Bill No. CS/HB 7189 (2010)

1	Amendment No.	
	CHAMBER ACTION	
	<u>Senate</u> <u>House</u>	
	•	
1	Representative Robaina offered the following:	
1 2	Representative Robaina Offered the forfowing.	
2	Amendment (with title amendment)	
4	Remove lines 222-1779 and insert:	
4 5		
	Section 3. Paragraph (c) is added to subsection (16) of	
6	section 1002.33, Florida Statutes, and paragraph (a) of	
7	subsection (20) of that section is amended, to read:	
8	1002.33 Charter schools	
9	(16) EXEMPTION FROM STATUTES.—	
10	(c) A charter school shall also comply with the following	<u>j:</u>
11	1. A charter school may not award a professional service	
12	contract or similar contract to a classroom teacher hired on or	<u>c</u>
13	after July 1, 2010.	
14	2. Beginning with the 2014-2015 school year and	
15	thereafter, a charter school must adopt a salary schedule for	
16	instructional personnel and school-based administrators which	
1	181315	
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17	Amendment No. compensates instructional personnel and school-based
18	administrators based on their performance. Salary adjustments
19	for instructional personnel and school-based administrators must
20	be based only on performance demonstrated under s. 1012.34. A
21	charter school may not use length of service or degrees held by
22	instructional personnel or school-based administrators as a
23	factor in setting the salary schedule.
24	3. A charter school must meet the following requirements:
25	a. Administer assessments that comply with s. 1008.222.
26	However, a charter school may use its own assessments if the
27	assessments comply with s. 1008.222;
28	b. Maintain the security and integrity of end-of-course
29	assessments developed or acquired pursuant to s. 1008.222; and
30	c. Adopt a performance appraisal system that complies with
31	<u>s. 1012.34.</u>
32	(20) SERVICES
33	(a) A sponsor shall provide certain administrative and
34	educational services to charter schools. These services shall
35	include contract management services; full-time equivalent and
36	data reporting services; exceptional student education
37	administration services; services related to eligibility and
38	reporting duties required to ensure that school lunch services
39	under the federal lunch program, consistent with the needs of
40	the charter school, are provided by the school district at the
41	request of the charter school, that any funds due to the charter
42	school under the federal lunch program be paid to the charter
43	school as soon as the charter school begins serving food under
44	the federal lunch program, and that the charter school is paid
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45 at the same time and in the same manner under the federal lunch 46 program as other public schools serviced by the sponsor or the 47 school district; test administration services, including payment of the costs of state-required or district-required student 48 49 assessments; processing of teacher certificate data services; 50 and information services, including equal access to student 51 information systems that are used by public schools in the 52 district in which the charter school is located. Student 53 performance data for each student in a charter school, including, but not limited to, FCAT scores, standardized test 54 55 scores, previous public school student report cards, and student 56 performance measures, shall be provided by the sponsor to a 57 charter school in the same manner provided to other public schools in the district. A total administrative fee for the 58 provision of such services shall be calculated based upon up to 59 5 percent of the available funds defined in paragraph (17) (b) 60 61 for all students. However, a sponsor may only withhold up to a 62 5-percent administrative fee for enrollment for up to and 63 including 500 students. For charter schools with a population of 64 501 or more students, the difference between the total administrative fee calculation and the amount of the 65 66 administrative fee withheld may only be used for capital outlay 67 purposes specified in s. 1013.62(2). Each charter school shall 68 receive 100 percent of the funds awarded to that school pursuant 69 to s. 1012.225. Sponsors shall not charge charter schools any 70 additional fees or surcharges for administrative and educational 71 services in addition to the maximum 5-percent administrative fee 72 withheld pursuant to this paragraph. 181315 Approved For Filing: 4/6/2010 1:56:41 PM Page 3 of 37

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73 Section 4. Subsection (10) of section 1003.52, Florida
74 Statutes, is amended to read:

75 1003.52 Educational services in Department of Juvenile
 76 Justice programs.-

77 The district school board shall recruit and train (10)78 teachers who are interested, qualified, or experienced in 79 educating students in juvenile justice programs. Students in 80 juvenile justice programs shall be provided a wide range of educational programs and opportunities including textbooks, 81 82 technology, instructional support, and other resources available 83 to students in public schools. Teachers assigned to educational 84 programs in juvenile justice settings in which the district 85 school board operates the educational program shall be selected by the district school board in consultation with the director 86 of the juvenile justice facility. Educational programs in 87 juvenile justice facilities shall have access to the substitute 88 89 teacher pool utilized by the district school board. Full-time 90 teachers working in juvenile justice schools, whether employed 91 by a district school board or a provider, shall be eligible for 92 the critical teacher shortage tuition reimbursement program as 93 defined by s. 1009.58 and other teacher recruitment and 94 retention programs.

95 Section 5. <u>Section 1003.62</u>, Florida Statutes, is repealed.
96 Section 6. Paragraph (h) of subsection (2) of section
97 1003.621, Florida Statutes, is amended to read:

98 1003.621 Academically high-performing school districts.-It 99 is the intent of the Legislature to recognize and reward school 100 districts that demonstrate the ability to consistently maintain 181315 Improved For Filing: 4/6/2010 1:56:41 DM

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Amendment No. 101 or improve their high-performing status. The purpose of this 102 section is to provide high-performing school districts with 103 flexibility in meeting the specific requirements in statute and 104 rules of the State Board of Education.

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

(h) Sections 1012.22(1)(c) and 1012.27(2), relating to differentiated pay and performance-pay policies for school administrators and instructional personnel, and s. 1012.34, relating to appraisal procedures and criteria. Professional service contracts are subject to the provisions of <u>s. ss.</u> 1012.33 and 1012.34. Contracts with classroom teachers hired on or after July 1, 2010, are subject to s. 1012.335.

