

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 7155 PCB SLC 07-04 Education
SPONSOR(S): Policy & Budget Council and Representative Pickens
TIED BILLS: _____ **IDEN./SIM. BILLS:** _____

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.: Schools & Learning Council _____	15 Y, 0 N _____	Beagle _____	Cobb _____
1) Policy & Budget Council _____	28 Y, 0 N, As CS _____	Martin _____	Hansen _____
2) _____	_____	_____	_____
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

SUMMARY ANALYSIS

CS/HB 7155 makes substantial changes to education law governing Educator Professional Development, Teacher Preparation Programs, Teacher Certification Requirements, and Education Personnel. The bill:

- Requires the designation of lead teachers in reading, mathematics, social studies, and science and appointment of master trainers to train lead teachers.
- Requires that first priority for mentoring services provided by National Board for Professional Teaching Standards (NBPTS) certified teachers be given to beginning teachers, teachers in need of improvement, and teacher education students.
- Requires each school district to provide a written statement to teachers regarding educator liability insurance coverage.
- Requires the Office of Program Policy Analysis and Government Accountability (OPPAGA) to conduct two studies: 1) a comparison of the effectiveness of Florida teacher preparation programs and 2) an analysis of school district teacher retention rates.
- Requires institutions that offer state-approved teacher preparation programs to provide the option of a program comprised of three years of coursework and a one-year paid teaching internship.
- Allows district school superintendents to directly dismiss specified administrative personnel.
- Requires state-approved teacher preparation programs to incorporate instruction regarding identification and placement of gifted students.
- Requires the Department of Education (DOE) to establish an electronic reporting system for use by approved teacher preparation programs to meet reporting requirements for continued program approval.
- Authorizes NBPTS certified teachers to supervise specified preservice student teachers.
- Requires each Educator Preparation Institute (EPI) to guarantee the quality of program graduates and provide cost-free remedial instruction to graduates who demonstrate teaching skill deficiencies.
- Allows preservice student teachers to transfer the result of a prior background check from one school district to another.
- Revises examinations that applicants may use to demonstrate mastery of general knowledge for teacher certification.

The bill will have an indeterminate fiscal impact. Please see the FISCAL ANALYSIS section of the analysis.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: h7155c.PBC.doc
DATE: 4/13/2007

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Empower Families-- The bill makes enhancements to existing teacher preparation and professional development programs that are aimed at improving the overall quality and preparedness of the teachers who serve Florida's students.

Promote Personal Responsibility-- The bill requires EPIs to guarantee the high quality of program graduates.

B. EFFECT OF PROPOSED CHANGES:

Teacher Preparation Programs

Florida law sets forth specific guidelines for state-approved teacher preparation programs. Program development must be derived from research, professional literature, recognized guidelines, and effective classroom practices. Postsecondary colleges of education are required to align teacher preparation with the state system of education improvement and accountability and the Sunshine State Standards. Such programs must provide instruction in teaching English for Speakers of Other Languages and scientifically researched, knowledge-based reading literacy and computational skills instruction.¹

Gifted Education: Rule 6A-4.01791, F.A.C., sets forth the requirements that teacher education students and practicing teachers must meet to obtain a gifted education endorsement. Persons seeking the gifted endorsement must possess a baccalaureate or higher degree with certification and complete fifteen semester hours in gifted education coursework. Gifted education coursework must address the characteristics of gifted students and strategies for providing instruction, creative learning opportunities, guidance, and counseling to gifted students. Such coursework must also address strategies for teaching gifted students with diverse backgrounds and learning styles.

