

**STORAGE NAME:** h0665s1.edk

**DATE:** March 10, 1997

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
EDUCATION K-12  
BILL ANALYSIS & ECONOMIC IMPACT STATEMENT**

**BILL #:** CS/HB 665

**RELATING TO:** Education/Teacher Certification

**SPONSOR(S):** Committee on Education K-12 and Representative Merchant

**STATUTE(S) AFFECTED:** Amends ss. 231.17, 231.24, 231.29, and 240.529, F.S.  
Repeals s. 231.172, F.S.

**COMPANION BILL(S):** S 462 (s)

**ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:**

- (1) EDUCATION K-12 YEAS 11 NAYS 0
- (2)
- (3)
- (4)
- (5)

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**I. SUMMARY:**

The bill revises the prerequisites for temporary and professional teaching certificates. Applicants will no longer have to be employed by a public school, state-supported school, or nonpublic school in order to be certified. Certificates will be issued on the basis of the applicant's qualifications rather than employment status. The bill expands the competencies required for professional certification to incorporate Educator Accomplished Practices approved by the State Board of Education. The bill eliminates several prescriptive course requirements for certification and revises conditions for reissuing temporary certificates.

The professional orientation program is eliminated as a prerequisite for professional certification. The bill establishes two district-level methods of documenting professional education competence. These programs provide a mechanism for individuals who do not have a degree in education to achieve and document professional education competence.

The bill revises certificate renewal requirements to allow the reinstatement of expired certificates. The bill eliminates renewal requirements that currently apply when an educator is not employed in an instructional position in a public or nonpublic school.

The bill requires the district assessment criteria to include the ability to communicate verbally.

The bill revises educator certification requirements and standards that teacher education programs must meet to maintain program approval. It repeals s. 231.172, F.S., which authorized alternate teacher certification programs that are no longer funded.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

**Educator Certification Requirements**

Chapter 231, F.S., governs the certification of teachers and other educators. Each person employed or occupying a position as a school supervisor, principal, teacher, library media specialist, school counselor, athletic coach, or other instructional position in a public school must be properly certified. The purpose of school personnel certification is to protect the educational interests of students, parents, and the public by assuring that teachers are professionally qualified. The chapter and related rules also allow school districts to employ certain locally qualified and non-certified instructional personnel. The chapter sets basic prerequisites for issuance of temporary and professional certificates. The State Board of Education, by rule, prescribes areas for which state certification is required and the prerequisites for each certificate and specialization area. The Department of Education (DOE) administers the certification process.

Section 231.17, F.S., establishes the following certification process:

(1) Statement of Eligibility - is issued to advise the applicant, and potential employers, that prerequisites have been satisfied and those which must be completed to qualify for a temporary or professional certificate. Each statement is valid for 2 years and may be reissued for one additional 2-year period if made while the statement is still valid or within one year after expiration.

(2) Temporary Certificate - allows applicants to teach while completing requirements for the professional certificate. The temporary certificate is a nonrenewable 2-year certificate, but may be reissued under certain circumstances. To qualify for a temporary certificate, the applicant must have a valid statement of eligibility and meet the following requirements:

- be employed by a Florida public school or state-supported or nonpublic school with an approved professional orientation program for new teachers;
- have a completed FDLE and FBI fingerprint check; and
- be qualified for the certificate, as determined by the DOE.

In addition, a person who meets all requirements for the professional certificate except passing the certification examinations, completing required professional education courses, and successfully completing the first year of the professional orientation program is issued a nonrenewable, 2-year temporary certificate.

(3) Professional Certificate - each professional certificate is valid for a period not to exceed 5 years. To obtain a professional certificate an applicant must meet the requirements for a temporary certificate and the following:

- be at least 18 years of age, of good moral character, and competent and capable of performing the duties, functions, and responsibilities of a teacher;
- hold a bachelor's degree or higher degree from an accredited college or a degree program validated according to state board rules and have a 2.5 grade point average (GPA) on a 4.0 scale in the major field of study;
- complete the course requirements for each area of specialization;
- successfully complete an approved professional orientation program; and
- demonstrate mastery of the minimum competencies.

Each applicant for initial professional certification must master minimum essential generic and specialization competencies and other criteria required by the state board. The mastery of the

minimum competencies is demonstrated on a comprehensive written examination or through other procedures required by the state board. The competencies include, but are not limited to, the abilities to write, read and comprehend professional and other written material; work with mathematical concepts; and recognize specific student behavior patterns and needs.

The State Board of Education rules specify the minimum essential generic and subject matter competencies that must be demonstrated by written examination and other means. The state board designates the certification areas for which subject area tests are developed.

