

1                                   A bill to be entitled  
2           An act relating to education; amending s.  
3           228.041, F.S.; revising the definition of  
4           "other instructional staff" to include adjunct  
5           educators; amending s. 230.23, F.S.; deleting  
6           provisions relating to salary supplements  
7           provided to teachers selected to teach at  
8           certain low-performing schools; requiring a  
9           review by the principal prior to reassigning a  
10          teacher; amending s. 231.096, F.S.; requiring  
11          assistance in accessing resources for teachers  
12          teaching out-of-field; amending s. 231.15,  
13          F.S.; deleting provision of part-time  
14          certificate for athletic coach; authorizing an  
15          athletic coaching certificate for full-time and  
16          part-time positions; amending s. 231.17, F.S.;  
17          authorizing continued employment under  
18          specified circumstances; authorizing the use of  
19          an approved alternative certification program  
20          by a school district other than the school  
21          district that developed the program, upon  
22          notification to the department and approval of  
23          any modifications; creating s. 231.1726, F.S.;  
24          providing for certification of adjunct  
25          educators; amending s. 231.36, F.S.; including  
26          adjunct educators in provisions relating to  
27          contracts with instructional staff; requiring a  
28          school board, subject to applicable collective  
29          bargaining requirements, to recognize and  
30          accept years of satisfactory performance for  
31          purposes of pay; providing an exemption;

1 amending s. 231.625, F.S.; requiring the  
2 Department of Education to perform specified  
3 activities to improve teacher recruitment and  
4 retention; amending s. 231.6135, F.S.;  
5 exempting regional educational consortia from  
6 certain requirements to become eligible for  
7 grants to create professional development  
8 academies; amending s. 231.700, F.S.; revising  
9 the Florida Mentor Teacher School Pilot Program  
10 to conform terminology; clarifying requirements  
11 for mentor teachers; amending s. 236.08106,  
12 F.S.; clarifying requirements relating to the  
13 amount of required mentoring or related  
14 services for receipt of an Excellent Teaching  
15 Program bonus; amending ss. 230.2305, 231.045,  
16 231.1725, 231.471, 232.435, F.S., relating to  
17 standards for staff of prekindergarten early  
18 intervention programs, periodic criminal  
19 history record checks, and employment of  
20 specified teachers, part-time teachers, and  
21 athletic trainers; revising provisions to  
22 include adjunct educators; providing an  
23 effective date.

24  
25 Be It Enacted by the Legislature of the State of Florida:

26  
27 Section 1. Paragraph (d) of subsection (9) of section  
28 228.041, Florida Statutes, is amended to read:

29 228.041 Definitions.--Specific definitions shall be as  
30 follows, and wherever such defined words or terms are used in  
31 the Florida School Code, they shall be used as follows:

1           (9) INSTRUCTIONAL PERSONNEL.--"Instructional  
2 personnel" means any staff member whose function includes the  
3 provision of direct instructional services to students.  
4 Instructional personnel also includes personnel whose  
5 functions provide direct support in the learning process of  
6 students. Included in the classification of instructional  
7 personnel are:

8           (d) Other instructional staff.--Other instructional  
9 staff are staff members who are part of the instructional  
10 staff but are not classified in one of the categories  
11 specified in paragraphs (a)-(c). Included in this  
12 classification are primary specialists, learning resource  
13 specialists, instructional trainers, adjunct educators  
14 certified pursuant to s. 231.1726, and similar positions.

15           Section 2. Paragraph (a) of subsection (5) and  
16 paragraph (c) of subsection (16) of section 230.23, Florida  
17 Statutes, are amended to read:

18           230.23 Powers and duties of school board.--The school  
19 board, acting as a board, shall exercise all powers and  
20 perform all duties listed below:

21           (5) PERSONNEL.--Designate positions to be filled,  
22 prescribe qualifications for those positions, and provide for  
23 the appointment, compensation, promotion, suspension, and  
24 dismissal of employees as follows, subject to the requirements  
25 of chapter 231:

26           (a) Positions, qualifications, and appointments.--Act  
27 upon written recommendations submitted by the superintendent  
28 of schools for positions to be filled and for minimum  
29 qualifications for personnel for the various positions and act  
30 upon written nominations of persons to fill such positions.  
31 The superintendent of schools' recommendations for filling

