

**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** HB 207 Educator Certification Requirements

**SPONSOR(S):** Sachs and others

**TIED BILLS:** **IDEN./SIM. BILLS:**

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Committee on K-12</u>	<u>7 Y, 0 N</u>	<u>Gillespie</u>	<u>Ahearn</u>
2) <u>Schools &amp; Learning Council</u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
3) <u>Policy &amp; Budget Council</u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
4) <u>                                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
5) <u>                                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>

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**SUMMARY ANALYSIS**

House Bill 207 requires the State Board of Education to develop subject area examinations for the following foreign languages: Spanish, French, German, Latin, Hebrew, Italian, and Chinese. Since the state board has developed examinations for Spanish, French, German, and Latin, the bill effectively requires the development of examinations for the three remaining foreign languages: Hebrew, Italian, and Chinese. Passage of a subject area examination is one option for an applicant to demonstrate the required mastery of subject area knowledge for purposes of earning a teaching certificate.

The Department of Education (DOE) estimates that the cost for development and administration of three new foreign language examinations in Hebrew, Italian, and Chinese is approximately \$1.3 to \$1.5 million over the first three years. However, the Committee on K-12 adopted an amendment that:

- Removes the requirement that DOE develop foreign language subject area examinations in seven languages;
- Authorizes applicants seeking a teaching certificate to demonstrate mastery of subject area knowledge by passing the subject area examination for a world language, if DOE develops an examination for the language, which may include, but is not limited to, Arabic, Chinese, Farsi, French, German, Greek, Haitian Creole, Hebrew, Hindi, Italian, Japanese, Portuguese, Russian, and Spanish; and
- For a world language for which DOE has not developed a subject area examination, allows applicants seeking a teaching certificate to demonstrate mastery of subject area knowledge by earning a bachelor's or higher degree and attaining oral and written foreign language proficiency on national examinations administered by the American Council of Teachers of Foreign Languages.

By removing the requirement that DOE develop subject area examinations in three languages (Hebrew, Italian, and Chinese) for which the department has not previously developed examinations, the amendment in effect eliminates the bill's fiscal impact to the state.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. HOUSE PRINCIPLES ANALYSIS:

The bill does not appear to implicate any of the House principles.

#### B. EFFECT OF PROPOSED CHANGES:

##### Present Situation:

An applicant seeking a teaching certificate in Florida must, among other things, demonstrate mastery of subject area knowledge.<sup>1</sup> The applicant may demonstrate mastery of subject area knowledge through, among other options, one of the following:

- Achievement of passing scores on subject area examinations required by rules adopted by the State Board of Education; or
- For a subject area for which a subject area examination is not developed and required by state board rule, completion of subject area specialization requirements specified in state board rule and verification of the applicant's attainment of the essential subject matter competencies by the school district, state-supported school, or private school employing the applicant.<sup>2</sup>

The State Board of Education is required to designate the certification areas for subject area examinations.<sup>3</sup> Under the Florida Teacher Certification Examinations (FCTE) program, the state board has developed subject area examinations for four foreign languages: Spanish, French, German, and Latin.<sup>4</sup> The Department of Education (DOE) first administered examinations for these foreign languages in October 1989.<sup>5</sup>

The state board has also established specialization requirements for certification in 10 modern languages: Chinese, French, German, Greek, Hebrew, Italian, Japanese, Portuguese, Russian, and Spanish.<sup>6</sup> State board rule establishes three options for meeting the specialization requirements:

- Bachelor's or higher degree with an undergraduate or graduate major in one of the modern languages;
- Bachelor's or higher degree with 30 semester hours in one of the modern languages; or
- Bachelor's or higher degree and completion of the Basic Program of the Defense Language Institute<sup>7</sup> of the U.S. Department of Defense in one of the modern languages.<sup>8</sup>

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<sup>1</sup> Section 1012.56(2)(h), F.S.