Uniform Core Curriculum: Florida law requires the State Board of Education (SBE) to adopt rules establishing a uniform core curriculum for teacher preparation programs. The uniform core curriculum must include instruction in scientifically based reading and computational skills acquisition, classroom management, school safety, professional ethics, education law, human development and learning, state academic standards and assessments, and analysis and use of data to improve student achievement.²

Standards and Quality: Florida law sets forth specific quality standards for state-approved teacher preparation programs. Graduates of state-approved teacher preparation programs must be able to write and speak effectively, recognize when a student is having difficulty, use educational technology, demonstrate knowledge of the Sunshine State Standards, and implement effective behavior and classroom management practices upon entering the teaching profession. Each state-approved teacher preparation program must guarantee the high quality of its graduates during their first two years immediately following graduation from the program or initial teacher certification. State-approved teacher preparation programs must provide any graduate who fails to demonstrate essential teaching skills with cost free instruction designed to cure such skill deficiencies. Such instruction must be based on an individualized plan agreed upon by the school district and the program. The program is not responsible for the student's employment contract. Florida law provides that employer satisfaction with program graduates will be assessed annually based upon a DOE survey.³

¹ Section 1004.04(3), F.S.

² Section 1004.04(2), F.S.

³ Section 1004.04(5)(e), F.S.

Continuing Program Approval: State-approved teacher preparation programs must meet several criteria to be granted continued approval. To remain eligible to provide teacher preparation, 90% of program graduates must pass the Florida Teacher Certification Examination (FTCE). Postsecondary institutions and the DOE are required to collect data for the purpose of assessing program quality. Each institution must develop an institutional program evaluation plan (IPEP) based on this data. The IPEP is each program's description of its continuous improvement based upon an annual internal analysis of the FTCE pass rate, teaching competency, and preparedness of program graduates, as well as the satisfaction level of employers who employ program graduates.⁴ The DOE must review each institution's IPEP in assessing continued program approval.

Educator Preparation Institutes: In addition to state-approved teacher preparation programs and district school board alternative teacher certification programs, Florida law authorizes state universities and community colleges to create EPIs. EPIs offer programs that enable baccalaureate degree holders and career changers to become certified to teach.⁵ An EPI must provide a program that enables students to meet the professional knowledge, subject matter, field experience, and competency testing requirements for teacher certification. EPI programs must be approved by the DOE. Approved EPIs must submit to annual performance evaluations by the DOE that measure the FTCE pass rate, employment rate, and preparation level of program graduates, as well as employer's satisfaction with program graduates. While other state-approved teacher preparation programs are required to guarantee the high quality of program graduates and provide remedial services to those with deficient skills, EPIs are not subject to such requirements.⁶

CS/HB 7155 requires teacher preparation programs to incorporate instruction regarding the identification and placement of gifted and academically talented students in accelerated academic programs. Notwithstanding any other law or rule to the contrary, the bill requires institutions that offer state-approved teacher preparation programs to provide the option of a program comprised of three years of coursework followed by a one-year paid teaching internship that also includes field experiences in each year. Each program must submit an annual report specifying such options to the President of the Senate and the Speaker of the House. The bill provides that the report may be used to develop a performance funding model for approved teacher preparation programs.

The bill requires the DOE, by August 1, 2008, to establish an electronic reporting system that teacher preparation programs must use to report required data. The bill provides that this reporting system is to be integrated into the Education Data Warehouse. Data reported through the system must be aligned in a manner that allows for comparison of performance outcomes achieved by approved programs.

The bill amends s. 1004.85, F.S., to require each EPI to guarantee the high quality of its graduates during the first two years immediately following graduation or initial teacher certification. The bill provides that any graduate of an EPI who fails to demonstrate essential teaching skills must be provided cost free instruction designed to cure skill deficiencies. Such instruction must be based on an individualized plan agreed upon by the school district and the EPI. The program is not responsible for the student's employment contract. The bill provides that employer satisfaction with EPI graduates will be assessed annually based upon a DOE survey.

Preservice Student Teaching

Florida law requires all school district personnel and instructional personnel who supervise or direct student teachers during field experiences or internships to have evidence of "clinical educator" training. Such individuals must demonstrate effective classroom management strategies.⁷ The bill enables NBPTS certified instructional personnel who are eligible mentors to supervise student teachers.

⁴ Section 1004.04(5), F.S. and Rule 6A-5.066, F.A.C.

⁵ Section 1004.85, F.S.

⁶ Section 1004.85, F.S.

⁷ Section 1004.04(6), F.S.