1 instructional ~~institutional~~ positions at the school level must  
2 consider nominations received from school principals of the  
3 respective schools. Before transferring a teacher who holds a  
4 professional teaching certificate from one school to another,  
5 the superintendent shall consult with the principal of the  
6 receiving school and allow the principal to review the  
7 teacher's records and interview the teacher. If, in the  
8 judgment of the principal, students would not benefit from the  
9 placement, an alternative placement may be sought.The  
10 district school board may reject for good cause any employee  
11 nominated. If the third nomination by the superintendent of  
12 schools for any position is rejected for good cause, if the  
13 superintendent of schools fails to submit a nomination for  
14 initial employment within a reasonable time as prescribed by  
15 the district school board, or if the superintendent of schools  
16 fails to submit a nomination for reemployment within the time  
17 prescribed by law, the district school board may proceed on  
18 its own motion to fill such position. The district school  
19 board's decision to reject a person's nomination does not give  
20 that person a right of action to sue over the rejection and  
21 may not be used as a cause of action by the nominated  
22 employee.

23 (16) IMPLEMENT SCHOOL IMPROVEMENT AND  
24 ACCOUNTABILITY.--Maintain a system of school improvement and  
25 education accountability as provided by statute and State  
26 Board of Education rule. This system of school improvement and  
27 education accountability shall be consistent with, and  
28 implemented through, the district's continuing system of  
29 planning and budgeting required by this section and ss.  
30 229.555 and 237.041. This system of school improvement and  
31

1 education accountability shall include, but is not limited to,  
2 the following:

3 (c) Assistance and intervention.--

4 1. Develop a 2-year plan of increasing individualized  
5 assistance and intervention for each school in danger of not  
6 meeting state standards or making adequate progress, as  
7 defined pursuant to statute and State Board of Education rule,  
8 toward meeting the goals and standards of its approved school  
9 improvement plan.

10 2. A school that is identified as being in performance  
11 grade category "D" pursuant to s. 229.57 is in danger of  
12 failing and must be provided assistance and intervention.

13 ~~3.a.~~ Each district school board shall develop a plan  
14 to encourage teachers with demonstrated mastery in improving  
15 student performance to remain at or transfer to a school  
16 designated as performance grade category "D" or "F" or to an  
17 alternative school that serves disruptive or violent youths.  
18 If a classroom teacher, as defined by s. 228.041(9)(a), who  
19 meets the definition of teaching mastery developed according  
20 to the provisions of this paragraph, requests assignment to a  
21 school designated as performance grade category "D" or "F" or  
22 to an alternative school that serves disruptive or violent  
23 youths, the district school board shall make every practical  
24 effort to grant the request.

25 ~~b. For initial implementation in 2000-2001 and until~~  
26 ~~full implementation of an annual assessment of learning gains,~~  
27 ~~a classroom teacher who is selected by the school principal~~  
28 ~~based on his or her performance appraisal and student~~  
29 ~~achievement data to teach at a school designated as~~  
30 ~~performance grade category "D" or "F" or at an alternative~~  
31 ~~that serves disruptive or violent youths shall receive a~~

1 ~~supplement of at least \$1,000, not to exceed \$3,500, as~~  
2 ~~provided for annually in the General Appropriations Act, each~~  
3 ~~year he or she teaches at a school designated as performance~~  
4 ~~grade category "D" or "F" or at an alternative school that~~  
5 ~~serves disruptive or violent youths.~~

6 ~~c. Beginning with the full implementation of an annual~~  
7 ~~assessment of learning gains, a classroom teacher whose~~  
8 ~~effectiveness has been proven based upon positive learning~~  
9 ~~gains of his or her students as measured by annual FCAT~~  
10 ~~assessments pursuant to s. 229.57, is eligible for an annual~~  
11 ~~supplement of at least \$1,000, not to exceed \$3,500, as~~  
12 ~~provided for annually in the General Appropriations Act, each~~  
13 ~~year he or she teaches at a school designated as performance~~  
14 ~~grade category "D" or "F" or at an alternative school that~~  
15 ~~serves disruptive or violent youths.~~

