

By Senator Calatayud

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1 A bill to be entitled
2 An act relating to K-12 teachers; amending s. 1001.20,
3 F.S.; authorizing the Office of Inspector General
4 within the Department of Education to investigate
5 allegations and reports of suspected violations of
6 certain persons' rights; amending s. 1009.26, F.S.;
7 revising the courses eligible for a fee waiver;
8 creating s. 1009.31, F.S.; establishing the Dual
9 Enrollment Educator Scholarship Program; providing
10 requirements for the department and the Board of
11 Governors in administering the program; providing
12 eligibility criteria for applicants; requiring
13 scholarship recipients to agree to specified
14 conditions; providing what the scholarship funds must
15 cover; providing that funding for the program is
16 contingent upon appropriation; requiring the State
17 Board of Education to adopt rules; creating s.
18 1012.555, F.S.; establishing the Teacher
19 Apprenticeship Program; providing eligibility
20 requirements for apprentice teachers; providing
21 requirements for mentor teachers; providing that a
22 mentor teacher may receive a bonus under specified
23 conditions; providing that an apprenticeship classroom
24 may exceed class size requirements up to a specified
25 limit; authorizing the state board to adopt rules;
26 amending s. 1012.56, F.S.; providing an additional
27 means of demonstrating mastery of subject area
28 knowledge; requiring the department to issue a
29 temporary apprenticeship certificate under certain

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30 conditions; amending s. 1012.59, F.S.; waiving
31 specified certification requirements for retired first
32 responders; creating s. 1012.715, F.S.; establishing
33 the Heroes in the Classroom Bonus Program; providing
34 that a retired military veteran or first responder who
35 becomes a full-time classroom teacher may receive a
36 one-time bonus, subject to legislative appropriation;
37 defining the terms "retired first responder" and
38 "veteran"; providing eligibility requirements for the
39 bonus; providing responsibilities for the department;
40 providing responsibilities for the school district;
41 authorizing the state board to adopt rules; creating
42 ch. 1015, F.S., to be entitled "Teachers' Bill of
43 Rights"; creating s. 1015.01, F.S.; providing a short
44 title; creating s. 1015.02, F.S.; providing
45 legislative findings; creating s. 1015.03, F.S.;
46 providing that the right of certain employees to work
47 may not be denied or abridged by specified actions;
48 providing civil and criminal immunity for teachers
49 under certain circumstances; providing that teachers
50 have access to certain liability coverage under
51 certain circumstances; providing that teachers may
52 receive reimbursement of certain expenses under
53 certain circumstances; providing that certain persons
54 have the right to be free from discrimination and may
55 bring actions for specified relief, fees, and costs;
56 providing that teachers must be provided multiple
57 pathways to earn an educator certificate; creating s.
58 1015.04, F.S.; providing that teachers are guaranteed

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59 a coordinated system of professional development;
60 providing that certain teachers may receive specified
61 tuition and fee waivers; creating s. 1015.05, F.S.;
62 authorizing teachers to control and discipline
63 students in their classrooms and certain other places
64 and to take specified actions; creating a rebuttable
65 presumption for teachers under certain circumstances;
66 creating s. 1015.06, F.S.; providing that teachers
67 have the right to direct their classroom instruction;
68 authorizing teachers to bring actions against school
69 districts and request the appointment of a special
70 magistrate under certain circumstances; providing
71 requirements and responsibilities for such
72 magistrates; providing requirements for the state
73 board; providing that teachers have the right to
74 receive certain data in a timely manner; providing an
75 effective date.

76

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

78

79 Section 1. Paragraph (e) of subsection (4) of section
80 1001.20, Florida Statutes, is amended to read:

81 1001.20 Department under direction of state board.—

82 (4) The Department of Education shall establish the
83 following offices within the Office of the Commissioner of
84 Education which shall coordinate their activities with all other
85 divisions and offices:

86 (e) *Office of Inspector General.*—Organized using existing
87 resources and funds and responsible for promoting