The state board must adopt rules regarding the circumstances under which an applicant may renew a certificate. Several specific circumstances are required by s. 231.17((2), F.S. For example, an extension of a temporary certificate is granted for an applicant who was employed less than 99 days during the first year of teaching.

The Commissioner of Education, with the approval of the state board, may assign the responsibility for printing, administering, scoring, and analysis of the required written tests for certification to a university in the state system.

The professional orientation program, required for a professional certification, is a 3-year, district-level program for developing professional skills and competencies through individualized mentoring and assistance. (s. 231.17(3), F.S.) The first year of the program is mandatory for beginning teachers. The optional second and third years may offer continued development for beginning teachers or for any teacher with identified skill development needs.

#### **Renewal of Professional Certificates**

Section 231.24, F.S., governs the process for renewing professional certificates. The school districts renew state-issued professional certificates for individuals who are employed by that district and the DOE renews state-issued professional certificates for individuals who are not employed by a school board in Florida. All professional certificates, with the exception of nonrenewable professional certificates, are renewable for successive periods not to exceed 5 years.

A 1-year extension of a professional certificate for extenuating circumstances may be granted upon written request of the superintendent or the governing authority of a school that has an approved professional orientation program.

#### **Educator Preparation**

The Florida Education Standards Commission (ESC) makes recommendations to the Legislature and the State Board of Education regarding teacher preparation standards, certification, and professional practice. At the direction of the Legislature, the ESC developed and recommended standards for approving teacher education programs and "Educator Accomplished Practices" that should be demonstrated at the pre-professional, professional, and accomplished levels. The ESC recommended that students be required to achieve the pre-professional competencies before completing a pre-service, teacher education program. The Educator Accomplished Practices include, and expand on, the minimum competencies that are now demonstrated through the professional orientation program and written certification examinations. In November, 1996, the state board approved the recommended program approval standards and the Educator Accomplished Practices. The board has not adopted implementation rules. Five universities have begun piloting methods for students to demonstrate the pre-professional accomplished practices prior to graduation.

#### **The Alternate Preparation Program for Teachers**

Section 231.172, F.S., establishes an alternate preparation program for the purpose of preparing individuals who have not completed a professional preparation program for teachers to teach in

the schools of Florida, particularly in areas of critical shortage. Prior to admission into the program, each participant must meet the requirements for a 2-year nonrenewable temporary certificate.

**Teacher Assessment Procedures and Criteria**

Section 231.29, F.S., requires the superintendent to establish procedures for assessing the performance of duties and responsibilities of all instructional, administrative, and supervisory personnel employed in his or her district. A complete statement of the assessment criteria must include, but not be limited to, observable indicators that relate to the following:

- ability to use appropriate classroom management techniques, including ability to maintain appropriate discipline.
- knowledge of subject matter.
- ability to plan and deliver instruction.
- ability to evaluate instructional needs.
- other professional competencies, responsibilities, and requirements as determined by the local district.

**B. EFFECT OF PROPOSED CHANGES:**

**Educator Certification**

The bill revises the prerequisites for issuing temporary and professional certificates. Applicants will no longer have to be employed by a public school, state-sponsored school, or nonpublic school in order to be certified as an educator. Certificates will be issued on the basis of the applicant's qualifications rather than employment status.

Many of the previous requirements for the professional certificate are now statutorily required for the temporary certificate. This codifies existing State Board of Education rules.

The bill eliminates several prescriptive course requirements for certification. Applicants will no longer have to complete 30 semester hours in the area of specialization, but must still pass subject area tests and satisfy course requirements set by state board rule for each area of specialization.

The bill establishes four additional minimum competencies for a certificate. The following additional competencies include the Educator Accomplished Practices that students should achieve before graduating from a pre-service, teacher education program. An applicant must:

- use appropriate technology in teaching and learning processes;
- use assessment strategies to assist the continuous development of the learner;
- use teaching and learning strategies that include consideration of each student's culture, learning styles, special needs, and socioeconomic background; and
- demonstrate knowledge and understanding of the subject matter that is aligned with the subject knowledge and skills specified in the student performance standards approved by the state board.

The bill deletes the requirement for college credit in normal child development and disorders of development. Instead, applicants must demonstrate knowledge, required in the minimum competencies, in these areas to be certified.

The bill clarifies that the two additional 2-year temporary certificates are to be issued to language arts teachers who are teaching students with limited English proficiency and who must complete 15 semester hours for the ESOL Endorsement in addition to completing the 20 semester hours in professional education preparation. The bill also permits the DOE to reissue one additional 2-year temporary certificate to an applicant who is completing college credits to satisfy the professional education requirements for certification.