Teacher certification applicants must undergo a level 2 background check to become certified.⁸ Teacher education students who participate in internships, field experiences, or as short-term teacher assistants in a public school must also undergo a level 2 background check.⁹ While statute authorizes teacher certification applicants to use the results of a previously obtained background check to satisfy the background check requirement for teacher certification, there is no provision in statute that enables preservice student teachers to transfer background check results from one school district to another for use in meeting background check requirements for subsequent field experiences.¹⁰ The bill authorizes preservice student teachers in a public school to transfer the result of a prior background check from one school district to another.

Effectiveness of Teacher Preparation Programs

The bill requires OPPAGA to conduct a study comparing the effectiveness of Florida's teacher preparation programs in producing new teachers who are employed by Florida schools. The study must analyze program completion rates to measure the productivity of these programs. The study must follow one or more cohorts of program completers from universities, community colleges, EPIS, and district alternative certification programs to determine the proportion of program graduates who enter classroom teaching. The study must also follow one or more cohorts of newly employed K-12 classroom teachers to determine how long they remain in the profession and whether those who remain in the profession tend to be products of certain types of programs. OPPAGA must report its findings to the President of the Senate and the Speaker of the House of Representatives by February 1, 2008.

Teacher Certification

Current law sets forth several criteria that teacher certification applicants must meet to become certified to teach in Florida. Among other things, teacher certification applicants must possess a baccalaureate or higher degree from an accredited postsecondary institution or a non-accredited institution that is approved by the DOE to meet the general education requirements for certification. Applicants must also demonstrate mastery of general and subject area knowledge, and professional preparation and education competence.¹¹ Statute provides multiple options to applicants for satisfying each of these criteria.

Mastery of General Knowledge

Florida law requires a teacher certification applicant to demonstrate mastery of general knowledge to become certified to teach. Applicants may demonstrate mastery of general knowledge by:

- Achieving a passing score on a basic skills examination required by the SBE;
- Achieving a passing score on the College Level Academic Skills Test (CLAST) earned prior to July 1, 2002;
- Possessing a valid professional standard teaching certificate issued by another state;
- Possessing a valid certificate issued by the NBPTS or a national educator credentialing board approved by the SBE; or
- Providing documentation of two semesters of successful teaching in a community college, state university, or private college or university that awards an associate or higher degree and is an accredited institution or an institution approved by the DOE.¹²

The bill eliminates the use of a passing score on the basic skills examination for demonstrating mastery of general knowledge for teacher certification applicants who apply for initial certification after July 1, 2009 and replaces it with an examination that demonstrates mastery of a college-level general education curriculum. The bill deletes the achievement of a passing score on the CLAST as a means for demonstrating mastery of general knowledge in obtaining a teaching certificate.

⁸ Section 1012.56(9), F.S.

⁹ Section 1012.32(2)(d), F.S.

¹⁰ Section 1012.56(9), F.S.

¹¹ Section 1012.56(2), F.S.

¹² Section 1012.56(3), F.S.

Mastery of Subject Area Knowledge

Florida law requires a teacher certification applicant to demonstrate mastery of subject area knowledge and provides several ways that applicants may satisfy this requirement.¹³ SBE rules set forth specific requirements for each subject area and specialization.

Foreign Language Certification: Rule 6A-4.0243, F.A.C., sets forth the specialization requirements for K-12 foreign language certification. These requirements pertain to teachers of Chinese, French, German, Greek, Hebrew, Italian, Japanese, Portuguese, Russian, and Spanish. Teacher certification applicants may satisfy foreign language specialization requirements in one of three ways:

- Possess a baccalaureate or higher degree with an undergraduate or graduate major in the foreign language;
- Possess a baccalaureate or higher degree in a non-language field with thirty semester hours in the foreign language. Such credit must include courses in the history, culture, and literature of the people who speak the language and applied linguistics or second language acquisition; or
- Possess a baccalaureate or higher degree with specialization requirements completed in one language and twenty-one semester hours in another one of the languages listed in rule. Such credit must include courses in the history, culture, and literature of the people who speak the language.¹⁴

On March 9, 2007, the DOE published a proposal to review this rule to consider acceptance of certain military foreign language training for purposes of meeting the foreign language certification requirements.¹⁵

The bill requires the SBE to adopt a rule allowing military personnel to use proof of completion of Defense Language Institute training to demonstrate subject area knowledge for the purposes of obtaining teacher certification in a foreign language.