Section 7. Section 1003.63, Florida Statutes, is repealed. Section 8. Paragraph (b) of subsection (4) and subsections (5) and (6) of section 1004.04, Florida Statutes, are amended to read:

121 1004.04 Public accountability and state approval for 122 teacher preparation programs.-

123

(4) INITIAL STATE PROGRAM APPROVAL.-

(b) Each teacher preparation program approved by the Department of Education, as provided for by this section, shall require students to meet the following as prerequisites for admission into the program:

128 1. Have a grade point average of at least 2.5 on a 4.0 181315 Approved For Filing: 4/6/2010 1:56:41 PM

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129 scale for the general education component of undergraduate 130 studies or have completed the requirements for a baccalaureate 131 degree with a minimum grade point average of 2.5 on a 4.0 scale 132 from any college or university accredited by a regional 133 accrediting association as defined by State Board of Education 134 rule or any college or university otherwise approved pursuant to 135 State Board of Education rule.

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136 2. Demonstrate mastery of general knowledge, including the 137 ability to read, write, and compute, by passing the General 138 Knowledge Test of the Florida Teacher Certification Examination, 139 the College Level Academic Skills Test, a corresponding 140 component of the National Teachers Examination series, or a 141 similar test pursuant to rules of the State Board of Education.

Each teacher preparation program may waive these admissions requirements for up to 10 percent of the students admitted. Programs shall implement strategies to ensure that students admitted under a waiver receive assistance to demonstrate competencies to successfully meet requirements for eertification.

149 CONTINUED PROGRAM APPROVAL.-Notwithstanding subsection (5)150 (4), failure by a public or nonpublic teacher preparation 151 program to meet the criteria for continued program approval 152 shall result in loss of program approval. The Department of 153 Education, in collaboration with the departments and colleges of 154 education, shall develop procedures for continued program 155 approval that document the continuous improvement of program 156 processes and graduates' performance. 181315 Approved For Filing: 4/6/2010 1:56:41 PM

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157	(a) Continued approval of specific teacher preparation
158	programs at each public and nonpublic postsecondary educational
159	institution within the state is contingent upon a determination
160	by the Department of Education of student learning gains, as
161	measured by state assessments required under s. 1008.22.

162 (b) (a) Continued approval of specific teacher preparation 163 programs at each public and nonpublic postsecondary educational 164 institution within the state is contingent upon the passing of 165 the written examination required by s. 1012.56 by at least 90 percent of the graduates of the program who take the 166 167 examination. The Department of Education shall annually provide 168 an analysis of the performance of the graduates of such 169 institution with respect to the competencies assessed by the 170 examination required by s. 1012.56.

(c) (b) Additional criteria for continued program approval 171 for public institutions may be approved by the State Board of 172 173 Education. Such criteria must emphasize instruction in classroom 174 management and must provide for the evaluation of the teacher 175 candidates' performance in this area. The criteria shall also 176 require instruction in working with underachieving students. 177 Program evaluation procedures must include, but are not limited 178 to, program graduates' satisfaction with instruction and the 179 program's responsiveness to local school districts. Additional 180 criteria for continued program approval for nonpublic 181 institutions shall be developed in the same manner as for public institutions; however, such criteria must be based upon 182 183 significant, objective, and quantifiable graduate performance 184 measures. Responsibility for collecting data on outcome measures 181315 Approved For Filing: 4/6/2010 1:56:41 PM

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185 through survey instruments and other appropriate means shall be 186 shared by the postsecondary educational institutions and the 187 Department of Education. By January 1 of each year, the 188 Department of Education shall report this information for each postsecondary educational institution that has state-approved 189 190 programs of teacher education to the Governor, the State Board 191 of Education, the Board of Governors, the Commissioner of 192 Education, the President of the Senate, the Speaker of the House 193 of Representatives, all Florida postsecondary teacher preparation programs, and interested members of the public. This 194 195 report must analyze the data and make recommendations for 196 improving teacher preparation programs in the state.

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197 (d) (c) Continued approval for a teacher preparation program is contingent upon the results of periodic reviews, on a 198 schedule established by the State Board of Education, of the 199 program conducted by the postsecondary educational institution, 200 using procedures and criteria outlined in an institutional 201 202 program evaluation plan approved by the Department of Education, 203 which must include the program's review of and response to the 204 effect of its candidates and graduates on K-12 student learning. 205 This plan must also incorporate and respond to the criteria 206 established in paragraphs (a) and (b) and (c) and include 207 provisions for involving primary stakeholders, such as program 208 graduates, district school personnel, classroom teachers, principals, community agencies, and business representatives in 209 210 the evaluation process. Upon request by an institution, the department shall provide assistance in developing, enhancing, or 211 212 reviewing the institutional program evaluation plan and training 181315 Approved For Filing: 4/6/2010 1:56:41 PM

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213 evaluation team members.

(e) (d) Continued approval for a teacher preparation program is contingent upon standards being in place that are designed to adequately prepare elementary, middle, and high school teachers to instruct their students in reading and higher-level mathematics concepts and in the use of technology at the appropriate grade level.

220 (f) (e) Continued approval of teacher preparation programs 221 is contingent upon compliance with the student admission 222 requirements of subsection (4) and upon the receipt of at least 223 a satisfactory rating from public schools and private schools 224 that employ graduates of the program. Each teacher preparation 225 program shall guarantee the high quality of its graduates during 226 the first 2 years immediately following graduation from the program or following the graduate's initial certification, 227 whichever occurs first. Any educator in a Florida school who 228 fails to demonstrate student learning gains the essential skills 229 230 as specified in paragraph (a) subparagraphs 1.-5. shall be 231 provided additional training by the teacher preparation program 232 at no expense to the educator or the employer. Such training 233 must consist of an individualized plan agreed upon by the school 234 district and the postsecondary educational institution that 235 includes specific learning outcomes. The postsecondary educational institution assumes no responsibility for the 236 237 educator's employment contract with the employer. Employer 238 satisfaction shall be determined by an annually administered 239 survey instrument approved by the Department of Education that, at a minimum, must include employer satisfaction of the 240 181315 Approved For Filing: 4/6/2010 1:56:41 PM

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241	graduates' ability to do the following:
242	1. Write and speak in a logical and understandable style
243	with appropriate grammar.
244	2. Recognize signs of students' difficulty with the
245	reading and computational process and apply appropriate measures
246	to improve students' reading and computational performance.
247	3. Use and integrate appropriate technology in teaching
248	and learning processes.
249	4. Demonstrate knowledge and understanding of Sunshine
250	State Standards.
251	5. Maintain an orderly and disciplined classroom conducive
252	to student learning.
253	(g) (f) 1. Each Florida public and private institution that
254	offers a state-approved teacher preparation program must
255	annually report information regarding these programs to the
256	state and the general public. This information shall be reported
257	in a uniform and comprehensible manner that is consistent with
258	definitions and methods approved by the Commissioner of the
259	National Center for Educational Statistics and that is approved
260	by the State Board of Education. This information must include,
261	at a minimum:
262	a. The percent of graduates obtaining full-time teaching
263	employment within the first year of graduation.
264	b. The average length of stay of graduates in their full-
265	time teaching positions.
266	c. The percentage of graduates whose students achieved
267	learning gains, as specified in paragraph (a). For purposes of
268	this paragraph, the information shall include the percentage of
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269 the students taught per graduate who achieved learning gains.
270 Satisfaction ratings required in paragraph (e).

