

1                   A bill to be entitled  
2           An act relating to education personnel; providing a short  
3           title; amending s. 39.202, F.S.; providing for access to  
4           records by certain education employees or agents in cases  
5           of child abuse or neglect; amending s. 1004.04, F.S.;  
6           requiring the Department of Education to report to the  
7           State Board of Education on the effectiveness of graduates  
8           of state-approved teacher preparation programs; amending  
9           s. 1012.21, F.S.; requiring the department to notify the  
10          Legislature relating to school district compliance with  
11          compensation and salary schedule requirements; amending s.  
12          1012.22, F.S.; deleting certain provisions relating to  
13          district school board adoption of salary schedules and the  
14          basis for an employee's compensation; requiring each  
15          district school board to report to the department on its  
16          adopted differentiated pay policy; requiring rulemaking  
17          relating to school district implementation of compensation  
18          and salary schedule requirements; amending s. 1012.2315,  
19          F.S.; revising department reporting requirements relating  
20          to the assignment of classroom teachers; amending s.  
21          1012.28, F.S.; conforming provisions; amending s. 1012.34,  
22          F.S.; revising provisions to require a school district  
23          personnel appraisal system; specifying criteria and  
24          procedures for the appraisal process; requiring approval  
25          of appraisal instruments; requiring appraisals twice a  
26          year for first-year teachers; requiring evaluation of the  
27          appraisal system; conforming provisions; amending s.  
28          1012.52, F.S.; requiring the State Board of Education to

29 | adopt by rule the Florida Educator Accomplished Practices;  
30 | requiring periodic review and revision of the practices;  
31 | amending s. 1012.56, F.S.; correcting cross-references;  
32 | authorizing Voluntary Prekindergarten Education Program  
33 | providers to meet certain requirements relating to  
34 | educator certification; providing additional means of  
35 | demonstrating mastery of professional preparation and  
36 | education competence; authorizing State Board of Education  
37 | rules for acceptance of certain teaching experience and  
38 | course credits; providing for retroactive application;  
39 | amending s. 1012.98, F.S.; authorizing certain  
40 | organizations, including organizations of Voluntary  
41 | Prekindergarten Education Program providers, to develop a  
42 | professional development system and a program for  
43 | demonstration of education competence; amending s.  
44 | 1012.986, F.S.; specifying criteria for leadership  
45 | standards under the William Cecil Golden Professional  
46 | Development Program for School Leaders; authorizing the  
47 | program to be offered through state-approved leadership  
48 | programs; requiring the Commissioner of Education to  
49 | report to the Legislature specific recommendations for  
50 | legislation to improve teacher quality; reenacting ss.  
51 | 1003.62(2)(a) and 1003.621(2)(h), F.S., relating to  
52 | academic performance-based charter school districts and  
53 | academically high-performing school districts,  
54 | respectively, to incorporate the amendments made to s.  
55 | 1012.22, F.S., in a reference thereto; providing an  
56 | effective date.

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

Section 1. This act may be cited as the "Quality Teachers for All Students Act."

Section 2. Paragraph (r) is added to subsection (2) of section 39.202, Florida Statutes, to read:

39.202 Confidentiality of reports and records in cases of child abuse or neglect.--

(2) Except as provided in subsection (4), access to such records, excluding the name of the reporter which shall be released only as provided in subsection (5), shall be granted only to the following persons, officials, and agencies:

(r) Employees or agents of the Department of Education and district school board employees responsible for the investigation or prosecution of misconduct by certified educators.

Section 3. Present subsection (13) of section 1004.04, Florida Statutes, is renumbered as subsection (14), and a new subsection (13) is added to that section, to read:

1004.04 Public accountability and state approval for teacher preparation programs.--

(13) REPORT.--By March 1, 2010, and biennially thereafter, the Department of Education shall report to the State Board of Education on the effectiveness of the graduates of state-approved teacher preparation programs. The report shall include an analysis of the public school student learning gains on statewide assessments, pursuant to s. 1008.22, by students who

85 were taught by graduates of each state-approved teacher  
 86 preparation program.

87 Section 4. Subsection (6) of section 1012.21, Florida  
 88 Statutes, is amended to read:

89 1012.21 Department of Education duties; K-12 personnel.--

90 (6) REPORTING.--The Department of Education shall  
 91 annually:

92 (a) Post online links to each school district's collective  
 93 bargaining contracts and the salary and benefits of the  
 94 personnel or officers of any educator association which were  
 95 paid by the school district pursuant to s. 1012.22.

