human-resource development needs of principals, principal leadership teams, and candidates for principal leadership positions using the framework of leadership standards adopted by the SBE, the Southern Regional Education Board, and the National Staff Development Council.²⁹

The goal of the network leadership program is to:

- Provide resources to support and enhance the principal's role as the instructional leader.
- Maintain a clearinghouse and disseminate data-supported information related to enhanced student achievement, based on educational research and best practices.
- Build the capacity to increase the quality of programs for preservice education for aspiring principals and in-service professional development for principals and principal leadership teams.
- Support best teaching and research-based instructional practices through dissemination and modeling at the preservice and in-service levels for both teachers and principals.³⁰

²⁷ Section 1004.85(2)(b), F.S.

²⁸ Section 1012.562, F.S.

²⁹ Section 1012.986, F.S.

³⁰ *Id.*

District School Board Governance

Each district school board may adopt policies and procedures necessary for the daily business operation of the district school board, including, but not limited to:

- The provision of legal services for the district school board;
- Conducting a district legislative program;
- District school board member participation at conferences, conventions, and workshops;
- District school board policy development, adoption, and repeal;
- Meeting procedures, including participation via telecommunications networks, use of technology at meetings, and presentations by nondistrict personnel;
- Citizen communications with the district school board and with individual district school board members;
- Collaboration with local government and other entities as required by law; and
- Organization of the district school board, including special committees and advisory committees.³¹

High-Performing School Districts

Florida recognizes and rewards school districts that demonstrate the ability to consistently maintain or improve their high-performing status through providing such districts with flexibility in meeting specific requirements.³²

A school district is an academically high-performing school district if it meets the following criteria:

- Earn a grade of “A” for two consecutive years;
- Has no district-operated school that earns a grade of “F”;
- Complies with all class size requirements; and
- Has no material weaknesses or instances of material noncompliance noted in the annual financial audit.³³

Specific requirements that high-performing school districts must meet include requirements pertaining to:

- The provision of services to students with disabilities;
- Civil rights and provisions relating to discrimination;
- Student health, safety, and welfare;
- The election or compensation of district school board members;
- Student assessment program and the school grading system;
- Financial matters with specified exemptions;

³¹ Section 1001.43(10), F.S.

³² Section 1003.621, F.S.

³³ In 2002, citizens approved an amendment to the Florida Constitution that set limits on the number of students in core classes in the state's public schools. Beginning with the 2010-2011 school year, the maximum number of students in each core class would be 18 students in prekindergarten through grade 3; 22 students in grades 4 through 8; and 25 students in grades 9 through 12. Florida Department of Education, *Class Size* <http://www.fldoe.org/finance/budget/class-size/> (last visited March 25, 2021), *Id.*

- Planning and budgeting;
- Public school personnel compensation and salary schedules;
- Educational facilities with specified exemptions;
- Instructional materials with specified exemptions;
- Uniform opening date of public schools; and
- Requirements specific to High-Performing School Districts.³⁴

III. Effect of Proposed Changes:

Teacher Preparation Programs

The bill modifies s. 1004.04, F.S., to add to the uniform core curricula for each state-approved teacher preparation program, strategies:

- Appropriate for the early identification of students in crisis or experiencing a mental health challenge and the referral of such student to a mental health professional for support.
- To support the use of technology in education and distance learning.

The bill makes it easier for a student to be admitted to an approved teacher preparation program. Specifically, the bill requires students to pass the General Knowledge Test by the time the student completes the program, rather than passing the test to demonstrate mastery of general knowledge as an admissions requirement to a program. However, the bill removes the option to waive admissions requirements for up to 10 percent of admitted students and provide assistance to those who receive waivers to demonstrate competencies, as well as report the status of these annually to the Department of Education (DOE).

Postsecondary Educator Preparation Institutes

The bill modifies provisions relating to educator preparation institutes (EPIs). Specifically, the bill modifies:

- Section 1004.85, F.S., related to EPIs, to:
 - Expand the purpose for which a postsecondary institution may seek DOE approval for an EPI, to include instruction and professional development for part-time and full-time non-degreed teachers of career programs.
 - Add to the requirement that if an EPI implements a competency-based program, it must include strategies appropriate for the early identification of students in crisis or experiencing a mental health challenge and the referral of such students to a mental health professional for support, and strategies to support the use of technology in education and distance learning.
 - Add an exception for EPI program participants, as provided in s. 1012.56(7)(a)3., F.S., from the requirement to achieve a passing score on the professional education competency examination before completion of an EPI program, to each fully demonstrate his or her ability to teach the subject area for which he or she is seeking certification. The bill specifies that completion of an EPI program, along with completion of general

³⁴ Section 1003.621, F.S.