271 2. Each public and private institution offering training 272 for school readiness related professions, including training in the fields of child care and early childhood education, whether 273 274 offering career credit, associate in applied science degree 275 programs, associate in science degree programs, or associate in 276 arts degree programs, shall annually report information regarding these programs to the state and the general public in 277 278 a uniform and comprehensible manner that conforms with 279 definitions and methods approved by the State Board of Education. This information must include, at a minimum: 280

281 a. Average length of stay of graduates in their <u>teaching</u>
 282 positions.

283 b. <u>The percent of graduates obtaining full-time teaching</u>
 284 <u>employment within the first year of graduation</u>. <del>Satisfaction</del>
 285 <del>ratings of graduates' employers</del>.

This information shall be reported through publications, including college and university catalogs and promotional materials sent to potential applicants, secondary school guidance counselors, and prospective employers of the institution's program graduates.

(6) PRESERVICE FIELD EXPERIENCE.—All postsecondary
 instructors, school district personnel and instructional
 personnel, and school sites preparing instructional personnel
 through preservice field experience courses and internships
 shall meet special requirements. District school boards are
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297 authorized to pay student teachers during their internships. 298 All instructors in postsecondary teacher preparation (a) 299 programs who instruct or supervise preservice field experiences, 300 preservice experience courses, or internships shall have at 301 least one of the following: specialized training in clinical supervision; a valid professional teaching certificate issued 302 under <del>pursuant to</del> ss. 1012.56 and 1012.585; or at least 3 years 303 304 of successful teaching experience in prekindergarten through 305 grade 12.

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(b) All school district personnel and instructional
personnel who supervise or direct teacher preparation students
during field experience courses or internships must have
evidence of "clinical educator" training and must successfully
demonstrate effective classroom management strategies that
consistently result in improved student performance. The State
Board of Education shall approve the training requirements.

313 (C) Preservice field experience programs must provide for continuous student participation in K-12 classroom settings with 314 supervised instruction of K-12 students. All preservice field 315 316 experience programs must provide specific guidance and 317 demonstration of effective classroom management strategies, 318 strategies for incorporating technology into classroom 319 instruction, strategies for incorporating scientifically 320 researched, knowledge-based reading literacy and computational 321 skills acquisition into classroom instruction, and ways to link 322 instructional plans to the Sunshine State Standards, as 323 appropriate. The length of structured field experiences may be 324 extended to ensure that candidates achieve the competencies 181315 Approved For Filing: 4/6/2010 1:56:41 PM Page 12 of 37

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325 needed to meet certification requirements. 326 Postsecondary teacher preparation programs, in (d) 327 consultation cooperation with district school boards and 328 approved private school associations, shall select the school 329 sites for preservice field experience activities based on the 330 instructional skills of the instructor or supervisor with whom 331 the teaching candidate is placed, as demonstrated by the 332 instructor's or supervisor's sustained student learning gains as 333 specified in paragraph (5) (a). These sites must represent the full spectrum of school communities, including, but not limited 334 335 to, schools located in urban settings. In order to be selected, school sites must demonstrate commitment to the education of 336 337 public school students and to the preparation of future 338 teachers. Section 9. Subsections (11) and (12) of section 1004.04, 339 340 Florida Statutes, are repealed. 341 Section 10. Paragraph (b) of subsection (3) and 342 subsections (4) and (5) of section 1004.85, Florida Statutes, are amended to read: 343 344 1004.85 Postsecondary educator preparation institutes.-Educator preparation institutes approved pursuant to 345 (3) 346 this section may offer alternative certification programs 347 specifically designed for noneducation major baccalaureate 348 degree holders to enable program participants to meet the 349 educator certification requirements of s. 1012.56. Such programs 350 shall be competency-based educator certification preparation 351 programs that prepare educators through an alternative route. An 352 educator preparation institute choosing to offer an alternative 181315 Approved For Filing: 4/6/2010 1:56:41 PM

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Amendment No. 353 certification program pursuant to the provisions of this section 354 must implement a program previously approved by the Department 355 of Education for this purpose or a program developed by the 356 institute and approved by the department for this purpose. 357 Approved programs shall be available for use by other approved 358 educator preparation institutes.

359

(b) Each program participant must:

360 1. Meet certification requirements pursuant to s.
361 1012.56(1) and (2) by obtaining a statement of status of
362 eligibility prior to admission into the program which indicates
363 eligibility for a temporary certificate in a teaching subject
364 and meet the requirements of s. 1012.56(2)(a)-(f).

365 2. Participate in field experience that is appropriate to366 his or her educational plan.

367 <u>3. Demonstrate mastery of general knowledge by one of the</u> 368 <u>options provided in s. 1012.56(3) prior to completion of the</u> 369 <u>program.</u>

370 4.3. Fully demonstrate his or her ability to teach the 371 subject area for which he or she is seeking certification 372 through field experiences and by achievement of a passing score 373 on the corresponding subject area test prior to completion of 374 the program and demonstrate mastery of professional preparation 375 and education competence by achievement of a passing score on 376 the professional education competency examination required by 377 state board rule prior to completion of the program.