Mastery of Professional Preparation and Education Competence

Teacher certification applicants must complete coursework in professional education practices to qualify for certification. Completing professional preparation courses specified in SBE rule and achieving a passing score on the FTCE is one option for applicants in satisfying this requirement.¹⁶

Applicants must complete fifteen semester hours of credit in classroom management, human development and learning, educational assessment, instructional strategies, and grade-level and subject area content.¹⁷ These credits may be earned at a postsecondary institution accredited by any one of these accrediting bodies:

- The Southern Association of Colleges and Schools;
- The Middle States Association of Colleges and Secondary Schools;
- The New England Association of Colleges and Secondary Schools;
- The North Central Association of Colleges and Secondary Schools;
- The Northwest Association of Secondary and Higher Schools;
- The Western Association of Colleges and Schools; or
- Accrediting agencies approved by the United States Department of Education.

¹³ Section 1012.56(4), F.S.

¹⁴ Rule 6A-4.0243, F.A.C.

¹⁵ Florida Administrative Weekly and Florida Administrative Code, Rule 6A-4.0243, Notice of Development of Rulemaking (Mar. 8, 2007) available at <https://www.flrules.org/gateway/readFile.asp?sid=1&tid=3864885&type=2&file=6A-4.0243.htm>.

¹⁶ Section 1012.56(5)(f), F.S.

¹⁷ Rule 6A-4.006, F.A.C.

Applicants may also earn such credits from a non-accredited institution approved by the DOE.¹⁸

The bill requires the SBE to adopt a rule allowing credits granted by the American Council for Education (ACE) to be treated the same as college credit for the purposes of awarding teacher certification. The bill also requires the SBE to adopt a rule allowing a military occupational specialty designation for instruction to be used as verification of instructional experience for the purposes of awarding teacher certification.

Educator Professional Development

Inservice Training Programs

Educator professional development is a key component in improving student achievement. The School Community Professional Development Act¹⁹ establishes a coordinated statewide educator professional development program between the Department of Education (DOE), public postsecondary educational institutions, school districts, public schools, state education foundations, consortia, and professional organizations. The purpose of the system is to increase student achievement, enhance classroom instructional strategies, and prepare students for postsecondary education and the workforce. The system must be aligned to state professional development standards and must support frameworks adopted by the National Staff Development Council.

Each school district must develop a professional development system in consultation with teachers, teacher-educators at community colleges and state universities, business and community representatives, and local education foundations, consortia, and professional organizations. Among other things, district professional development systems must provide inservice training and follow-up support for instructional personnel and administrators that are designed to enhance teacher's subject area expertise and classroom management skills.²⁰

Districts must adopt an inservice master plan that is aligned to school-based inservice plans and school improvement plans. Each school principal must establish and maintain an individual professional development plan for each instructional employee assigned to the school as part of the school's improvement plan. The individual professional development plan must:

- Be related to student performance data for the students assigned to the teacher;
- Define the inservice objectives and expected student performance outcomes;
- Include an evaluation of professional development plan effectiveness; and
- Include inservice activities for school administrative personnel.²¹

The bill requires each public school to designate a lead teacher in the subject areas of reading, mathematics, social studies, and science. Likewise, each school district must appoint a master trainer for each of these subject areas and for training teachers in the use of information technology to teach the subject area. Lead teachers must attend periodic training by the school district's master trainers regarding the most current research on effective teaching practices. Lead teacher training must address:

- Use of information technology;
- Curricular advancements;
- Cross-curricular training strategies; and
- Student motivation and management.

Lead teachers must train and mentor the other teachers in their subject areas at their schools. Master trainers must also provide on-site teacher training at low performing schools, as needed.