16 ~~d. In the absence of an FCAT assessment, measurement~~  
17 ~~of learning gains of students shall be as provided in s.~~  
18 ~~229.57(12). The supplement received under this paragraph shall~~  
19 ~~be in addition to any supplement or bonus received as a result~~  
20 ~~of other local or state pay incentives based on performance.~~

21 ~~e. The Commissioner of Education shall adopt rules to~~  
22 ~~determine the measures that define "teaching mastery" for~~  
23 ~~purposes of this subparagraph.~~

24 4. District school boards are encouraged to prioritize  
25 the expenditures of funds received from the supplemental  
26 academic instruction categorical fund under s. 236.08104 to  
27 improve student performance in schools that receive a  
28 performance grade category designation of "D" or "F."

29 Section 3. Section 231.096, Florida Statutes, is  
30 amended to read:

31

1           231.096 Teacher teaching out-of-field;  
2 assistance.--Each district school board shall adopt and  
3 implement a plan to assist any teacher teaching out-of-field,  
4 and priority consideration in professional development  
5 activities shall be given to teachers who are teaching  
6 out-of-field. The district school board shall require that  
7 such teachers participate in a certification or staff  
8 development program designed to provide the teacher with the  
9 competencies required for the assigned duties. The  
10 board-approved assistance plan must include duties of  
11 administrative personnel and other instructional personnel to  
12 provide students with high-quality instructional services.  
13 Each district school board shall contact its regional  
14 workforce board, created pursuant to s. 445.007, to identify  
15 and access resources that may assist teachers who are teaching  
16 out-of-field and who are pursuing certification.

17           Section 4. Subsection (2) of section 231.15, Florida  
18 Statutes, is amended to read:

19           231.15 Positions for which certificates required.--

20           (2) Each person who is employed and renders service as  
21 an athletic coach in any public school in any district of this  
22 state shall hold a valid ~~part-time, temporary, or professional~~  
23 certificate, or an athletic coaching certificate. The athletic  
24 coaching certificate may be used for either part-time or  
25 full-time positions. The provisions of this subsection do not  
26 apply to any athletic coach who voluntarily renders service  
27 and who is not employed by any public school district of this  
28 state.

29           Section 5. Subsection (6) and paragraph (b) of  
30 subsection (7) of section 231.17, Florida Statutes, are  
31 amended to read:

1 231.17 Teacher certification requirements.--

2 (6) TYPES AND TERMS OF CERTIFICATION.--

3 (a) The Department of Education shall issue a  
4 professional certificate for a period not to exceed 5 years to  
5 any applicant who meets all the requirements outlined in  
6 subsection (2).

7 (b) The department shall issue a temporary certificate  
8 to any applicant who completes the requirements outlined in  
9 paragraphs (2)(a)-(f) and:

10 1. Until July 1, 2002, completes the subject area  
11 content requirements specified in state board rule.

12 2. Beginning July 1, 2002, completes the subject area  
13 content requirements specified in state board rule or achieves  
14 a passing score on the subject area examinations required by  
15 state board rule.

16 (c) The department shall issue one nonrenewable 2-year  
17 temporary certificate and one nonrenewable 5-year professional  
18 certificate to a qualified applicant who holds a bachelor's  
19 degree in the area of speech-language impairment to allow for  
20 completion of a master's degree program in speech-language  
21 impairment.

22

23 Each temporary certificate is valid for 3 school fiscal years  
24 and is nonrenewable. However, the requirement in paragraph  
25 (2)(g) must be met within 1 calendar year of the date of  
26 employment under the temporary certificate. Individuals who  
27 are employed under contract at the end of the 1 calendar year  
28 time period may continue to be employed through the end of the  
29 year in which they have been contracted.A school district  
30 shall not employ, or continue the employment of, an individual  
31 in a position for which a temporary certificate is required