378 (4) Each <u>alternative certification program</u> institute 379 approved pursuant to this section shall submit to the Department 380 of Education annual performance evaluations that measure the 181315 Approved For Filing: 4/6/2010 1:56:41 PM

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381	Amendment No. effectiveness of the programs, including the pass rates of
382	participants on all examinations required for teacher
383	certification, employment rates, longitudinal retention rates,
384	and a review of the impact that participants who have completed
385	the program have on K-12 student learning and employer
386	satisfaction surveys. The employer satisfaction surveys must be
387	designed to measure the sufficient preparation of the educator
388	to enter the classroom. These evaluations and evidence of
389	student learning gains, as measured by state assessments
390	required under s. 1008.22, shall be used by the Department of
391	Education for purposes of continued approval of an educator
392	preparation institute's alternative certification program.
393	(5) Instructors for an alternative certification program
394	approved pursuant to this section must meet the requirements of
395	s. 1004.04(6) possess a master's degree in education or a
396	master's degree in an appropriate related field and document
397	teaching experience.
398	Section 11. Section 1008.222, Florida Statutes, is created
399	to read:
400	1008.222 Development and implementation of end-of-course
401	assessments of certain subject areas and grade levels
402	(1) The Department of Education must develop or acquire a
403	valid and reliable end-of-course assessment for each subject
404	area and grade level not measured by state assessments required
405	under s. 1008.22 or by examinations in AP, IB, AICE, or a
406	national industry certification identified in the Industry
407	Certification Funding List pursuant to rules adopted by the
408	State Board of Education. The content, knowledge, and skills
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409	Amendment No. assessed by end-of-course assessments must be aligned to the
410	core curricular content established in the state Course Code
411	Directory. Methods may include the development of item banks,
412	facilitation of the sharing of developed tests among districts,
413	and technical assistance in best professional practices of test
414	development based on state-adopted curriculum standards,
415	administration, and security.
416	(2) (a) Beginning with the 2013-2014 school year, each
417	school district must require that each school in the district
418	administer the district's standard assessment for each subject
419	area or grade level, as described in subsection (1).
420	(b) Each district school superintendent must ensure that
421	teachers who provide instruction in the same subject or grade
422	level administer the same end-of-course assessment, as described
423	in subsection (1). Each school district must adopt policies to
424	ensure standardized administration and security of the
425	assessments.
426	(c) Each district school superintendent is responsible for
427	implementing standardized assessment security and
428	administration, the reporting of assessment results, and using
429	assessment results to comply with provisions of ss.
430	1012.22(1)(c) and 1012.34. The district school superintendent
431	shall certify to the Commissioner of Education that the security
432	of a standardized assessment required under this section is
433	maintained. If a district school superintendent's certification
434	is determined to be invalid through an audit by the Auditor
435	General or an investigation by the Department of Education, the
436	superintendent is subject to suspension and removal on the
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# 437 grounds of misfeasance pursuant to s. 7, Art. IV of the State 438 Constitution.

439 Section 12. Paragraph (a) of subsection (1) of section440 1009.40, Florida Statutes, is amended to read:

441 1009.40 General requirements for student eligibility for
442 state financial aid awards and tuition assistance grants.-

(1) (a) The general requirements for eligibility of students for state financial aid awards and tuition assistance grants consist of the following:

446 1. Achievement of the academic requirements of and 447 acceptance at a state university or community college; a nursing 448 diploma school approved by the Florida Board of Nursing; a 449 Florida college, university, or community college which is 450 accredited by an accrediting agency recognized by the State 451 Board of Education; any Florida institution the credits of which 452 are acceptable for transfer to state universities; any career 453 center; or any private career institution accredited by an 454 accrediting agency recognized by the State Board of Education.

455 2. Residency in this state for no less than 1 year 456 preceding the award of aid or a tuition assistance grant for a 457 program established pursuant to s. 1009.50, s. 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, <del>s. 1009.54,</del> s. 1009.56, <del>s.</del> 458 1009.57, s. 1009.60, s. 1009.62, s. 1009.63, s. 1009.68, s. 459 1009.72, s. 1009.73, s. 1009.77, s. 1009.89, or s. 1009.891. 460 461 Residency in this state must be for purposes other than to 462 obtain an education. Resident status for purposes of receiving state financial aid awards shall be determined in the same 463 464 manner as resident status for tuition purposes pursuant to s. 181315 Approved For Filing: 4/6/2010 1:56:41 PM

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465 1009.21.

489

466 3. Submission of certification attesting to the accuracy, 467 completeness, and correctness of information provided to 468 demonstrate a student's eligibility to receive state financial 469 aid awards or tuition assistance grants. Falsification of such 470 information shall result in the denial of any pending 471 application and revocation of any award or grant currently held 472 to the extent that no further payments shall be made. 473 Additionally, students who knowingly make false statements in 474 order to receive state financial aid awards or tuition 475 assistance grants commit a misdemeanor of the second degree 476 subject to the provisions of s. 837.06 and shall be required to return all state financial aid awards or tuition assistance 477 478 grants wrongfully obtained. 479 Section 13. Section 1009.54, Florida Statutes, is 480 repealed. Section 14. Section 1009.57, Florida Statutes, is 481 482 repealed. 483 Section 15. Section 1009.58, Florida Statutes, is 484 repealed. 485 Section 16. Section 1009.59, Florida Statutes, is 486 repealed. 487 Section 17. Paragraph (c) of subsection (2) of section

488 1009.94, Florida Statutes, is amended to read:

1009.94 Student financial assistance database.-

490 (2) For purposes of this section, financial assistance491 includes:

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Amendment No. 492 Any financial assistance provided under s. 1009.50, s. (C) 493 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, <del>s. 1009.54,</del> s. 1009.55, s. 1009.56, <del>s. 1009.57,</del> s. 1009.60, s. 1009.62, s. 494 495 1009.63, s. 1009.68, s. 1009.70, s. 1009.701, s. 1009.72, s. 496 1009.73, s. 1009.74, s. 1009.77, s. 1009.89, or s. 1009.891. 497 Section 18. Subsection (2) of section 1011.69, Florida Statutes, is amended to read: 498

499

1011.69 Equity in School-Level Funding Act.-

500 Beginning in the 2003-2004 fiscal year, district (2) school boards shall allocate to schools within the district an 501 502 average of 90 percent of the funds generated by all schools and 503 quarantee that each school receives at least 80 percent of the 504 funds generated by that school based upon the Florida Education 505 Finance Program as provided in s. 1011.62 and the General 506 Appropriations Act, including gross state and local funds, 507 discretionary lottery funds, and funds from the school district's current operating discretionary millage levy. Total 508 509 funding for each school shall be recalculated during the year to reflect the revised calculations under the Florida Education 510 511 Finance Program by the state and the actual weighted full-time 512 equivalent students reported by the school during the full-time 513 equivalent student survey periods designated by the Commissioner 514 of Education. If the district school board is providing programs 515 or services to students funded by federal funds, any eligible students enrolled in the schools in the district shall be 516 517 provided federal funds. Only academic performance-based charter 518 school districts, pursuant to s. 1003.62, are exempt from the 519 provisions of this section.