<sup>2</sup> Section 1012.56(4)(a) & (b), F.S.

<sup>3</sup> Section 1012.56(8)(c), F.S.

<sup>4</sup> Rule 6A-4.0021(9)(d) & (j), F.A.C.; Florida Department of Education, *Florida Teacher Certification Examinations (FTCE), Competencies and Skills: Twelfth Edition*, at <http://www.fldoe.org/asp/fce/fcecomp.asp> (last visited Mar. 11, 2008).

<sup>5</sup> Florida Department of Education, Division of Accountability, Research, and Measurement, *Assessment and Accountability Briefing Book 9* (2007), available at <http://fcet.fldoe.org/pdf/BriefingBook07web.pdf> (last visited Mar. 11, 2008).

<sup>6</sup> Rule 6A-4.0243(1), F.S.

<sup>7</sup> See Defense Language Institute, Foreign Language Center, at <http://www.dliflc.edu> (last visited Mar. 11, 2008).

<sup>8</sup> Rule 6A-4.0243(1)(a), (b) & (d), F.A.C.

In addition, an applicant completing specialization requirements in one modern language may obtain specialization in a second modern language if the applicant has a bachelor's or higher degree and completes 21 semester hours in the second modern language.<sup>9</sup>

State board rule establishes two options for meeting specialization requirements for certification in Latin:

- Bachelor's or higher degree with an undergraduate or graduate major in Latin; or
- Bachelor's or higher degree with 30 semester hours in Latin.<sup>10</sup>

In addition, an applicant completing specialization requirements in a modern language may obtain specialization in Latin if the applicant has a bachelor's or higher degree and completes 21 semester hours in Latin.<sup>11</sup>

On February 19, 2008, the State Board of Education approved an amendment to its rule establishing specialization requirements for foreign languages.<sup>12</sup> The amended rule:

- Adds Arabic, Farsi, Haitian Creole, and Hindi to the 10 modern languages for which an applicant may obtain specialization;<sup>13</sup> and
- Authorizes an applicant for specialization in any of the 15 modern languages, for which there is no Florida-developed subject area examination, to meet the specialization requirements through earning a bachelor's or higher degree and scoring above the intermediate level on the oral and written proficiency tests administered for the language by the American Council on the Teaching of Foreign Languages (ACTFL).<sup>14</sup>

ACFTL currently offers proficiency assessments for each of the modern languages listed in the state board rule.<sup>15</sup>

According to DOE, the following numbers of schools and school districts are currently teaching the following foreign languages:

- Italian: 57 schools in 15 districts;
- Chinese: 25 schools in 9 districts; and
- Hebrew: 0 schools in 0 districts.<sup>16</sup>

DOE reports that there are currently 109 persons certified in Italian, 14 persons certified in Chinese, and 10 persons certified in Hebrew in the state.<sup>17</sup>

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<sup>9</sup> Rule 6A-4.0243(1)(c), F.A.C.

<sup>10</sup> Rule 6A-4.0243(2)(a) & (b), F.A.C.

<sup>11</sup> Rule 6A-4.0243(2)(c), F.A.C.

<sup>12</sup> Florida Department of State, *Florida Administrative Weekly*, Vol. 34, No. 3, at 288-289 (Jan. 18, 2008), available at <https://www.flrules.org/Faw/FAWDocuments/FAWVOLUMEFOLDERS2008/3403/3403doc.pdf> (last visited Mar. 11, 2008).

<sup>13</sup> Proposed rule 6A-4.0243(1), F.A.C.

<sup>14</sup> Proposed rule 6A-4.0243(2)(e), F.A.C.

<sup>15</sup> American Council on the Teaching of Foreign Languages, *Current List of Assessment Languages*, at [https://www.languagetesting.com/language\\_list\\_acad.htm](https://www.languagetesting.com/language_list_acad.htm) (last visited Mar. 11, 2008).