96 (b) Notify the President of the Senate and the Speaker of  
 97 the House of Representatives of any school district that does  
 98 not comply with the requirements of s. 1012.22(1)(c).

99 Section 5. Paragraph (c) of subsection (1) of section  
 100 1012.22, Florida Statutes, is amended to read:

101 1012.22 Public school personnel; powers and duties of the  
 102 district school board.--The district school board shall:

103 (1) Designate positions to be filled, prescribe  
 104 qualifications for those positions, and provide for the  
 105 appointment, compensation, promotion, suspension, and dismissal  
 106 of employees as follows, subject to the requirements of this  
 107 chapter:

108 (c) *Compensation and salary schedules.--*

109 ~~1. The district school board shall adopt a salary schedule~~  
 110 ~~or salary schedules designed to furnish incentives for~~  
 111 ~~improvement in training and for continued efficient service to~~  
 112 ~~be used as a basis for paying all school employees and fix and~~

113 ~~authorize the compensation of school employees on the basis~~  
114 ~~thereof.~~

115 ~~1.2.~~ A district school board, in determining the salary  
116 schedule for instructional personnel, must base a portion of  
117 each employee's compensation on performance demonstrated under  
118 s. 1012.34, ~~must consider the prior teaching experience of a~~  
119 ~~person who has been designated state teacher of the year by any~~  
120 ~~state in the United States, and must consider prior professional~~  
121 ~~experience in the field of education gained in positions in~~  
122 ~~addition to district level instructional and administrative~~  
123 ~~positions.~~

124 ~~2.3.~~ In developing the salary schedule, the district  
125 school board shall seek input from parents, teachers, and  
126 representatives of the business community.

127 ~~3.4.~~ ~~Beginning with the 2007-2008 academic year,~~ Each  
128 district school board shall adopt a salary schedule with  
129 differentiated pay for both instructional personnel and school-  
130 based administrators. The salary schedule is subject to  
131 negotiation as provided in chapter 447 and must allow  
132 differentiated pay based on district-determined factors,  
133 including, but not limited to, additional responsibilities,  
134 school demographics, critical shortage areas, and level of job  
135 performance difficulties. Each district school board shall  
136 annually report to the Department of Education on its adopted  
137 differentiated pay policy in the manner and format prescribed by  
138 the department.

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140 The State Board of Education shall adopt rules pursuant to ss.

141 120.536(1) and 120.54 to implement this paragraph. The rules  
142 must include compliance requirements for district salary  
143 schedules regarding individual performance and differentiated  
144 pay, reporting formats, and procedures for review of salary  
145 schedules.

146 Section 6. Subsection (5) of section 1012.2315, Florida  
147 Statutes, is amended to read:

148 1012.2315 Assignment of teachers.--

149 (5) REPORT.--The Department of Education shall annually:

150 (a) Post on its Internet website the percentage of  
151 classroom teachers by school who are temporarily certified  
152 teachers, teachers in need of improvement, or out-of-field  
153 teachers.

154 (b) Report to the President of the Senate and the Speaker  
155 of the House of Representatives any school district that does  
156 not comply with this section. Schools graded "D" or "F" shall  
157 annually report their teacher retention rate. Included in this  
158 report shall be reasons listed for leaving by each teacher who  
159 left the school for any reason.

160 Section 7. Subsection (3) of section 1012.28, Florida  
161 Statutes, is amended to read:

162 1012.28 Public school personnel; duties of school  
163 principals.--

164 (3) Each school principal is responsible for the  
165 performance of all personnel employed by the district school  
166 board and assigned to the school to which the principal is  
167 assigned. The school principal shall faithfully and effectively  
168 apply the personnel appraisal ~~assessment~~ system approved by the

169 district school board pursuant to s. 1012.34.

170 Section 8. Section 1012.34, Florida Statutes, is amended  
171 to read:

172 1012.34 Appraisal ~~Assessment~~ procedures and criteria.--

173 (1) For the purpose of increasing student achievement by  
174 improving the quality of instructional, administrative, and  
175 supervisory services in the public schools of the state, the  
176 district school superintendent shall establish procedures for  
177 evaluating ~~assessing~~ the performance of duties and  
178 responsibilities of all instructional, administrative, and  
179 supervisory personnel employed by the school district. The  
180 Department of Education must approve each district's  
181 instructional personnel appraisal ~~assessment~~ system.