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520 Section 19. Subsection (4) of section 1012.05, Florida 521 Statutes, is amended to read:

522

1012.05 Teacher recruitment and retention.-

523 The Department of Education, in cooperation with (4) 524 district personnel offices, may shall sponsor virtual job fairs 525 a job fair in a central part of the state to match high-quality, 526 in-state educators and potential educators and out-of-state 527 educators and potential educators with teaching opportunities in 528 this state. The Department of Education is authorized to collect 529 a job fair registration fee not to exceed \$20 per person and a 530 booth fee not to exceed \$250 per school district or other 531 interested participating organization. The revenue from the fees 532 shall be used to promote and operate the job fair. Funds may be used to purchase promotional items such as mementos, awards, and 533 534 plaques.

535 Section 20. Section 1012.07, Florida Statutes, is amended 536 to read:

537 1012.07 Identification of critical teacher shortage538 areas.-

539 (1) As used in ss. 1009.57, 1009.58, and 1009.59, The term "critical teacher shortage area" means <u>high-need content areas</u> 540 541 applies to mathematics, science, career education, and high-542 priority high priority location areas identified by- the State 543 Board of Education may identify career education programs having 544 critical teacher shortages. The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 necessary to 545 546 annually identify other critical teacher shortage areas and high 547 priority location areas. The state board must shall also 181315 Approved For Filing: 4/6/2010 1:56:41 PM Page 20 of 37

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Amendment No. 548 consider current and emerging educational requirements and 549 workforce demands teacher characteristics such as ethnic 550 background, race, and sex in determining critical teacher shortage areas. School grade levels may also be designated 551 552 critical teacher shortage areas. Individual district school 553 boards may identify and submit other critical teacher shortage 554 areas. Such submissions shortages must be aligned to current and 555 emerging educational requirements and workforce demands in order 556 to be certified to and approved by the State Board of Education. 557 High-priority High priority location areas shall be in high-558 density, low-economic urban schools, and low-density, low-559 economic rural schools, and schools identified as lowest performing under s. 1008.33(4)(b) shall include schools which 560 meet criteria which include, but are not limited to, the 561 percentage of free lunches, the percentage of students under 562 563 Chapter I of the Education Consolidation and Improvement Act of 564 1981, and the faculty attrition rate. 565 (2) This section shall be implemented only to the extent 566 as specifically funded and authorized by law. 567 Section 21. Subsection (3) is added to section 1012.42, 568 Florida Statutes, to read: 569 1012.42 Teacher teaching out-of-field.-570 (3) CERTIFICATION REQUIREMENTS.-Beginning in the 2010-2011 school year, a district school board shall not assign any 571 beginning teacher to teach reading, science, or mathematics if 572 573 he or she is not certified in reading, science, or mathematics. 574 Section 22. Section 1012.52, Florida Statutes, is 575 repealed. 181315 Approved For Filing: 4/6/2010 1:56:41 PM Page 21 of 37

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Amendment No.

576 Section 23. Paragraph (c) of subsection (2), subsections 577 (5), (6), and (7), paragraph (b) of subsection (9), and 578 subsection (17) of section 1012.56, Florida Statutes, are 579 amended to read:

580

1012.56 Educator certification requirements.-

581 (2) ELIGIBILITY CRITERIA.—To be eligible to seek582 certification, a person must:

583 Document receipt of a bachelor's or higher degree from (C) 584 an accredited institution of higher learning, or a nonaccredited 585 institution of higher learning that the Department of Education 586 has identified as having a quality program resulting in a 587 bachelor's degree, or higher. Each applicant seeking initial 588 certification must have attained at least a 2.5 overall grade 589 point average on a 4.0 scale in the applicant's major field of study. The applicant may document the required education by 590 591 submitting official transcripts from institutions of higher 592 education or by authorizing the direct submission of such 593 official transcripts through established electronic network 594 systems. The bachelor's or higher degree may not be required in 595 areas approved in rule by the State Board of Education as 596 nondegreed areas. The State Board of Education may adopt rules 597 that, for purposes of demonstrating completion of certification requirements specified in state board rule, allow for the 598 599 acceptance of college course credits recommended by the American Council on Education (ACE), as posted on an official ACE 600 601 transcript.

602 (5) MASTERY OF SUBJECT AREA KNOWLEDGE.-Acceptable means of 603 demonstrating mastery of subject area knowledge are: 181315 Approved For Filing: 4/6/2010 1:56:41 PM Page 22 of 37

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(a) Achievement of passing scores on subject area
examinations required by state board rule, which may include,
but need not be limited to, world languages in Arabic, Chinese,
Farsi, French, German, Greek, Haitian Creole, Hebrew, Hindi,
Italian, Japanese, Portuguese, Russian, and Spanish;

(b) Completion of a bachelor's degree or higher and verification of the attainment of an oral proficiency interview score above the intermediate level and a written proficiency score above the intermediate level on a test administered by the American Council on the Teaching of Foreign Languages for which there is no Florida-developed examination;

615 Completion of the subject area specialization (C) 616 requirements specified in state board rule and verification of 617 the attainment of the essential subject matter competencies by the district school superintendent of the employing school 618 district or chief administrative officer of the employing state-619 620 supported or private school for a subject area for which a 621 subject area examination has not been developed and required by state board rule; 622

(d) Completion of the subject area specialization requirements specified in state board rule for a subject coverage requiring a master's or higher degree and achievement of a passing score on the subject area examination specified in state board rule;