¹⁸ Rule 6A-4.003, F.A.C.

¹⁹ Section 1012.98, F.S.

²⁰ Section 1012.98(4), F.S.

²¹ *Id.*

The bill requires the DOE to offer a three-day summer academy for master trainers.

The bill requires the DOE to make the most current subject area research and information on teaching advancements available electronically.

Mentoring

The purpose of The Dale Hickam Excellent Teaching Program is to identify and reward teachers for excellence in teaching by providing monetary incentives to teachers who seek NBPTS certification. Teachers who earn NBPTS certification through the program can receive an annual bonus if they agree to provide twelve hours of mentoring services to non-NBPTS certified teachers.²² The bill provides that first priority for use of this mentoring time must be given to provide mentoring services to beginning teachers, teachers in need of improvement, and teacher education students enrolled in teacher preparation programs and EPIs.

Education Personnel

Educator Liability

From 2001 to 2006, Florida law required the DOE to administer a statewide educator professional liability insurance program for instructional and administrative personnel.²³ This program was repealed in 2006.²⁴ In the four fiscal years the program was in place, the state paid \$4,382,538 in insurance premiums. Only three claims were filed, amounting to \$50,375. Currently, school district instructional and administrative personnel are covered under the school district's liability insurance policy.²⁵ However, the extent to which school districts take measures to inform insured personnel of such coverage is unknown.²⁶

The bill requires each school district to provide a written educator liability insurance coverage statement to all covered instructional personnel. The statement must be provided to such personnel and discussed at all annual orientation meetings as well as on the district's website. The statement must be provided in a separate document that explains the scope of coverage and existing laws protecting teachers and principals from liability.

Superintendent Personnel Decisions

Florida law provides that district school superintendents may be elected or appointed.²⁷ Superintendents are elected in forty-three school districts.²⁸ Superintendents are appointed in the following twenty-four school districts: Alachua, Brevard, Broward, Charlotte, Collier, Duval, Flagler, Hernando, Hillsborough, Indian River, Lee, Manatee, Miami-Dade, Okeechobee, Orange, Osceola, Palm Beach, Pinellas, Polk, St. Johns, St. Lucie, Sarasota, Seminole, and Volusia.²⁹

District superintendents and school boards must collaborate in the hiring and dismissal of administrative and instructional personnel.³⁰ Each superintendent must submit personnel recommendations for hiring and dismissal to the district school board.³¹ Each school board must then approve or reject the superintendent's recommendation. A superintendent may not directly dismiss an administrator without the action first being approved by the district school board.³²

²² Section 1012.72(2)(d), F.S.

²³ Section 1012.74, F.S. (Repealed 2006).

²⁴ Enrolled Chapter 2006-27, Laws of Florida.

²⁵ Office of Program Policy Analysis and Government Accountability, Educators Professional Liability Insurance Program Provides Limited Benefits, Report No. 06-08 (January 2006) *available at* <http://www.oppaga.state.fl.us/Monitor/reports/pdf/0608rpt.pdf>.

²⁶ Florida Department of Education, 2007 Legislative Bill Analysis for PCB SLS 07-04.

²⁷ Sections 1001.46 and 1001.461, F.S. and Fla. Const. art. XII, § 5.

²⁸ Florida Legislative Committee on Intergovernmental Relations, "Compensation of Florida's School Superintendents," (January 2006).

²⁹ Florida Association of District School Superintendents *available at* <http://www.fadss.org/>.

³⁰ Section 1001.51, F.S.

³¹ Section 1012.27, F.S.

³² Section 1012.22(1), F.S.