182 (2) The following conditions must be considered in the  
183 design of the district's instructional personnel appraisal  
184 ~~assessment~~ system:

185 (a) The system must be designed to support district and  
186 school level improvement plans.

187 (b) The system must provide appropriate appraisal  
188 instruments, procedures, and criteria for continuous quality  
189 improvement of the professional skills of instructional  
190 personnel.

191 (c) The system must include a mechanism to give parents an  
192 opportunity to provide input into employee performance  
193 appraisals ~~assessments~~ when appropriate.

194 (d) In addition to addressing generic teaching  
195 competencies, districts must determine those teaching fields for  
196 which special procedures and criteria will be developed,

197 including a process for determining the professional education  
 198 competence of a teacher who holds a temporary certificate as  
 199 required under s. 1012.56.

200 (e) Each district school board may establish a peer  
 201 assistance process. The plan may provide a mechanism for  
 202 assistance of persons who are placed on performance probation as  
 203 well as offer assistance to other employees who request it.

204 (f) Each ~~The~~ district school board shall provide training  
 205 programs that are based upon guidelines provided by the  
 206 Department of Education to ensure that all individuals with  
 207 evaluation responsibilities understand the proper use of the  
 208 appraisal ~~assessment~~ criteria and procedures.

209 (g) The system must include a process for monitoring the  
 210 effective and consistent use of appraisal criteria by  
 211 supervisors and administrators and a process for evaluating the  
 212 effectiveness of the system itself in improving the level of  
 213 instruction and learning in the district's schools.

214 (3) The appraisal ~~assessment~~ procedure for instructional  
 215 personnel and school administrators must be primarily based on  
 216 the performance of students assigned to their classrooms or  
 217 schools, as appropriate. Pursuant to this section, a school  
 218 district's performance appraisal ~~assessment~~ is not limited to  
 219 basing unsatisfactory performance of instructional personnel and  
 220 school administrators upon student performance, but may include  
 221 other criteria approved to evaluate ~~assess~~ instructional  
 222 personnel and school administrators' performance, or any  
 223 combination of student performance and other approved criteria.  
 224 The procedures must comply with, but are not limited to, the



225 following requirements:

226 (a) An appraisal ~~assessment~~ must be conducted for each  
227 employee at least once a year, except that an appraisal for each  
228 first-year teacher must be conducted at least twice a year. The  
229 appraisal ~~assessment~~ must be based upon sound educational  
230 principles and contemporary research in effective educational  
231 practices. ~~The assessment must primarily use data and indicators~~  
232 ~~of improvement in student performance assessed annually as~~  
233 ~~specified in s. 1008.22 and may consider results of peer reviews~~  
234 ~~in evaluating the employee's performance. Student performance~~  
235 ~~must be measured by state assessments required under s. 1008.22~~  
236 ~~and by local assessments for subjects and grade levels not~~  
237 ~~measured by the state assessment program. The appraisal~~  
238 ~~assessment~~ criteria must include, but are not limited to,  
239 indicators that relate to the following:

240 1. Performance of students. The appraisal must primarily  
241 use data and indicators of improvement in student performance  
242 assessed annually as specified in s. 1008.22 and by district-  
243 determined assessments for subjects and grade levels not  
244 measured by the state assessment program.

245 2. Instructional practice. For instructional personnel,  
246 performance criteria must include indicators based on each of  
247 the Florida Educator Accomplished Practices adopted by the State  
248 Board of Education under s. 1012.52.

249 3. Instructional leadership. For school-based  
250 administrators, performance criteria must include indicators  
251 based on each of the leadership standards adopted by the State  
252 Board of Education under s. 1012.986.

253           4. Professional responsibilities. Such criteria must  
254 include professional responsibilities and employment  
255 requirements as established by the State Board of Education and  
256 through policies of the district school board.

257           ~~2. Ability to maintain appropriate discipline.~~

258           ~~3. Knowledge of subject matter. The district school board~~  
259 ~~shall make special provisions for evaluating teachers who are~~  
260 ~~assigned to teach out-of-field.~~

261           ~~4. Ability to plan and deliver instruction and the use of~~  
262 ~~technology in the classroom.~~

263           ~~5. Ability to evaluate instructional needs.~~

264           ~~6. Ability to establish and maintain a positive~~  
265 ~~collaborative relationship with students' families to increase~~  
266 ~~student achievement.~~

267           ~~7. Other professional competencies, responsibilities, and~~  
268 ~~requirements as established by rules of the State Board of~~  
269 ~~Education and policies of the district school board.~~

270           (b) All personnel must be fully informed of the criteria  
271 and procedures associated with the appraisal ~~assessment~~ process  
272 before the appraisal ~~assessment~~ takes place.