(e) A valid professional standard teaching certificate
issued by another state <u>and achievement of a passing score on</u>
the subject area exam specified in State Board of Education rule
or by a full demonstration of mastery of his or her ability to
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632	teach the subject area for which he or she is seeking
633	certification, as provided by rules of the State Board of
634	Education; or
635	(f) A valid certificate issued by the National Board for
636	Professional Teaching Standards or a national educator
637	credentialing board approved by the State Board of Education.
638	
639	School districts are encouraged to provide mechanisms for those
640	middle school teachers holding only a K-6 teaching certificate
641	to obtain a subject area coverage for middle grades through
642	postsecondary coursework or district add-on certification.
643	(6) MASTERY OF PROFESSIONAL PREPARATION AND EDUCATION
644	COMPETENCEAcceptable means of demonstrating mastery of
645	professional preparation and education competence are:
646	(a) Completion of an approved teacher preparation program
647	at a postsecondary educational institution within this state and
648	achievement of a passing score on the professional education
649	competency examination required by state board rule;
650	(b) Completion of a teacher preparation program at a
651	postsecondary educational institution outside Florida and
652	achievement of a passing score on the professional education
653	competency examination required by state board rule;
654	(c) A valid professional standard teaching certificate
655	issued by another state;
656	(d) A valid certificate issued by the National Board for
657	Professional Teaching Standards or a national educator
658	credentialing board approved by the State Board of Education;
659	(e) Documentation of two semesters of successful teaching
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660 in a community college, state university, or private college or 661 university that awards an associate or higher degree and is an 662 accredited institution or an institution of higher education 663 identified by the Department of Education as having a quality 664 program;

(f) Completion of professional preparation courses as specified in state board rule, successful completion of a professional education competence demonstration program pursuant to paragraph (8) (b), and achievement of a passing score on the professional education competency examination required by state board rule;

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

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

678 (i) Successful completion of a professional education
 679 training program provided by Teach for America and achievement
 680 of a passing score on the professional education competency
 681 examination required by rule of the State Board of Education.

682

Amendment No.

(7) TYPES AND TERMS OF CERTIFICATION.-

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

(b) The department shall issue a temporary certificate to any applicant who meets the following requirements: 181315 Approved For Filing: 4/6/2010 1:56:41 PM Page 25 of 37

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688 <u>1.</u> Completes the requirements outlined in paragraphs 689 (2)(a)-(f); and

690 <u>2.a.</u> Completes the subject area content requirements
 691 specified in state board rule; or

692 <u>b.</u> Demonstrates mastery of subject area knowledge pursuant
 693 to subsection (5); and

694 <u>3.</u> Holds an accredited degree or a degree approved by the 695 Department of Education at the level required for the subject 696 area specialization in state board rule.

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

703

704 Each temporary certificate is valid for 3 school fiscal years 705 and is nonrenewable. However, the requirement in paragraphs 706 paragraph (2)(g) and (h) must be met within 1 calendar year of 707 the date of employment under the temporary certificate. 708 Individuals who are employed under contract at the end of the 1 709 calendar year time period may continue to be employed through 710 the end of the school year in which they have been contracted. A school district shall not employ, or continue the employment of, 711 712 an individual in a position for which a temporary certificate is 713 required beyond this time period if the individual has not met 714 the requirement of paragraph (2)(g) or paragraph (2)(h). The 715 State Board of Education shall adopt rules to allow the 181315 Approved For Filing: 4/6/2010 1:56:41 PM Page 26 of 37

Amendment No. 716 department to extend the validity period of a temporary 717 certificate for 2 years when the requirements for the professional certificate, not including the requirement in 718 paragraph (2)(g) or paragraph (2)(h), were not completed due to 719 720 the serious illness or injury of the applicant or other 721 extraordinary extenuating circumstances. The department shall reissue the temporary certificate for 2 additional years upon 722 723 approval by the Commissioner of Education. A written request for 724 reissuance of the certificate shall be submitted by the district 725 school superintendent, the governing authority of a university 726 lab school, the governing authority of a state-supported school, or the governing authority of a private school. 727

728

(9) EXAMINATIONS.-

729 The State Board of Education shall, by rule, specify (b) 730 the examination scores that are required for the issuance of a 731 professional certificate and temporary certificate. Such rules must define generic subject area and reading instruction 732 733 competencies and must establish uniform evaluation guidelines. 734 The State Board of Education shall review the current subject 735 area examinations and, if necessary, revise the passing scores 736 and reading instruction pursuant to s. 1001.215 required for 737 achieving certification in order to match expectations for teacher competency in each subject area. 738

(17) COMPARISON OF ROUTES TO A PROFESSIONAL CERTIFICATE.Beginning with the 2003-2004 school year, The Department of
Education shall conduct a longitudinal study to compare
performance of certificateholders who are employed in Florida
school districts. The study shall compare a sampling of
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Bill No. CS/HB 7189 (2010)

Amendment No. 744 educators who have qualified for a professional certificate 745 since July 1, 2002, based on the following: 746 (a) Graduation from a state-approved teacher preparation 747 program. Completion of a state-approved professional 748 (b) 749 preparation and education competency program. 750 A valid standard teaching certificate issued by a (C) 751 state other than Florida. 752 753 The department comparisons shall be made to determine if there 754 is any significant difference in the performance of these groups 755 of teachers, as measured by their students' achievement levels 756 and learning gains as measured by s. 1008.22. 757 Section 24. Paragraph (b) of subsection (2) and subsection 758 (5) of section 1012.585, Florida Statutes, are amended, and 759 subsection (6) is added to that section, to read: 760 1012.585 Process for renewal of professional 761 certificates.-762 (2) 763 (b) A teacher with national certification from the 764 National Board for Professional Teaching Standards is deemed to 765 meet state renewal requirements for the life of the teacher's 766 national certificate in the subject shown on the national 767 certificate. A complete renewal application and fee shall be 768 submitted. The Commissioner of Education shall notify teachers 769 of the renewal application and fee requirements. This paragraph 770 expires July 1, 2014. 771 (5) The State Board of Education shall adopt rules to 181315

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Amendment No.

allow the reinstatement of expired professional certificates.
The department may reinstate an expired professional certificate
if the certificateholder:

(a) Submits an application for reinstatement of theexpired certificate.