1 beyond this ~~the 1 calendar year~~ time period for satisfying who  
2 ~~has not met~~ the requirement of paragraph (2)(g). However, the  
3 school district may continue to employ an individual who has  
4 not met the requirement of paragraph (2)(g) as a substitute  
5 teacher, pursuant to ss. 231.1725 and 231.47. If an individual  
6 has completed the requirements in paragraph (2)(g), except the  
7 demonstration of general knowledge of mathematics, that person  
8 may continue employment as a teacher for the 3 years during  
9 which the temporary certificate is valid, if the teacher does  
10 not teach mathematics above the 4th-grade level and the  
11 teacher is enrolled in a state-approved program designed to  
12 improve mathematics skills. If the teacher has not completed  
13 the mathematics requirement after 3 school years, the school  
14 district may not continue to employ him or her in a position  
15 for which a temporary certificate is required.The State Board  
16 of Education shall adopt rules to allow the department to  
17 extend the validity period of a temporary certificate for 2  
18 years when the requirements for the professional certificate,  
19 not including the requirement in paragraph (2)(g), were not  
20 completed due to the serious illness or injury of the  
21 applicant or other extraordinary extenuating circumstances.  
22 The department shall reissue the temporary certificate for 2  
23 additional years upon approval by the Commissioner of  
24 Education. A written request for reissuance of the certificate  
25 shall be submitted by the superintendent of schools, the  
26 governing authority of a developmental research school, the  
27 governing authority of a state-supported school, or the  
28 governing authority of a nonpublic school.

29 (7) PROFESSIONAL PREPARATION AND EDUCATION COMPETENCY  
30 PROGRAM.--

31

1           (b) Until July 1, 2002, each school district may use  
2 ~~develop and maintain~~ an alternative certification program by  
3 which members of the district's instructional staff may  
4 satisfy the professional education course requirements  
5 specified in rules of the state board for issuance of a  
6 professional certificate. The state board must adopt, by rule,  
7 standards and guidelines for the approval of alternative  
8 certification programs. Any program approved for use in a  
9 school district may be adopted and implemented by a school  
10 district other than the school district that developed the  
11 program. A district school board choosing to adopt an  
12 alternative certification program approved for another school  
13 district shall provide written notification of such action to  
14 the department. However, any modifications to an approved  
15 program shall be submitted to the department for approval.  
16 Each approved program must include methods for identifying  
17 each applicant's entry-level teaching competencies and must  
18 require each applicant to:

- 19           1. Have expertise in the subject and meet requirements  
20 for specialization in a subject area for which a professional  
21 certificate may be issued under this chapter and rules of the  
22 state board.
- 23           2. Complete training in only those competency areas in  
24 which deficiencies are identified.
- 25           3. Complete the program within 2 years after initial  
26 employment as a member of the district's instructional staff.
- 27           4. Achieve passing scores on the professional  
28 education competency examination required by state board rule.

29  
30 Each district school board may expend educational training  
31 funds provided under ss. 231.600 and 236.081 to implement the

1 provisions of this paragraph. The department must approve  
2 programs and systems developed to demonstrate professional  
3 preparation and education competence authorized by this  
4 paragraph.

5 Section 6. Section 231.1726, Florida Statutes, is  
6 created to read:

7 231.1726 Certification of adjunct educators.--

8 (1) Notwithstanding the provisions of ss. 231.02,  
9 231.15, and 231.17, or any other provision of law or rule to  
10 the contrary, district school boards may issue an adjunct  
11 teaching certificate to any applicant who fulfills the  
12 requirements of s. 231.17(2)(a)-(f) and who has expertise, as  
13 determined by district school board policy, in the subject  
14 area to be taught. An applicant shall be considered to have  
15 expertise in the subject area to be taught if the applicant  
16 has at least a minor in the subject area or demonstrates  
17 sufficient subject area mastery, as determined by school board  
18 policy. The adjunct teaching certificate shall be used for  
19 part-time teaching positions. District school boards shall  
20 assign a peer teacher to assist the adjunct teaching  
21 certificateholder during the certificateholder's first year of  
22 teaching. District school boards shall provide the adjunct  
23 teaching certificateholder an orientation in classroom  
24 management prior to assigning the certificateholder to a  
25 school. Each adjunct teaching certificate is valid for 5  
26 school years and is renewable if:

27 (a) The applicant completes a minimum of 60 inservice  
28 points or 3 semester hours of college credit. The earned  
29 credits must include instruction in classroom management,  
30 district school board procedures, school culture, and other  
31

1 activities that enhance the professional teaching skills of  
2 the certificateholder.