Current law defines “administrative personnel” to include personnel who perform management activities and develop and execute district-wide policy. There are three categories of administrative personnel:

- District-based instructional administrators are responsible for management and implementation of school district policies related to student instruction. These individuals report directly to the district school superintendent and supervise other administrative employees. This classification includes assistant, associate, or deputy superintendents and curriculum directors.³³
- District-based non-instructional administrators are responsible for managing non-instructional facets of general school district operations. These individuals report directly to the district school superintendent and supervise other administrative employees. This classification includes assistant, associate, or deputy superintendents and directors of major non-instructional areas such as personnel, construction, facilities, transportation, data processing, and finance.³⁴
- School administrators are classified as school directors, principals, and assistant principals. Such individuals are responsible for managing instructional and non-instructional operations at the school-level.³⁵

Notwithstanding any other provision of law to the contrary, the bill authorizes a district school superintendent to directly dismiss district-based instructional administrators and district-based non-instructional administrators as defined in s.1012.01(3)(a) and (b), F.S.³⁶ The bill does not grant superintendents similar authority to dismiss school-based administrators, i.e., school principals.

Teacher Retention

The bill requires OPPAGA to conduct a study of teacher retention rates for each school district and each school within the district. The study must analyze the retention rate for new teachers and disaggregate teacher retention rate data by ethnicity, age, subject area, and grade-level. The bill requires OPPAGA to submit a report to the President of the Senate and the Speaker of the House of Representatives by March 1, 2008.

C. SECTION DIRECTORY:

Section 1.: Creates an unnumbered section of law; requires each public school to designate lead teachers in specified subject areas; requires each school district to appoint master trainers to train lead teachers; requires the DOE to conduct training of master trainers; requires the DOE to make specified information available electronically.

Section 2.: Creates an unnumbered section of law; requires the SBE to adopt specified rules governing the satisfaction of certain teacher certification requirements.

Section 3.: Creates an unnumbered section of law; requires that first priority for mentoring services provided by eligible teachers under s. 1012.72, F.S., must be given to beginning teachers, teachers in need of improvement, and students enrolled in teacher preparation programs and EPIs.

Section 4.: Creates an unnumbered section of law; requires each school district to provide a written statement to teachers regarding educator liability insurance coverage; specifies contents and mode of transmission for such statement.

Section 5.: Creates an unnumbered section of law; requires OPPAGA to conduct a study that compares the effectiveness of Florida teacher preparation programs; specifies content requirements for

³³ Section 1012.01(3)(a), F.S.

³⁴ Section 1012.01(3)(b), F.S.

³⁵ Section 1012.01(3)(c), F.S.

³⁶ The bill does not authorize a superintendent to directly dismiss a school principal or other school-based administrator without district school board approval as provided in law.

the study, requires OPPAGA to submit a report to the President of the Senate and the Speaker of the House.

Section 6.: Creates an unnumbered section of law; requires institutions that offer state-approved teacher preparation programs to provide the option of a program comprised of three years of coursework and a one-year paid teaching internship with classroom experiences each year; requires that such options be specified in a report to be submitted annually to the President of the Senate and the Speaker of the House.

Section 7.: Amends s. 1001.51, F.S.; allows district school superintendents to directly dismiss specified district based instructional and non-instructional administrative personnel.

Section 8.: Amends s. 1004.04, F.S.; requires state-approved teacher preparation programs to incorporate instruction regarding identification and placement of gifted students; requires the DOE to establish an electronic reporting system for use by approved programs in meeting data reporting requirements for continued program approval; authorizes eligible mentors under s. 1012.72, F.S., to supervise preservice student teachers.

Section 9.: Amends s. 1004.85, F.S.; requires each EPI to guarantee the quality of program graduates; requires an EPI to provide cost-free remedial instruction to program graduates; specifies that an EPI is not responsible for the graduate's employment contract; requires DOE to conduct a survey measuring employer satisfaction with EPI graduates.

Section 10.: Amends s. 1012.32, F.S.; allows preservice student teachers to transfer the result of a prior background screening to satisfy screening requirements for subsequent field experiences in another school district.

Section 11.: Amends s. 1012.56, F.S.; eliminates the use of a passing score on the basic skills examination to demonstrate mastery of general knowledge for applicants who apply for initial certification after July 1, 2009; replaces the basic skills examination with an examination that demonstrates mastery of a college-level general education curriculum for applicants applying for initial certification after July 1, 2009; deletes achievement of a passing score on the CLAST as a means for demonstrating mastery of general knowledge.