(b) Documents completion of 6 college credits during the 5 years immediately preceding reinstatement of the expired certificate, completion of 120 inservice points, or a combination thereof, in an area specified in paragraph (3)(a).

781

786

(c) Meets the requirements in subsection (6).

782 <u>(d) (c)</u> During the 5 years immediately preceding 783 reinstatement of the certificate, achieves a passing score on 784 the subject area test for each subject to be shown on the 785 reinstated certificate.

787 The requirements of this subsection may not be satisfied by 788 subject area tests or college credits completed for issuance of 789 the certificate that has expired.

790 (6) Beginning with the 2014-2015 school year, the 791 requirements for the renewal of a professional certificate shall 792 include documentation of effective or highly effective 793 performance as demonstrated under s. 1012.34 for at least 4 of 794 the preceding 5 years before the renewal certification is 795 sought. The State Board of Education shall adopt rules to define 796 the process for documenting effective performance under this 797 subsection, including equivalent options for individuals who 798 have not been evaluated under s. 1012.34. An individual's 799 certificate shall expire if the individual is not able to 181315 Approved For Filing: 4/6/2010 1:56:41 PM

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800 <u>demonstrate effective performance as required under this</u> 801 <u>subsection and the rules of the state board. The individual may</u> 802 <u>apply to reinstate his or her professional certificate under</u> 803 subsection (5).

804 Section 25. Subsection (2) of section 1012.72, Florida 805 Statutes, is amended to read:

806

1012.72 Dale Hickam Excellent Teaching Program.-

807 The Dale Hickam Excellent Teaching Program is created (2)808 to provide categorical funding for bonuses for teaching 809 excellence. The bonuses may be provided for initial 810 certification for up to one 10-year period for individuals 811 holding NBPTS certification on July 1, 2010, and who remain 812 continuously employed in a public school in this state or the 813 Florida School for the Deaf and the Blind. The Department of 814 Education shall distribute to each school district an amount as prescribed annually by the Legislature for the Dale Hickam 815 Excellent Teaching Program. For purposes of this section, the 816 817 Florida School for the Deaf and the Blind shall be considered a 818 school district. Unless otherwise provided in the General 819 Appropriations Act, each distribution shall be the sum of the 820 amounts earned for the following:

821 (a) An annual bonus equal to 10 percent of the prior 822 fiscal year's statewide average salary for classroom teachers to 823 be distributed to the school district to be paid to each 824 individual who holds NBPTS certification and is employed by the 825 district school board or by a public school within the school district. The district school board shall distribute the annual 826 827 bonus to each individual who meets the requirements of this 181315 Approved For Filing: 4/6/2010 1:56:41 PM

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828 paragraph and who is certified annually by the district to have 829 demonstrated satisfactory teaching performance pursuant to s. 830 1012.34. The annual bonus may be paid as a single payment or 831 divided into not more than three payments.

832 An annual bonus equal to 10 percent of the prior (b) 833 fiscal year's statewide average salary for classroom teachers to be distributed to the school district to be paid to each 834 835 individual who meets the requirements of paragraph (a) and 836 agrees, in writing, to provide the equivalent of 12 workdays of mentoring and related services to public school teachers within 837 838 the state who do not hold NBPTS certification. Related services 839 must include instruction in helping teachers work more 840 effectively with the families of their students. The district school board shall distribute the annual bonus in a single 841 payment following the completion of all required mentoring and 842 related services for the year. It is not the intent of the 843 844 Legislature to remove excellent teachers from their assigned classrooms; therefore, credit may not be granted by a school 845 846 district or public school for mentoring or related services 847 provided during student contact time during the 196 days of required service for the school year. 848

(c) The employer's share of social security and Medicare
taxes for those teachers who receive bonus amounts under
paragraph (a) or paragraph (b).

852 Section 26. Subsection (1) of section 1012.79, Florida853 Statutes, is amended to read:

854 1012.79 Education Practices Commission; organization.-855 (1) The Education Practices Commission consists of 25 181315 Approved For Filing: 4/6/2010 1:56:41 PM Page 31 of 37

Bill No. CS/HB 7189 (2010)

Amendment No. 856 members, including 11 & teachers; 5 administrators, at least one 857 of whom may shall represent a private school; 5 7 lay citizens, 858 3 = 5 of whom shall be parents of public school students and who 859 are unrelated to public school employees and 2 of whom shall be 860 former district school board members; and 4  $\frac{5}{5}$  sworn law 861 enforcement officials, appointed by the State Board of Education 862 from nominations by the Commissioner of Education and subject to 863 Senate confirmation. Prior to making nominations, the 864 commissioner shall consult with teaching associations, parent 865 organizations, law enforcement agencies, and other involved 866 associations in the state. In making nominations, the 867 commissioner shall attempt to achieve equal geographical 868 representation, as closely as possible. 869 (a) A teacher member, in order to be qualified for 870 appointment: 871 Must be certified to teach in the state. 1. 2. Must be a resident of the state. 872 873 Must have practiced the profession in this state for at 3. 874 least 10 years, with at least 5 years of experience in this 875 state immediately preceding the appointment. 876 A school administrator member, in order to be (b) 877 qualified for appointment: 878 1. Must have an endorsement on the educator certificate in 879 the area of school administration or supervision. Must be a resident of the state. 880 2. 881 Must have practiced the profession as an administrator 3. 882 for at least 5 years immediately preceding the appointment. 883 (C) The lay members must be residents of the state. 181315

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Amendment No.

(d) The law enforcement official members must have served
in the profession for at least 5 years immediately preceding
appointment and have background expertise in child safety.