<sup>16</sup> Florida Department of Education, *2008 Agency Bill Analysis of HB 207*, at 1 (Nov. 26, 2007).

<sup>17</sup> *Id.*

Proposed Changes:

The bill requires the State Board of Education to develop subject area examinations for the following foreign languages: Spanish, French, German, Latin, Hebrew, Italian, and Chinese. Since the state board has developed examinations for Spanish, French, German, and Latin, the bill effectively requires the development of examinations for the three remaining foreign languages: Hebrew, Italian, and Chinese.

The bill provides an effective date of July 1, 2008.

C. SECTION DIRECTORY:

Section 1. Amends section 1012.56, F.S., requiring DOE to establish subject area examinations in specified foreign languages.

Section 2. Provides an effective date of July 1, 2008.

**II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

According to DOE, its teacher certification testing vendor<sup>18</sup> estimates that the cost for development and administration of three new foreign language examinations in Hebrew, Italian, and Chinese is approximately \$1.3 to \$1.5 million over the first three years.<sup>19</sup> DOE specifies that the development and administration of certification examinations cost approximately \$85 per examinee.<sup>20</sup>

**(See IV. AMENDMENTS.)**

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

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<sup>18</sup> Evaluation Systems group of Pearson Education, Inc.

<sup>19</sup> Florida Department of Education, *supra* note 16, at 2.

<sup>20</sup> *Id.*

### III. COMMENTS

#### A. CONSTITUTIONAL ISSUES:

##### 1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not appear to require a county or municipality to spend funds or take an action requiring expenditures; reduce the authority that counties and municipalities had as of February 1, 1989, to raise revenues in the aggregate; or reduce the percentage of a state tax shared in the aggregate with counties and municipalities as of February 1, 1989.

##### 2. Other:

None.

#### B. RULE-MAKING AUTHORITY:

The bill does not include any provisions specifically requiring rulemaking, but the bill in effect requires the State Board of Education to amend its rule establishing requirements for the Florida Teacher Certification Examinations (FTCE).<sup>21</sup>

#### C. DRAFTING ISSUES OR OTHER COMMENTS:

DOE estimates that implementation of three new foreign language examinations will require approximately 2.5 years before the first test administration, including:

- Six months to plan, fund, and execute contract amendments;
- Eighteen months for test development of written and performance tests; and
- Six months to implement rule changes by the State Board of Education, including the state board's approval of competencies and skills and passing scores for the examinations.<sup>22</sup>

#### D. STATEMENT OF THE SPONSOR

No statement submitted.

### IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES

On March 11, 2008, the Committee on K-12 adopted an amendment offered by Representative Sachs (remove everything after the enacting clause). The amendment:

- Removes the requirement that DOE develop foreign language subject area examinations in seven languages;
- Authorizes applicants seeking a teaching certificate to demonstrate mastery of subject area knowledge by passing the subject area examination for a world language, if DOE develops an examination for the language, which may include, but is not limited to, Arabic, Chinese, Farsi, French, German, Greek, Haitian Creole, Hebrew, Hindi, Italian, Japanese, Portuguese, Russian, and Spanish; and
- For a world language for which DOE has not developed a subject area examination, allows applicants seeking a teaching certificate to demonstrate mastery of subject area knowledge by earning a bachelor's or higher degree and attaining oral and written foreign language proficiency on national examinations administered by the American Council of Teachers of Foreign Languages.

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<sup>21</sup> Rule 6A-4.0021, F.A.C.

<sup>22</sup> Florida Department of Education, *supra* note 16, at 2.

The amendment is consistent with a proposed rule adopted by the State Board of Education on February 19, 2008.<sup>23</sup>

By removing the requirement that DOE develop subject area examinations in three languages (Hebrew, Italian, and Chinese) for which the department has not previously developed examinations, the amendment in effect eliminates the bill's fiscal impact to the state

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<sup>23</sup> See *supra* text accompanying notes 12-14.