3 (b) The applicant has received satisfactory  
4 performance evaluations during each year of teaching under  
5 adjunct teaching certification.

6 (2) Individuals who are certified and employed  
7 pursuant to this section shall have the same rights and  
8 protection of laws as teachers certified pursuant to s.  
9 231.17.

10 Section 7. Paragraph (a) of subsection (1) of section  
11 231.36, Florida Statutes, is amended, and paragraph (g) is  
12 added to subsection (3) of that section, to read:

13 231.36 Contracts with instructional staff,  
14 supervisors, and principals.--

15 (1)(a) Each person employed as a member of the  
16 instructional staff in any district school system shall be  
17 properly certificated pursuant to s. 231.17 or s. 231.1726 or  
18 employed pursuant to s. 231.1725 and shall be entitled to and  
19 shall receive a written contract as specified in chapter 230.  
20 All such contracts, except continuing contracts as specified  
21 in subsection (4), shall contain provisions for dismissal  
22 during the term of the contract only for just cause. Just  
23 cause includes, but is not limited to, the following  
24 instances, as defined by rule of the State Board of Education:  
25 misconduct in office, incompetency, gross insubordination,  
26 willful neglect of duty, or conviction of a crime involving  
27 moral turpitude.

28 (3)

29 (g) Beginning July 1, 2001, for each employee who  
30 enters into a written contract, pursuant to this section, in a  
31 school district in which the employee was not employed as of

1 June 30, 2001, for purposes of pay, a school board must  
2 recognize and accept each year of full-time teaching service  
3 for which the employee received a satisfactory performance  
4 evaluation. This provision is not intended to interfere with  
5 the operation of a collective bargaining agreement except to  
6 the extent it requires the agreement to treat years of  
7 teaching experience out of the district the same as years of  
8 teaching experience within the district. Instructional  
9 personnel employed pursuant to s. 121.091(9)(b)3. are exempt  
10 from this paragraph.

11 Section 8. Subsection (2) of section 231.625, Florida  
12 Statutes, is amended to read:

13 231.625 Teacher recruitment and retention.--

14 (2) The Department of Education shall:

15 (a) Develop and implement a system for posting  
16 teaching vacancies and establish a database of teacher  
17 applicants that is accessible within and outside the state  
18 ~~Advertise teacher positions in targeted states.~~

19 (b) Advertise in major newspapers, national  
20 professional publications, and other professional publications  
21 and in schools of education.

22 (c) Utilize state and nationwide toll-free numbers.

23 ~~(d) Develop standardized resumes for teacher applicant~~  
24 ~~data.~~

25 (d)(e) Conduct periodic communications with district  
26 personnel directors regarding applicants.

27 (e)(f) Provide district access to the applicant  
28 database by computer or telephone.

29 (f)(g) Develop and distribute promotional materials  
30 related to teaching as a career.

31

1            ~~(g)(h)~~ Publish and distribute information pertaining  
2 to employment opportunities, application procedures, teacher  
3 certification, and teacher salaries.

4            ~~(h)(i)~~ Provide information related to certification  
5 procedures.

6            ~~(i)(j)~~ Develop and sponsor the Florida Future Educator  
7 of America Program throughout the state.

8            (j) Develop a long-range plan for educator recruitment  
9 and retention.

10           (k) Identify best practices for retaining high-quality  
11 teachers ~~Review and recommend to the Legislature and school~~  
12 ~~districts incentives for attracting teachers to this state.~~

13           (l) Conduct quarterly communications with Workforce  
14 Florida, Inc., and regional workforce boards, created pursuant  
15 to ss. 445.004 and 445.007, respectively, to access available  
16 federal, state, and local resources to improve teacher  
17 recruitment and retention.

18           (m) Seek waivers or reductions in matching  
19 contributions that may be required of district school boards  
20 to access workforce funding.