273           (c) The individual responsible for supervising the  
274 employee must evaluate ~~assess~~ the employee's performance. The  
275 evaluator must submit a written report of the appraisal  
276 ~~assessment~~ to the district school superintendent for the purpose  
277 of reviewing the employee's contract. The evaluator must submit  
278 the written report to the employee no later than 10 days after  
279 the appraisal ~~assessment~~ takes place. The evaluator must discuss  
280 the written report of appraisal ~~assessment~~ with the employee.

281 The employee shall have the right to initiate a written response  
282 to the appraisal assessment, and the response shall become a  
283 permanent attachment to his or her personnel file.

284 (d) If an employee is not performing his or her duties in  
285 a satisfactory manner, the evaluator shall notify the employee  
286 in writing of such determination. The notice must describe such  
287 unsatisfactory performance and include notice of the following  
288 procedural requirements:

289 1. Upon delivery of a notice of unsatisfactory  
290 performance, the evaluator must confer with the employee, make  
291 recommendations with respect to specific areas of unsatisfactory  
292 performance, and provide assistance in helping to correct  
293 deficiencies within a prescribed period of time.

294 2.a. If the employee holds a professional service contract  
295 as provided in s. 1012.33, the employee shall be placed on  
296 performance probation and governed by the provisions of this  
297 section for 90 calendar days following the receipt of the notice  
298 of unsatisfactory performance to demonstrate corrective action.  
299 School holidays and school vacation periods are not counted when  
300 calculating the 90-calendar-day period. During the 90 calendar  
301 days, the employee who holds a professional service contract  
302 must be evaluated periodically and apprised of progress achieved  
303 and must be provided assistance and inservice training  
304 opportunities to help correct the noted performance  
305 deficiencies. At any time during the 90 calendar days, the  
306 employee who holds a professional service contract may request a  
307 transfer to another appropriate position with a different  
308 supervising administrator; however, a transfer does not extend

309 the period for correcting performance deficiencies.

310 b. Within 14 days after the close of the 90 calendar days,  
311 the evaluator must evaluate ~~assess~~ whether the performance  
312 deficiencies have been corrected and forward a recommendation to  
313 the district school superintendent. Within 14 days after  
314 receiving the evaluator's recommendation, the district school  
315 superintendent must notify the employee who holds a professional  
316 service contract in writing whether the performance deficiencies  
317 have been satisfactorily corrected and whether the district  
318 school superintendent will recommend that the district school  
319 board continue or terminate his or her employment contract. If  
320 the employee wishes to contest the district school  
321 superintendent's recommendation, the employee must, within 15  
322 days after receipt of the district school superintendent's  
323 recommendation, submit a written request for a hearing. The  
324 hearing shall be conducted at the district school board's  
325 election in accordance with one of the following procedures:

326 (I) A direct hearing conducted by the district school  
327 board within 60 days after receipt of the written appeal. The  
328 hearing shall be conducted in accordance with the provisions of  
329 ss. 120.569 and 120.57. A majority vote of the membership of the  
330 district school board shall be required to sustain the district  
331 school superintendent's recommendation. The determination of the  
332 district school board shall be final as to the sufficiency or  
333 insufficiency of the grounds for termination of employment; or

334 (II) A hearing conducted by an administrative law judge  
335 assigned by the Division of Administrative Hearings of the  
336 Department of Management Services. The hearing shall be

337 | conducted within 60 days after receipt of the written appeal in  
338 | accordance with chapter 120. The recommendation of the  
339 | administrative law judge shall be made to the district school  
340 | board. A majority vote of the membership of the district school  
341 | board shall be required to sustain or change the administrative  
342 | law judge's recommendation. The determination of the district  
343 | school board shall be final as to the sufficiency or  
344 | insufficiency of the grounds for termination of employment.

345 |       (4) The district school superintendent shall notify the  
346 | department of any instructional personnel who receive two  
347 | consecutive unsatisfactory evaluations and who have been given  
348 | written notice by the district that their employment is being  
349 | terminated or is not being renewed or that the district school  
350 | board intends to terminate, or not renew, their employment. The  
351 | department shall conduct an investigation to determine whether  
352 | action shall be taken against the certificateholder pursuant to  
353 | s. 1012.795 ~~s. 1012.795(1)(c)~~.