Section 12.: Creates an unnumbered section of law; requires OPPAGA to conduct a study of teacher retention rates for each school district and each school within the district; requires OPPAGA to submit a report to the President of the Senate and the Speaker of the House.

Section 13.: Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

See Fiscal Comments, II,D.

2. Expenditures:

See Fiscal Comments, II,D.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

This bill does not appear to have a fiscal impact on local revenues.

2. Expenditures:

This bill does not appear to have a fiscal impact on local expenditures.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Bill provisions allowing preservice student teachers to transfer the result of a prior background screening from one school district to another will allow these individuals to avoid costs related to duplicative screenings. (See Fiscal Comments, II.D.).

Bill provisions enabling military personnel to use ACE credit, military occupational specialty designations, and proof of Defense Language Institute training to satisfy certain teaching certification requirements may shorten the time and reduce the costs otherwise required for these individuals to enter the teaching profession.

D. FISCAL COMMENTS:

Educator Professional Development

School districts receive funding for inservice professional development programs through the Florida Education Finance Program (FEFP).³⁷ The 2006 Legislature appropriated \$134,936,940 to educator professional development for 2006-2007³⁸ and \$97,898,914 to the Dale Hickam Excellent Teaching Program.³⁹

Master Trainers and Lead Teachers

Districts are required to designate a master trainer for reading, mathematics, social studies, science, and in techniques for using information technology to teach the subject area. Schools are also required to designate lead teachers in the same subject areas. The Department of Education is required to provide a three day training academy to all master trainers. Current state per diem and travel costs for 335 master trainers⁴⁰ for three days would be \$116,580.⁴¹

Teacher Preparation and Certification

The 2006 Legislature appropriated \$8,850,000 to increase capacity at Florida teacher preparation programs conducted at public and private postsecondary institutions⁴² and \$2,500,000 to the critical teacher shortage program.⁴³ The Legislature also appropriated \$8,647,610 to fund administration of teacher certification examinations.⁴⁴ Teacher preparation programs may incur additional costs relating to the requirements of providing the option for a paid internship or residency in the fourth year of the program. EPs may also incur additional costs for providing remedial training for graduates that do not meet required standards in the first two years of teaching. Any additional costs would be absorbed into the program's current operating budgets.

Electronic reporting system

The Department of Education will incur additional costs related to the requirement for an electronic reporting system to allow teacher preparation programs to report data required for continued approval pursuant to s. 1004.04, Florida Statutes.

³⁷ Section 1011.62(6)(b)2., F.S.

³⁸ Specific Appropriation 115 of the Conference Committee Report on House Bill 5001, Enrolled Chapter 2006-25, Laws of Florida.

³⁹ Specific Appropriation 101 of the Conference Committee Report on House Bill 5001, Enrolled Chapter 2006-25, Laws of Florida.

⁴⁰ 67 trainers multiplied by 5 subject areas.

⁴¹ \$80 per diem plus \$36 per day for meals multiplied by 335 trainers for 3 days.

⁴² Specific Appropriation 16 of the Conference Committee Report on House Bill 5001, Enrolled Chapter 2006-25, Laws of Florida.

⁴³ Specific Appropriation 84 of the Conference Committee Report on House Bill 5001, Enrolled Chapter 2006-25, Laws of Florida.

⁴⁴ Specific Appropriation 146 of the Conference Committee Report on House Bill 5001, Enrolled Chapter 2006-25, Laws of Florida.

Background Screening

The average cost of level-2 background screening for district school board employees is \$61.⁴⁵ Bill provisions allowing preservice student teachers to transfer the result of a prior background screening from one school district to another will allow these individuals to avoid costs related to duplicative screenings.

Mentoring for Probationary Teachers

The bill requires first priority for mentoring services provided by NBPTS certified teachers to be given to beginning teachers, teachers in need of improvement, and teacher education students enrolled in teacher preparation programs and EPIs.