The bill eliminates the professional orientation program as a prerequisite for a professional certificate. It establishes two district-level methods of documenting professional education competence required for receipt of a professional certificate. The first method is optional and the second is required.

- Each school district *may* develop and maintain an alternative certification program for the district's instructional staff. The state board must set program standards and guidelines. Each participant must be assessed by the district to determine entry-level teaching competencies and must have expertise in the subject and meet requirements for specialization in a subject area for which a professional certificate may be issued. Participants must complete training only in competency areas in which they are deficient and must demonstrate mastery of professional education competence within 2 years of initial employment.
- Each district *must* develop and maintain a system for the district's instructional staff to document professional education competence. All district instructional staff hired on or after July 1, 1997, must demonstrate mastery within the first year of employment, unless they have completed an approved teacher education program in this state; completed a teacher education program and at least 2 years of successful full-time teaching experience in another state; or are participating in the district's alternative certification program. The bill allows for the use of educational training funds for this program.

The DOE must approve programs and systems developed to demonstrate professional education competence under this subsection.

The bill permits the Commissioner of Education to contract for developing, printing, administering, scoring, and analysis of the written certification examinations. If the Commissioner exercises this option, the contract could be awarded to public and/or private providers. The state universities that currently fulfill these responsibilities, the University of Florida and the University of South Florida, could respond to the request for proposals.

#### **Renewal of Professional Certificates**

The bill indefinitely extends the acceptance of training in drug abuse, child abuse, and ESOL strategies for renewal of the professional certificate.

The bill removes the "inactive" status of the renewed certificate and completion of the professional orientation program for those not employed in a Florida public school within the last five years.

The bill revises the certificate renewal requirements. The certified educator, rather than the employer, may request an extension of the certificate for extenuating circumstances. The same renewal criteria will apply to all certified educators. The bill eliminates current requirements that relate to an educator who is not employed in an instructional position in a public or nonpublic school.

Certificate renewal requirements are revised to allow the reinstatement of expired certificates. The department may reinstate an expired professional certificate within 3 years after the date of expiration if the certificate holder:

- submits an application;
- completes 6 college credits during the 5 years immediately preceding reinstatement, completes 120 inservice points, or a combination of the two; and
- achieves a passing score on the subject area test during the 5 years immediately preceding reinstatement.

The requirements for reinstatement cannot be satisfied by subject-area tests or college credits completed for issuance of the certificate that has expired.

**Educator Preparation**

The standards for initial and continued approval of teacher education programs are revised to incorporate the Educator Accomplished Practices and to delete references to the professional orientation program. Continued program approval will be based on graduates' performance on the written certification examinations and the approval standards recommended by the ESC and approved by the state board. The bill requires the postsecondary institutions to share responsibility for collecting data on graduate outcomes. The bill also makes several technical changes to this statute.

**The Alternate Preparation Program for Teachers**

The bill repeals s. 231.172, F.S., which establishes an alternate preparation program. The program is no longer funded.

**Teacher Assessment Procedures and Criteria**

The bill requires the district assessment criteria to include the ability to communicate verbally.

**C. APPLICATION OF PRINCIPLES: GENERALLY:**

**1. Less Government:**

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

*The bill reduces some of the prescriptive requirements for educator certification.*

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

*The bill would enable qualified individuals to become educators without having to meet all the prescriptive requirements formerly imposed.*

(3) any entitlement to a government service or benefit?

*No.*

b. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

*The bill eliminates the professional orientation program as a prerequisite for professional certification and establishes district-level methods of documenting professional education competence.*

(2) what is the cost of such responsibility at the new level/agency?

*Eliminating the professional orientation program may reduce district costs, but the districts must maintain a system for documentation of professional competence within the first year of employment.*

(3) how is the new agency accountable to the people governed?

*The new system of documenting professional competence should continue to ensure that professional educators are competent while enhancing the numbers of available professional educators.*

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

*No.*

b. Does the bill require or authorize an increase in any fees?

*No.*

c. Does the bill reduce total taxes, both rates and revenues?

*No.*

d. Does the bill reduce total fees, both rates and revenues?

*No.*

e. Does the bill authorize any fee or tax increase by any local government?

*No.*

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

*No.*

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

*Persons wishing to become professional educators under the new system must comply with all requirements.*

4. Individual Freedom:

a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

*Yes. The bill opens new options for qualified persons to become professional educators.*

b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

*No.*

5. Family Empowerment:

a. If the bill purports to provide services to families or children:

(1) Who evaluates the family's needs?