354 |       ~~(5) The district school superintendent shall develop a~~  
355 | ~~mechanism for evaluating the effective use of assessment~~  
356 | ~~criteria and evaluation procedures by administrators who are~~  
357 | ~~assigned responsibility for evaluating the performance of~~  
358 | ~~instructional personnel. The use of the assessment and~~  
359 | ~~evaluation procedures shall be considered as part of the annual~~  
360 | ~~assessment of the administrator's performance. The system must~~  
361 | ~~include a mechanism to give parents and teachers an opportunity~~  
362 | ~~to provide input into the administrator's performance~~  
363 | ~~assessment, when appropriate.~~

364 |       (5)-(6) ~~Nothing in This section does not shall be construed~~

365 ~~to~~ grant a probationary employee a right to continued employment  
 366 beyond the term of his or her contract.

367 ~~(6)-(7)~~ The district school board shall establish a  
 368 procedure annually reviewing instructional personnel appraisal  
 369 ~~assessment~~ systems to determine compliance with this section.  
 370 All substantial revisions to an approved system must be reviewed  
 371 and approved by the district school board before being used to  
 372 evaluate ~~assess~~ instructional personnel. Upon request by a  
 373 school district, the department shall provide assistance in  
 374 developing, improving, or reviewing an appraisal ~~assessment~~  
 375 system.

376 ~~(7)-(8)~~ The State Board of Education shall adopt rules  
 377 pursuant to ss. 120.536(1) and 120.54, that establish uniform  
 378 guidelines for the submission, review, and approval of district  
 379 procedures for the annual appraisal ~~assessment~~ of instructional  
 380 personnel and that include criteria for evaluating professional  
 381 performance.

382 Section 9. Section 1012.52, Florida Statutes, is amended  
 383 to read:

384 1012.52 Teacher quality; legislative findings; Florida  
 385 Educator Accomplished Practices.--

386 (1) The Legislature intends to implement a comprehensive  
 387 approach to increase students' academic achievement and improve  
 388 teaching quality. The Legislature recognizes that professional  
 389 educators play an important role in shaping the future of this  
 390 state and the nation by developing the knowledge and skills of  
 391 our future workforce and laying the foundation for good  
 392 citizenship and full participation in community and civic life.

393 The Legislature also recognizes its role in meeting the state's  
394 educational priorities so as to provide opportunity for all  
395 students to achieve at the levels set by the Sunshine State  
396 Standards.

397 (2) The Legislature further finds that effective educators  
398 are able to do the following:

399 (a) Write and speak in a logical and understandable style,  
400 using appropriate grammar and sentence structure, and  
401 demonstrate a command of standard English, enunciation, clarity  
402 of oral directions, and pace and precision in speaking.

403 (b) Read, comprehend, and interpret professional and other  
404 written material.

405 (c) Compute, think logically, and solve problems.

406 (d) Recognize signs of students' difficulty with the  
407 reading and computational process and apply appropriate measures  
408 to improve students' reading and computational performance.

409 (e) Recognize patterns of physical, social, emotional, and  
410 intellectual development in students, including exceptional  
411 students in the regular classroom.

412 (f) Recognize and demonstrate awareness of the educational  
413 needs of students who have limited proficiency in English and  
414 employ appropriate teaching strategies.

415 (g) Use and integrate appropriate technology in teaching  
416 and learning processes and in managing, evaluating, and  
417 improving instruction.

418 (h) Use assessment and other diagnostic strategies to  
419 assist the continuous development and acquisition of knowledge  
420 and understanding of the learner.

421 (i) Use teaching and learning strategies that include  
422 consideration of each student's learning styles, needs, and  
423 background.

424 (j) Demonstrate the ability to maintain a positive,  
425 collaborative relationship with students' families to increase  
426 student achievement.

427 (k) Recognize signs of tendency toward violence and severe  
428 emotional distress in students and apply techniques of crisis  
429 intervention.

430 (l) Recognize signs of alcohol and drug abuse in students  
431 and know how to appropriately work with such students and seek  
432 assistance designed to prevent future abuse.

433 (m) Recognize the physical and behavioral indicators of  
434 child abuse and neglect and know rights and responsibilities  
435 regarding reporting.