It may be necessary for some school districts to divert NBPTS certified teachers away from existing mentoring activities in order to utilize them to provide mentoring services to these individuals. However, the cost of providing required mentoring services will likely be absorbed into current operating budgets.

Educator Liability Insurance Statement

The fiscal impact on school districts of providing written statements explaining liability insurance coverage is indeterminate. Costs may be absorbed into district's current operating budgets.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not appear to require counties or municipalities to take an action requiring the expenditure of funds. This bill does not appear to reduce the authority that counties or municipalities have to raise revenue in the aggregate. This bill does not appear to reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

This bill will require the SBE to amend rules governing teacher preparation programs, educator certification, professional development programs, and teacher certification examinations.

C. DRAFTING ISSUES OR OTHER COMMENTS:

Preservice Student Teaching

Current law requires that mentoring activities conducted by NBPTS certified teachers under s. 1012.72, F.S., be provided to public school teachers who are not NBPTS certified.⁴⁶ The bill provides that a NBPTS certified teacher may supervise student teacher's participation in preservice teacher internships and field experiences. The bill also provides that first priority for use of this mentoring time must be given to provide mentoring services to beginning teachers, teachers in need of improvement, and teacher education students enrolled in teacher preparation programs and EPIs. Consideration might be given to amending s. 1012.72, F.S., to specify that NBPTS certified teachers may mentor these additional individuals.

⁴⁵ Florida Department of Law Enforcement, Criminal History Record Checks/Background Checks (September 2005) *available at* http://www.fdle.state.fl.us/jla/attach/JLA_Background_FAQ.pdf.

⁴⁶ Section 1012.72, F.S.

Teacher Certification

The bill requires the SBE to adopt rules allowing:

- Military personnel to use proof of completion of Defense Language Institute training to demonstrate subject area knowledge for the purposes of obtaining teacher certification in a foreign language.
- A military occupational specialty designation for instruction to be used as verification of instructional experience for the purposes of awarding teacher certification.
- Credits granted by the American Council for Education must be treated the same as college credit for the purposes of awarding teacher certification.

According to the DOE, these rule revisions are already under development.⁴⁷

Educator Professional Development

The bill requires each public school to designate a lead teacher, and each school district to appoint master trainers in reading, mathematics, social studies, and science. According to the DOE, some districts already employ instructional coaches to mentor beginning teachers. Likewise, some public schools already designate lead teachers to train other members of the instructional staff. All school districts or consortia have master trainers.⁴⁸

In addition, the bill requires the DOE to make electronically available the most current subject area research and information on teaching advancements. The DOE currently makes professional development best practices available electronically.⁴⁹

Current law requires that mentoring activities conducted by NBPTS certified teachers be provided to public school teachers who do not hold NBPTS certification.⁵⁰ The bill requires that first priority for such mentoring activities be given to beginning teachers and teachers who need improvement. According to the DOE, all districts use NBPTS teachers to mentor these teachers to some extent.⁵¹

Thus, some of the bill's provisions overlap with existing training and professional development programs.⁵²

D. STATEMENT OF THE SPONSOR

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES

On April 13, 2007, the Policy and Budget Council adopted two amendments and reported the bill favorably as a Council Substitute. The Council Substitute differs from the bill in the following manner:

- Amendment one: The bill authorized elected superintendents to directly dismiss specified district based instructional and non-instructional administrative personnel. The amendment grants this authority to both elected and appointed superintendents.
- Amendment two deletes bill provisions:
 - Extending the probationary period for beginning teachers from three to five years for persons employed after July 1, 2007;
 - Requiring school districts to provide mentoring services for beginning teachers; and
 - Requiring principals to comply with record keeping and reporting requirements regarding performance appraisals and assistance given to probationary teachers.

⁴⁷ Florida Department of Education, 2007 Legislative Bill Analysis for PCB SLS 07-04.

⁴⁸ *Id.*

⁴⁹ *Id.*

⁵⁰ Section 1012.72, F.S.

⁵¹ Florida Department of Education, 2007 Legislative Bill Analysis for PCB SLS 07-04.

⁵² *Id.*