- certificate, general knowledge, and subject area requirements as specified in law, meets the requirements for an educator professional certificate.
- Section 1012.39, F.S., to add completion of an EPI program approved by the State Board of Education (SBE) as a means of documenting education and successful occupational experience, in addition to completion of career education training conducted through the local school district in-service master plan.

Educator Certification and Alternative Teacher Preparation

The bill modifies s. 1012.56, F.S., relating to educator certification requirements to:

- Add, as an acceptable means of demonstrating mastery of general knowledge, documentation of receipt of a master's or higher degree from an accredited postsecondary educational institution that the DOE has identified as having a quality program resulting in a baccalaureate degree or higher.
- Add completion of an EPI approved by the DOE as an optional means to demonstrate professional preparation and education competence. Additionally, a student who meets the requirement through an EPI and is rated highly effective is not required to take or achieve a passing score on the professional education competency examination to be awarded a professional certificate.

The bill modifies s. 1012.575, F.S., relating to alternative preparation programs for certified teachers, to authorize an organization of private schools or a consortium of charter schools with an approved professional development system³⁵ to design alternative preparation programs for certified teachers to add an additional coverage to their certificates.

School Leadership Programs

The bill modifies s. 1012.986, F.S., relating to the William Cecil Golden Professional Development Program for School Leaders. Specifically, the bill:

- Expands the definition of an “educational leader” from a principal to also include teacher leaders, assistant principals, or school district leaders.
- Expands the program collaborative network to include school districts, state-approved educational leadership programs, regional consortia, and charter management organizations.
- The bill removes the Southern Regional Education Board and the National Staff Development Council as adopters of the framework of leadership standards, but retains adoption by the SBE.
- Modifies the goal of the network leadership program to:
 - Provide resources to support educational leaders.
 - Expand the information maintained by the program to specify continued enhancement of learning, civic education, coaching and mentoring, mental health awareness, technology in education, distance learning, and school safety.
 - Increase the capacity of educational leadership programs.

³⁵ An organization of private schools or consortium of charter schools which has no fewer than 10 member schools in this state, which publishes and files with the DOE copies of its standards, and the member schools of which comply with the provisions specified in law relating to compulsory school attendance, may also develop a professional development system that includes a master plan for in-service activities. The system and in-service plan must be submitted to the commissioner for approval pursuant to SBE rules. Section 1012.98(6), F.S.

- Support evidence-based leadership practices for educational leaders.
- Modifies the delivery systems by which the DOE must coordinate program components to add universities and educational leadership coaching and mentoring, and specifies that local leadership academies are educational.

District School Boards

The bill modifies s. 1001.43, F.S., relating to supplemental powers and duties of the district school board, to authorize members of special committees and advisory committees of a district school board to conduct meetings in person or through the use of telecommunications networks, such as telephonic and video conferencing. The bill specifies that such committees are not required to meet at a physical public place, and authorizes the provision of public access through the use of telecommunications technology.

High-Performing School Districts

The bill modifies s. 1003.621, F.S., relating to academically high-performing school districts, to authorize high-performing school districts to provide up to two days of virtual instruction as part of the required 180 actual teaching or the equivalent on an hourly basis each school year, and specifies that the virtual instruction must be teacher-developed and aligned with enrolled courses.

The bill takes effect July 1, 2021.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1001.43, 1003.621, 1004.04, 1004.85, 1012.39, 1012.56, 1012.575, and 1012.986.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS/CS by the Appropriations Subcommittee on Education on April 8, 2021:

The CS/CS makes the following changes:

- Authorizes members of special committees and advisory committees of a district school board to conduct meetings in person or through the use of telecommunications networks.
- Authorizes high-performing school districts to provide up to two days of virtual instruction as part of the required 180 actual teaching days.
- Adds an exception for educator preparation institute (EPI) program participants, as provided in s. 1012.56(7)(a)3., F.S., from the requirement to achieve a passing score on the professional education competency examination before completion of the EPI program, to each fully demonstrate his or her ability to teach the subject area for which he or she is seeking certification. The CS/CS specifies that completion of an EPI program, along with completion of general certificate, general knowledge, and subject area requirements as specified in law, meets the requirements for an educator professional certificate.

CS by Education on March 3, 2021:

The committee substitute:

- Adds to the requirement that if an educator preparation institute implements a competency-based program, it must include strategies appropriate for the early identification of students in crisis or experiencing a mental health challenge and the referral of such students to a mental health professional for support, and strategies to support the use of technology in education and distance learning.
- Authorizes an organization of private schools or a consortium of charter schools with an approved professional development system to design alternative preparation programs for certified teachers to add an additional coverage to their certificates.

B. Amendments:

None.