436 (n) Demonstrate the ability to maintain a positive  
437 environment in the classroom while achieving order and  
438 discipline.

439 (o) Demonstrate the ability to grade student performance  
440 effectively.

441 (p) Demonstrate knowledge and understanding of the value  
442 of, and strategies for, promoting parental involvement in  
443 education.

444 (3) The State Board of Education shall adopt by rule the  
445 Florida Educator Accomplished Practices, which form the basis  
446 for the state's expectations for effective instructional  
447 practice. The Commissioner of Education shall periodically  
448 review the Florida Educator Accomplished Practices based on



449 contemporary educational research and analysis of student  
450 performance data. The commissioner shall include input from  
451 associations representing teachers, principals, superintendents,  
452 and school boards when reviewing the Florida Educator  
453 Accomplished Practices. Upon finalizing any resulting revisions  
454 to the Florida Educator Accomplished Practices, the commissioner  
455 shall submit the revised practices and supporting evaluation  
456 information to the Governor, the President of the Senate, and  
457 the Speaker of the House of Representatives at least 21 days  
458 before the State Board of Education considers adoption of the  
459 revised practices.

460 Section 10. Subsection (1) and paragraphs (g) and (h) of  
461 subsection (6) of section 1012.56, Florida Statutes, are  
462 amended, paragraph (i) is added to subsection (6) of that  
463 section, and subsection (18) is added to that section, to read:

464 1012.56 Educator certification requirements.--

465 (1) APPLICATION.--Each person seeking certification  
466 pursuant to this chapter shall submit a completed application  
467 containing the applicant's social security number to the  
468 Department of Education and remit the fee required pursuant to  
469 s. 1012.59 and rules of the State Board of Education. Pursuant  
470 to the federal Personal Responsibility and Work Opportunity  
471 Reconciliation Act of 1996, each party is required to provide  
472 his or her social security number in accordance with this  
473 section. Disclosure of social security numbers obtained through  
474 this requirement is limited to the purpose of administration of  
475 the Title IV-D program of the Social Security Act for child  
476 support enforcement. Pursuant to s. 120.60, the department shall

477 issue within 90 calendar days after the stamped receipted date  
 478 of the completed application:

479 (a) If the applicant meets the requirements, a  
 480 professional certificate covering the classification, level, and  
 481 area for which the applicant is deemed qualified and a document  
 482 explaining the requirements for renewal of the professional  
 483 certificate;

484 (b) If the applicant meets the requirements and if  
 485 requested by an employing school district or an employing  
 486 private school with a professional education competence  
 487 demonstration program pursuant to paragraphs (6) (f) ~~(5) (f)~~ and  
 488 (8) (b) ~~(7) (b)~~, a temporary certificate covering the  
 489 classification, level, and area for which the applicant is  
 490 deemed qualified and an official statement of status of  
 491 eligibility; or

492 (c) If an applicant does not meet the requirements for  
 493 either certificate, an official statement of status of  
 494 eligibility.

495  
 496 The statement of status of eligibility must advise the applicant  
 497 of any qualifications that must be completed to qualify for  
 498 certification. Each statement of status of eligibility is valid  
 499 for 3 years after its date of issuance, except as provided in  
 500 paragraph (2) (d). For purposes of this section, the term  
 501 "private school" includes an approved Voluntary Prekindergarten  
 502 Education Program private prekindergarten provider.

503 (6) MASTERY OF PROFESSIONAL PREPARATION AND EDUCATION  
 504 COMPETENCE.--Acceptable means of demonstrating mastery of

505 professional preparation and education competence are:

506 (g) Successful completion of a professional preparation  
 507 alternative certification and education competency program,  
 508 outlined in paragraph (8) (a) ~~(7) (a)~~; ~~or~~

509 (h) Successful completion of an alternative certification  
 510 program pursuant to s. 1004.85 and achievement of a passing  
 511 score on the professional education competency examination  
 512 required by rule of the State Board of Education; or

513 (i) Successful completion of a professional education  
 514 training program provided by Teach for America and achievement  
 515 of a passing score on the professional education competency  
 516 examination required by rule of the State Board of Education.