21           Section 9. Subsections (5) and (6) of section  
22 231.6135, Florida Statutes, are amended to read:

23           231.6135 Statewide system for inservice professional  
24 development.--The intent of this section is to establish a  
25 statewide system of professional development that provides a  
26 wide range of targeted inservice training to teachers,  
27 managers, and administrative personnel designed to upgrade  
28 skills and knowledge needed to reach world class standards in  
29 education. The system shall consist of a network of  
30 professional development academies in each region of the state  
31 that are operated in partnership with area business partners

1 to develop and deliver high-quality training programs  
2 purchased by school districts. The academies shall be  
3 established to meet the human resource development needs of  
4 professional educators, schools, and school districts. Funds  
5 appropriated for the initiation of professional development  
6 academies shall be allocated by the Commissioner of Education,  
7 unless otherwise provided in an appropriations act. To be  
8 eligible for startup funds, the academy must:

9 (5) Be operated under contract with its public  
10 partners and governed by an independent board of directors,  
11 which should include at least one superintendent of schools  
12 and one district school board chair from the participating  
13 school districts, the president of the collective bargaining  
14 unit that represents the majority of the region's teachers,  
15 and at least three individuals who are not employees or  
16 elected or appointed officials of the participating school  
17 districts. Regional educational consortia as defined in s.  
18 228.0857 satisfy the requirements of this subsection.

19 (6) Be financed during the first year of operation by  
20 an equal or greater match from private funding sources and  
21 demonstrate the ability to be self-supporting within 1 year  
22 after opening through fees for services, grants, or private  
23 contributions. Regional educational consortia as defined in s.  
24 228.0857 which serve rural areas of critical economic concern  
25 are exempt from the funding match required by this subsection.

26 Section 10. Paragraphs (b) through (e) of subsection  
27 (3) of section 231.700, Florida Statutes, are amended to read:

28 231.700 Florida Mentor Teacher School Pilot Program.--

29 (3) The five teacher career development positions and  
30 minimum requirements are:

31

1 (b) Associate teacher.--An associate teacher must hold  
2 a bachelor's degree from an institution of higher learning and  
3 a valid Florida ~~professional~~ teaching certificate as provided  
4 by s. 231.17.

5 (c) Teacher.--A teacher must hold a bachelor's degree  
6 or higher from an institution of higher learning and a valid  
7 Florida ~~professional~~ teaching certificate, have a minimum of 3  
8 years' full-time teaching experience, document satisfactory  
9 teaching performance, and document evidence of positive  
10 student learning gains, when ~~that~~ data become ~~becomes~~  
11 available.

12 (d) Lead teacher.--A lead teacher must hold a  
13 bachelor's degree or higher from an institution of higher  
14 learning and a valid Florida professional teaching  
15 certificate, have a minimum of 3 years' full-time teaching  
16 experience, document exemplary teaching performance, and  
17 document evidence of significant positive student learning  
18 gains, when ~~that~~ data become ~~becomes~~ available. A lead teacher  
19 shall provide intensive support for associate teachers and  
20 teachers.

21 (e) Mentor teacher.--A mentor teacher must:  
22 1. Hold a bachelor's degree or higher from an  
23 institution of higher learning and a valid Florida  
24 professional teaching certificate.†  
25 2. Have a minimum of 5 years' full-time teaching  
26 experience.†  
27 3. Document exemplary teaching performance.†  
28 4. Document evidence of significant positive student  
29 learning gains, when ~~that~~ data become ~~becomes~~ available.†  
30 5. Hold a valid National Board for Professional  
31 Teaching Standards certificate; have been selected as a



1 school, district, or state teacher of the year;~~or~~ or hold an  
2 equivalent status as determined by the commissioner. ~~and~~  
3 6. Demonstrate expertise as a staff developer.  
4 Section 11. Paragraph (d) of subsection (2) of section  
5 236.08106, Florida Statutes, is amended to read:  
6 236.08106 Excellent Teaching Program.--  
7 (2) The Excellent Teaching Program is created to  
8 provide categorical funding for monetary incentives and  
9 bonuses for teaching excellence. The Department of Education  
10 shall distribute to each school district or to the NBPTS an  
11 amount as prescribed annually by the Legislature for the  
12 Excellent Teaching Program. For purposes of this section, the  
13 Florida School for the Deaf and the Blind shall be considered  
14 a school district. Unless otherwise provided in the General  
15 Appropriations Act, each distribution shall be the sum of the  
16 amounts earned for the following incentives and bonuses:  
17 (d) An annual bonus equal to 10 percent of the prior  
18 fiscal year's statewide average salary for classroom teachers  
19 to be distributed to the school district to be paid to each  
20 individual who meets the requirements of paragraph (c) and  
21 agrees, in writing, to provide the equivalent of 12 workdays  
22 of mentoring and related services to public school teachers  
23 within the state who do not hold NBPTS certification. The  
24 district school board shall distribute the annual bonus in a  
25 single payment following the completion of all required  
26 mentoring and related services for the year. It is not the  
27 intent of the Legislature to remove excellent teachers from  
28 their assigned classrooms; therefore, credit may not be  
29 granted by a school district or public school for mentoring or  
30 related services provided during student contact time ~~the~~  
31