*Not applicable.*

(2) Who makes the decisions?

*Not applicable.*

(3) Are private alternatives permitted?

*Not applicable.*

(4) Are families required to participate in a program?

*No.*

(5) Are families penalized for not participating in a program?

*No.*

b. Does the bill directly affect the legal rights and obligations between family members?

*No.*

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

*Not applicable.*

(2) service providers?

*Not applicable.*

(3) government employees/agencies?

*Not applicable.*

ACADEMIC EXCELLENCE COUNCIL'S ADDITIONAL CONSIDERATIONS:

1. Does it improve instruction?



*Yes, by enhancing availability of qualified professionals to become educators, the bill should improve the variety and quality of instruction. In addition, the bill adds four new minimum competencies required for educator certification, each of which is designed to improve instruction.*

2. Does it allow teachers to teach?

*Yes, see 1., above.*

3. Does it improve student character?

*Yes, by providing for student exposure to a more diverse pool of talented educational professionals, the bill should have a positive effect on student character. Additionally, new minimum competencies required by the bill include assessment strategies to assist continuous student learning development, subject matter knowledge and skills aligned with student performance standards, and consideration of the unique learning needs of each student.*

4. Does it prepare our students to be a part of the 21st century workforce?

*Yes, students should be better prepared through being taught by a variety of talented professionals with diverse educational backgrounds.*

5. Does it empower parents to make decisions?

*Not applicable.*

6. Does it create educational options?

*Yes, see 3. and 4., above.*

7. Does it create an environment where students can learn?

*Yes, see 3. and 4., above.*

**D. SECTION-BY-SECTION ANALYSIS:**

- Section 1: Amends s. 231.17, F.S., relating to official statements of eligibility and certificates granted on application to those meeting prescribed requirements, revising the prerequisites for temporary and professional teaching certificates, expanding the competencies required for professional certification, revising conditions for reissuing temporary certificates, revising conditions for reissuing temporary certificates, deleting the professional orientation program, and establishing two district-level methods of documenting professional education competence.
- Section 2: Amends s. 231.24, F.S., relating to the process for renewal of professional certificates, revising the certificate renewal requirements to allow the reinstatement of expired certificates, and removing the current renewal requirements that apply when an educator is not employed in an instructional position in a public or nonpublic school.
- Section 3: Amends s. 231.29, F.S., relating to assessment procedures and criteria, requiring the district assessment criteria to include the ability to communicate verbally.
- Section 4: Amends s. 240.529, F.S., relating to public accountability and state approval for teacher preparation programs, revising educator certification requirements and

standards that teacher education programs must meet to maintain program approval.

Section 5: Repeals s. 231.172, F.S., relating to alternate preparation program for teachers.

Section 6: Provides an effective date of July 1, 1997.

**III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:**

**A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:**

1. Non-recurring Effects:

None.

2. Recurring Effects:

See fiscal comments.

3. Long Run Effects Other Than Normal Growth:

See fiscal comments.

4. Total Revenues and Expenditures:

See fiscal comments.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:**

1. Non-recurring Effects:

None.

2. Recurring Effects:

See fiscal comments.

3. Long Run Effects Other Than Normal Growth:

See fiscal comments.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

District instructional employees who participate in an alternative certification program may avoid the cost of taking college courses to satisfy the professional education requirements for certification.

3. Effects on Competition, Private Enterprise and Employment Markets:

None.

**D. FISCAL COMMENTS:**

Eliminating the professional orientation program may reduce district costs; however, each district must develop and maintain a system to allow instructional employees to document professional education competence within the first year of employment. Districts will not have to provide this program to employees who are graduates of Florida's approved teacher education programs or experienced out-of-state teachers who have completed a teacher education program in another state.

The University of Florida and the University of South Florida could be negatively impacted if their current responsibilities for teacher certification examinations are awarded to another public or private provider.

**IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:**

**A. APPLICABILITY OF THE MANDATES PROVISION:**

*This bill does not require counties or municipalities to expend funds or to take an action requiring the expenditure of funds.*

**B. REDUCTION OF REVENUE RAISING AUTHORITY:**

*This bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.*

**C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:**

*This bill does not reduce the percentage of a state tax shared with counties or municipalities.*

**V. COMMENTS:**

**VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:**

On March 10, 1997, HB 665 was reported favorably with 1 strike everything amendment incorporating technical changes and requiring the district assessment criteria to include the ability to communicate verbally.

**VII. SIGNATURES:**

COMMITTEE ON EDUCATION K-12:

Prepared by:

Legislative Research Director:

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