517 (18) MILITARY INSTRUCTOR EXPERIENCE AND AMERICAN COUNCIL  
 518 ON EDUCATION TRANSCRIPTS; RULES.--The State Board of Education  
 519 may adopt rules that:

520 (a) For purposes of demonstrating mastery of professional  
 521 preparation and education competence through the completion of  
 522 professional preparation courses as specified in state board  
 523 rule, allow a person to use his or her teaching experience as a  
 524 military instructor to verify occupational teaching experience  
 525 for the same number of years of instruction provided in one of  
 526 the branches of the United States Armed Forces.

527 (b) For purposes of demonstrating the completion of  
 528 certification requirements specified in state board rule, allow  
 529 for the acceptance of college course credits recommended by the  
 530 American Council on Education (ACE), which are posted on an  
 531 official ACE transcript.

532 (c) This subsection applies to credit for instruction

533 performed, or course credits awarded, prior to, on, and after  
534 July 1, 2009.

535 Section 11. Subsection (6) of section 1012.98, Florida  
536 Statutes, is amended to read:

537 1012.98 School Community Professional Development Act.--

538 (6) An organization of private schools which has no fewer  
539 than 10 member schools in this state, which publishes and files  
540 with the Department of Education copies of its standards, and  
541 the member schools of which comply with the provisions of part  
542 II of chapter 1003, relating to compulsory school attendance, or  
543 an organization of approved Voluntary Prekindergarten Education  
544 Program providers with no fewer than 10 members in this state,  
545 may also develop a professional development system that includes  
546 a master plan for inservice activities and a program for  
547 demonstration of professional education competence under s.  
548 1012.56. The professional development system ~~and inservice plan~~  
549 must be submitted to the commissioner for approval pursuant to  
550 rules of the State Board of Education.

551 Section 12. Section 1012.986, Florida Statutes, is amended  
552 to read:

553 1012.986 William Cecil Golden Professional Development  
554 Program for School Leaders.--

555 (1) There is established the William Cecil Golden  
556 Professional Development Program for School Leaders to provide  
557 high standards and sustained support for principals as  
558 instructional leaders. The program shall consist of a  
559 collaborative network of state and national professional  
560 leadership organizations to respond to instructional leadership

561 needs throughout the state.

562       (2) The network shall support the human-resource  
 563 development needs of principals, principal leadership teams, and  
 564 candidates for principal leadership positions using the  
 565 framework of leadership standards adopted by the State Board of  
 566 Education, the Southern Regional Education Board, and the  
 567 National Staff Development Council. Leadership standards adopted  
 568 under this section must focus on instructional leadership and  
 569 include the ability to:

570           (a) Identify and promote effective instruction.

571           (b) Recruit and retain high-performing instructional  
 572 personnel.

573           (c) Manage resources so as to maximize their use for  
 574 improving student achievement.

575       (3) The goals ~~goal~~ of the network leadership program are  
 576 ~~is~~ to:

577           (a) Provide resources to support and enhance the  
 578 principal's role as the instructional leader.

579           (b) Maintain a clearinghouse and disseminate data-  
 580 supported information related to enhanced student achievement,  
 581 based on educational research and best practices.

582           (c) Build the capacity to increase the quality of programs  
 583 for preservice education for aspiring principals and inservice  
 584 professional development for principals and principal leadership  
 585 teams.

586           (d) Support best teaching and research-based instructional  
 587 practices through dissemination and modeling at the preservice  
 588 and inservice levels for both teachers and principals.

589        ~~(4)-(2)~~ The Department of Education shall coordinate  
 590 ~~through the network identified in subsection (1)~~ to offer the  
 591 program through multiple delivery systems, including:

- 592            (a) Approved school district training programs.
- 593            (b) Interactive technology-based instruction.
- 594            (c) Regional consortium service organizations pursuant to  
 595 s. 1001.451.
- 596            (d) State, regional, or local leadership academies.
- 597            (e) State-approved educational leadership programs in  
 598 public and nonpublic colleges and universities.

599        ~~(5)-(3)~~ The State Board of Education shall adopt rules  
 600 pursuant to ss. 120.536(1) and 120.54 to administer this  
 601 section.