1 ~~regular school day or~~ during the 196 days of required service  
2 for the school year.

3  
4 A teacher for whom the state pays the certification fee and  
5 who does not complete the certification program or does not  
6 teach in a public school of this state for at least 1 year  
7 after completing the certification program must repay the  
8 amount of the certification fee to the state. However, a  
9 teacher who completes the certification program but fails to  
10 be awarded NBPTS certification is not required to repay the  
11 amount of the certification fee if the teacher meets the  
12 1-year teaching requirement. Repayment is not required of a  
13 teacher who does not complete the certification program or  
14 fails to fulfill the teaching requirement because of the  
15 teacher's death or disability or because of other extenuating  
16 circumstances as determined by the State Board of Education.

17 Section 12. Paragraph (f) of subsection (3) of section  
18 230.2305, Florida Statutes, is amended to read:

19 230.2305 Prekindergarten early intervention program.--

20 (3) STANDARDS.--

21 (f) All staff must meet the following minimum  
22 requirements:

23 1. The minimum level of training is to be the  
24 completion of a 30-clock-hour training course planned jointly  
25 by the Department of Education and the Department of Children  
26 and Family Services to include the following areas: state and  
27 local rules that govern child care, health, safety, and  
28 nutrition; identification and report of child abuse and  
29 neglect; child growth and development; use of developmentally  
30 appropriate early childhood curricula; and avoidance of  
31 income-based, race-based, and gender-based stereotyping.

1           2. When individual classrooms are staffed by certified  
2 teachers, those teachers must be certified for the appropriate  
3 grade levels under s. 231.17 and State Board of Education  
4 rules. Teachers who are not certified for the appropriate  
5 grade levels must obtain proper certification within 2 years.  
6 However, the commissioner may make an exception on an  
7 individual basis when the requirements are not met because of  
8 serious illness, injury, or other extraordinary, extenuating  
9 circumstance.

10           3. When individual classrooms are staffed by  
11 noncertified teachers, there must be a program director or  
12 lead teacher who is eligible for certification or certified  
13 for the appropriate grade levels pursuant to s. 231.17 and  
14 State Board of Education rules in regularly scheduled direct  
15 contact with each classroom. Notwithstanding s. 231.15, such  
16 classrooms must be staffed by at least one person who has, at  
17 a minimum, a child development associate credential (CDA) or  
18 an amount of training determined by the commissioner to be  
19 equivalent to or to exceed the minimum, such as an associate  
20 in science degree in the area of early childhood education.

21           4. Principals and other school district administrative  
22 and supervisory personnel with direct responsibility for the  
23 program must demonstrate knowledge of prekindergarten  
24 education programs that increase children's chances of  
25 achieving future educational success and becoming productive  
26 members of society in a manner established by the State Board  
27 of Education by rule.

28           5. All personnel who are not certified under s. 231.17  
29 or s. 231.1726 must comply with screening requirements under  
30 s. 231.02.

31

1           Section 13. Section 231.045, Florida Statutes, is  
2 amended to read:

3           231.045 Periodic criminal history record checks.--In  
4 cooperation with the Florida Department of Law Enforcement,  
5 the department may periodically perform a criminal history  
6 record check on individuals who hold a certificate pursuant to  
7 s. 231.17 or s. 231.1726.