887 Section 27. Paragraph (h) of subsection (1) of section888 1012.795, Florida Statutes, is amended to read:

889 1012.795 Education Practices Commission; authority to 890 discipline.-

891 The Education Practices Commission may suspend the (1)892 educator certificate of any person as defined in s. 1012.01(2) or (3) for up to 5 years, thereby denying that person the right 893 894 to teach or otherwise be employed by a district school board or 895 public school in any capacity requiring direct contact with 896 students for that period of time, after which the holder may return to teaching as provided in subsection (4); may revoke the 897 educator certificate of any person, thereby denying that person 898 the right to teach or otherwise be employed by a district school 899 900 board or public school in any capacity requiring direct contact with students for up to 10 years, with reinstatement subject to 901 902 the provisions of subsection (4); may revoke permanently the 903 educator certificate of any person thereby denying that person 904 the right to teach or otherwise be employed by a district school 905 board or public school in any capacity requiring direct contact 906 with students; may suspend the educator certificate, upon an 907 order of the court or notice by the Department of Revenue 908 relating to the payment of child support; or may impose any 909 other penalty provided by law, if the person:

910 (h) Has breached a contract, as provided in s. 1012.33(2) 911 or s. 1012.335. 181315

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Bill No. CS/HB 7189 (2010)

912	Amendment No. Section 28. It is the intent of the Florida Legislature to
913	have the highest quality teachers in Florida's classrooms.
914	Therefore, a statewide task force is created to design a
915	compensation and salary schedule for teachers that compensates
916	based on performance, due process for classroom teachers, and
917	appraisal systems. The taskforce should include: a school board
918	member, a superintendent, one elementary teacher, one middle
919	school teacher, one senior high school teacher, two parent
920	representatives, a representative of the business community, a
921	representative from a public postsecondary education
922	institution, a representative from the Florida Department of
923	Education, and a representative from the teachers union. The
924	task force shall report its recommendations to the Governor, the
925	Speaker of the House of Representatives, and the Senate
926	President by January 1, 2011.
927	Section 29. Review of teacher preparation program
928	funding
929	(1) The Department of Education, in collaboration with the
930	Board of Governors, shall develop a methodology to determine the
931	cost-effectiveness of the teacher preparation programs in ss.
932	1004.04, 1004.85, and 1012.56(8), Florida Statutes. The
933	methodology for determining program costs must use existing
934	expenditure data, when available.
935	(2) On or before December 1, 2011, the Department of
936	Education shall submit a report to the Governor, the President
937	of the Senate, and the Speaker of the House of Representatives
938	which:
939	(a) Provides a methodology to evaluate the cost-
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Bill No. CS/HB 7189 (2010)

940	Amendment No. effectiveness of teacher preparation programs based on program
941	costs, program outcomes of student cohorts such as completion
942	rates, placement rates in teaching jobs, retention rates in the
943	classroom, and student achievement and learning gains of
944	
	students taught by graduates;
945	(b) Uses the methodology developed to evaluate the cost-
946	effectiveness of the state's teacher preparation programs; and
947	(c) Provides recommendations that would enhance the
948	Legislature's ability to consider the program's productivity
949	when allocating funds.
950	(3) The Office of Program Policy Analysis and Government
951	Accountability shall review the current standards for the
952	continued approval of teacher preparation programs and make
953	recommendations to the Legislature on or before January 1, 2012,
954	for any needed changes. Such recommendations shall include
955	proposed changes to the allocation of any state funds to teacher
956	preparation programs and the students enrolled in these
957	programs.
958	Section 30. (1) Any school district that received a grant
959	of at least \$75 million from a private foundation for the
960	purpose of improving the effectiveness of teachers within the
961	school district may seek an annual exemption from the State
962	Board of Education of s. 1008.222, Florida Statutes,
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966	
967	TITLE AMENDMENT
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Amendment No.

968

Remove lines 15-126 and insert:

969 to changes made by the act; amending s. 1003.52, F.S.; deleting 970 a cross-reference to conform to changes made by the act; 971 repealing s. 1003.62, F.S., relating to academic performance-972 based charter school districts; amending s. 1003.621, F.S.; 973 providing additional requirements for personnel in academically 974 high-performing school districts; repealing s. 1003.63, relating 975 to the deregulated public schools pilot program; amending s. 976 1004.04, F.S.; revising the criteria for continued approval of 977 teacher preparation programs to include student learning gains; deleting the waiver of admissions criteria for certain students; 978 979 deleting the criterion relating to employer satisfaction; 980 revising the requirements for a teacher preparation program to 981 provide additional training to a graduate who fails to demonstrate essential skills; deleting a provision that requires 982 983 state-approved teacher preparation programs and public and private institutions offering training for school-readiness-984 985 related professions to report graduate satisfaction ratings; 986 revising the requirements for preservice field experience 987 programs; repealing s. 1004.04(11) and (12), F.S., relating to the Preteacher and Teacher Education Pilot Programs and the 988 989 Teacher Education Pilot Programs for High-Achieving Students; 990 amending s. 1004.85, F.S.; revising the requirements for 991 individuals who participate in programs at postsecondary 992 educator preparation institutes; revising the requirements for 993 approved alternative certification programs and instructors; 994 creating s. 1008.222, F.S.; requiring the Department of 995 Education to develop and implement end-of-course assessments; 181315 Approved For Filing: 4/6/2010 1:56:41 PM

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Bill No. CS/HB 7189 (2010)

Amendment No. 996 amending s. 1009.40, F.S.; deleting cross-references to conform 997 to changes made by the act; repealing s. 1009.54, F.S., relating 998 to the Critical Teacher Shortage Program; repealing s. 1009.57, 999 F.S., relating to the Florida Teacher Scholarship and Forgivable 1000 Loan Program; repealing s. 1009.58, F.S., relating to the 1001 Critical Teacher Shortage Tuition Reimbursement Program; repealing s. 1009.59, F.S., relating to the Critical Teacher 1002 1003 Shortage Student Loan Forgiveness Program; amending s. 1009.94, 1004 F.S.; deleting cross-references to conform to changes made by 1005 the act; amending s. 1011.69, F.S.; deleting a provision that 1006 exempts academic performance-based charter school districts from 1007 the Equity in School-Level Funding Act to conform to changes 1008 made by the act; amending s. 1012.05, F.S.; revising the 1009 Department of Education's responsibilities for teacher recruitment; amending s. 1012.07, F.S.; revising the methodology 1010 for determining critical teacher shortage areas; deleting cross-1011 1012 references to conform to changes made by the act; creating a task force to design a compensation and salary schedule for 1013 1014 teachers; amending s.