602            Section 13. No later than February 1, 2010, The  
 603 Commissioner of Education shall provide a written report to the  
 604 President of the Senate and the Speaker of the House of  
 605 Representatives with specific recommendations for legislation to  
 606 improve teacher quality. The report shall be data driven and  
 607 research-based and include the effects on student learning and  
 608 behavior, including dropout rates, when a student has one or  
 609 more ineffective classroom teachers. The report must include a  
 610 review, by district, on equity of staffing quality teachers in  
 611 schools across the district and a review, by district, on the  
 612 efforts pursued by superintendents and principals to remove  
 613 ineffective teachers from the classroom. The report must include  
 614 recommendations on: teacher compensation and salary schedule  
 615 best practices; an expedited process for the termination of  
 616 ineffective classroom teachers; a methodology to identify the

617 number of ineffective classroom teachers, by district, whose  
618 students make insufficient learning gains based on at least  
619 three years of objective data on student learning; specific  
620 policies to empower district school superintendents and school  
621 principals to provide an effective teacher in each school  
622 district classroom, and specific policies to hold district  
623 school superintendents and school principals accountable for  
624 inequity in staffing among the schools in the district and for  
625 failure to act to provide an effective teacher in each school  
626 district classroom.

627 Section 14. For the purpose of incorporating the amendment  
628 made by this act to section 1012.22, Florida Statutes, in a  
629 reference thereto, paragraph (a) of subsection (2) of section  
630 1003.62, Florida Statutes, is reenacted to read:

631 1003.62 Academic performance-based charter school  
632 districts.--The State Board of Education may enter into a  
633 performance contract with district school boards as authorized  
634 in this section for the purpose of establishing them as academic  
635 performance-based charter school districts. The purpose of this  
636 section is to examine a new relationship between the State Board  
637 of Education and district school boards that will produce  
638 significant improvements in student achievement, while complying  
639 with constitutional and statutory requirements assigned to each  
640 entity.

641 (2) EXEMPTION FROM STATUTES AND RULES.--

642 (a) An academic performance-based charter school district  
643 shall operate in accordance with its charter and shall be exempt  
644 from certain State Board of Education rules and statutes if the

645 State Board of Education determines such an exemption will  
646 assist the district in maintaining or improving its high-  
647 performing status pursuant to paragraph (1)(a). However, the  
648 State Board of Education may not exempt an academic performance-  
649 based charter school district from any of the following  
650 statutes:

651 1. Those statutes pertaining to the provision of services  
652 to students with disabilities.

653 2. Those statutes pertaining to civil rights, including s.  
654 1000.05, relating to discrimination.

655 3. Those statutes pertaining to student health, safety,  
656 and welfare.

657 4. Those statutes governing the election or compensation  
658 of district school board members.

659 5. Those statutes pertaining to the student assessment  
660 program and the school grading system, including chapter 1008.

661 6. Those statutes pertaining to financial matters,  
662 including chapter 1010.

663 7. Those statutes pertaining to planning and budgeting,  
664 including chapter 1011, except that ss. 1011.64 and 1011.69  
665 shall be eligible for exemption.

666 8. Sections 1012.22(1)(c) and 1012.27(2), relating to  
667 differentiated pay and performance-pay policies for school  
668 administrators and instructional personnel. Professional service  
669 contracts shall be subject to the provisions of ss. 1012.33 and  
670 1012.34.

671 9. Those statutes pertaining to educational facilities,  
672 including chapter 1013, except as specified under contract with



673 the State Board of Education. However, no contractual provision  
 674 that could have the effect of requiring the appropriation of  
 675 additional capital outlay funds to the academic performance-  
 676 based charter school district shall be valid.

677 Section 15. For the purpose of incorporating the amendment  
 678 made by this act to section 1012.22, Florida Statutes, in a  
 679 reference thereto, paragraph (h) of subsection (2) of section  
 680 1003.621, Florida Statutes, is reenacted to read:

681 1003.621 Academically high-performing school  
 682 districts.--It is the intent of the Legislature to recognize and  
 683 reward school districts that demonstrate the ability to  
 684 consistently maintain or improve their high-performing status.  
 685 The purpose of this section is to provide high-performing school  
 686 districts with flexibility in meeting the specific requirements  
 687 in statute and rules of the State Board of Education.

688 (2) COMPLIANCE WITH STATUTES AND RULES.--Each academically  
 689 high-performing school district shall comply with all of the  
 690 provisions in chapters 1000-1013, and rules of the State Board  
 691 of Education which implement these provisions, pertaining to the  
 692 following:

693 (h) Sections 1012.22(1)(c) and 1012.27(2), relating to  
 694 differentiated pay and performance-pay policies for school  
 695 administrators and instructional personnel. Professional service  
 696 contracts are subject to the provisions of ss. 1012.33 and  
 697 1012.34.

698 Section 16. This act shall take effect upon becoming a  
 699 law.

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