8           Section 14. Subsection (1) of section 231.1725,  
9 Florida Statutes, is amended to read:

10           231.1725 Employment of substitute teachers, teachers  
11 of adult education, nondegreed teachers of career education,  
12 and career specialists; students performing clinical field  
13 experience.--

14           (1) Notwithstanding ss. 231.02, 231.15, ~~and~~ 231.17,  
15 and 231.1726, or any other provision of law or rule to the  
16 contrary, each district school board shall establish the  
17 minimal qualifications for:

18           (a) Substitute teachers to be employed pursuant to s.  
19 231.47. The qualifications shall require the filing of a  
20 complete set of fingerprints in the same manner as required by  
21 s. 231.02.

22           (b) Part-time and full-time teachers in adult  
23 education programs. The qualifications shall require the  
24 filing of a complete set of fingerprints in the same manner as  
25 required by s. 231.02. Faculty employed solely to conduct  
26 postsecondary instruction may be exempted from this  
27 requirement.

28           (c) Part-time and full-time nondegreed teachers of  
29 vocational programs. Qualifications shall be established for  
30 agriculture, business, health occupations, family and consumer  
31 sciences, industrial, marketing, career specialist, and public

1 service education teachers, based primarily on successful  
2 occupational experience rather than academic training. The  
3 qualifications for such teachers shall require:

4 1. The filing of a complete set of fingerprints in the  
5 same manner as required by s. 231.02. Faculty employed solely  
6 to conduct postsecondary instruction may be exempted from this  
7 requirement.

8 2. Documentation of education and successful  
9 occupational experience including documentation of:

10 a. A high school diploma or the equivalent.

11 b. Completion of 6 years of full-time successful  
12 occupational experience or the equivalent of part-time  
13 experience in the teaching specialization area. Alternate  
14 means of determining successful occupational experience may be  
15 established by the district school board.

16 c. Completion of career education training conducted  
17 through the local school district inservice master plan.

18 d. For full-time teachers, completion of professional  
19 education training in teaching methods, course construction,  
20 lesson planning and evaluation, and teaching special needs  
21 students. This training may be completed through coursework  
22 from a standard institution or an approved district teacher  
23 education program.

24 e. Demonstration of successful teaching performance.

25 Section 15. Subsection (1) of section 231.471, Florida  
26 Statutes, is amended to read:

27 231.471 Part-time teachers.--

28 (1) District school boards may hire certified and  
29 qualified personnel as provided in ss. s-231.1725 and  
30 231.1726 to teach a specified number of periods, which may be  
31 less than a full school day or less than a full school year.

1           Section 16. Paragraph (a) of subsection (3) of section  
2 232.435, Florida Statutes, is amended to read:

3           232.435 Extracurricular athletic activities; athletic  
4 trainers.--

5           (3)(a) To the extent practicable, a school district  
6 program should include the following employment classification  
7 and advancement scheme:

8           1. Teacher apprentice trainer I.--To qualify as a  
9 teacher apprentice trainer I, a person must possess a  
10 professional, temporary, part-time, adjunct, or substitute  
11 certificate pursuant to s. 231.17 or s. 231.1726, be certified  
12 in first aid and cardiopulmonary resuscitation, and have  
13 earned a minimum of 6 semester hours or the equivalent number  
14 of inservice education points in the basic prevention and care  
15 of athletic injuries.

16           2. Teacher apprentice trainer II.--To qualify as a  
17 teacher apprentice trainer II, a person must meet the  
18 requirements of teacher apprentice trainer I and also have  
19 earned a minimum of 15 additional semester hours or the  
20 equivalent number of inservice education points in such  
21 courses as anatomy, physiology, use of modalities, nutrition,  
22 counseling, and other courses approved by the Commissioner of  
23 Education.

24           3. Teacher athletic trainer.--To qualify as a teacher  
25 athletic trainer, a person must meet the requirements of  
26 teacher apprentice trainer II, be certified by the Department  
27 of Education or a nationally recognized athletic trainer  
28 association, and perform one or more of the following  
29 functions: preventing athletic injuries; recognizing,  
30 evaluating, managing, treating, and rehabilitating athletic  
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1 injuries; administering an athletic training program; and  
2 educating and counseling athletes.

3 Section 17. This act shall take effect July 1, 2001.  
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