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88 accountability, efficiency, and effectiveness and detecting
89 fraud and abuse within school districts, the Florida School for
90 the Deaf and the Blind, and Florida College System institutions
91 in Florida. If the Commissioner of Education determines that a
92 district school board, the Board of Trustees for the Florida
93 School for the Deaf and the Blind, or a Florida College System
94 institution board of trustees is unwilling or unable to address
95 substantiated allegations made by any person relating to waste,
96 fraud, or financial mismanagement within the school district,
97 the Florida School for the Deaf and the Blind, or the Florida
98 College System institution, the office must ~~shall~~ conduct,
99 coordinate, or request investigations into such substantiated
100 allegations. The office shall investigate allegations or reports
101 of possible fraud or abuse against a district school board made
102 by any member of the Cabinet; the presiding officer of either
103 house of the Legislature; a chair of a substantive or
104 appropriations committee with jurisdiction; or a member of the
105 board for which an investigation is sought. The office may
106 investigate allegations or reports of suspected violations of a
107 student's, parent's, or teacher's rights. The office shall have
108 access to all information and personnel necessary to perform its
109 duties and shall have all of its current powers, duties, and
110 responsibilities authorized in s. 20.055.

111 Section 2. Subsection (18) of section 1009.26, Florida
112 Statutes, is amended to read:

113 1009.26 Fee waivers.—

114 (18) (a) For every course in a Program of Strategic
115 Emphasis, as identified in subparagraph 3., or a state-approved
116 teacher preparation program in which a student is enrolled, a

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117 state university shall waive 100 percent of the tuition and fees
118 for an equivalent course in such program for a student who:

119 1. Is a resident for tuition purposes under s. 1009.21.

120 2. Has earned at least 60 semester credit hours towards a
121 baccalaureate degree within 2 academic years after initial
122 enrollment at a Florida public postsecondary institution.

123 3. Enrolls in one of 10 Programs of Strategic Emphasis as
124 adopted by the Board of Governors or a state-approved teacher
125 preparation program. The Board of Governors shall adopt eight
126 Programs of Strategic Emphasis in science, technology,
127 engineering, or math and, beginning with the 2022-2023 academic
128 year, two Programs of Strategic Emphasis in the critical
129 workforce gap analysis category for which a student may be
130 eligible to receive the tuition and fee waiver authorized by
131 this subsection. The programs identified by the board must
132 reflect the priorities of the state and be offered at a majority
133 of state universities.

134 (b) A waiver granted under this subsection is applicable
135 only for upper-level courses and up to 110 percent of the number
136 of required credit hours of the baccalaureate degree program for
137 which the student is enrolled.

138 (c) Upon enrollment in a Program of Strategic Emphasis or a
139 state-approved teacher preparation program, the tuition and fees
140 waived under this subsection must be reported for state funding
141 purposes under ss. 1009.534 and 1009.535 and must be disbursed
142 to the student. The amount disbursed to the student must ~~shall~~
143 be equal to the award amount the student has received under s.
144 1009.534(2) or s. 1009.535(2).

145 (d) Each state university shall report to the Board of

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146 Governors the number and value of all waivers granted annually
147 under this subsection. A state university in compliance with
148 this subsection may earn incentive funding, subject to
149 appropriation, in addition to the funding provided under s.
150 1001.92.

151 (e) The Board of Governors shall adopt regulations to
152 administer this subsection.

153 Section 3. Section 1009.31, Florida Statutes, is created to
154 read:

155 1009.31 Dual Enrollment Educator Scholarship Program.—

156 (1) The Dual Enrollment Educator Scholarship Program is
157 established to assist teachers in grades 9-12 in public schools
158 in this state in obtaining the graduate degree and credentials
159 necessary to provide dual enrollment coursework directly to
160 students on the campuses of such schools.

161 (2) The Department of Education shall:

162 (a) Administer the scholarship program in accordance with
163 rules adopted by the State Board of Education.

164 (b) In consultation with the Board of Governors, identify
165 graduate-level degree programs offered at state universities
166 which meet accrediting agency requirements for teaching general
167 education core courses, as identified in s. 1007.25. The
168 department shall provide the list of approved degree programs to
169 school districts and post it on its website.

170 (c) In consultation with the Board of Governors, identify
171 qualified degree programs that are available entirely online.

172 (d) Identify and prioritize districts for participation in
173 the scholarship program based on each district's ratio of
174 students from low-income and moderate-income households, the

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175 availability of dual enrollment courses in the district, and the
176 geographic proximity of high schools in the district to
177 participating postsecondary institutions.

178 (e) Prioritize scholarship program applicants who are
179 currently enrolled in an approved graduate program at a state
180 university.

181 (f) Identify school districts with the highest need for
182 teachers, as described in subsection (1), in which participants
183 completing the scholarship program may teach to satisfy the
184 requirement imposed by subparagraph (4) (a)3.

185 (3) A scholarship applicant must satisfy the following
186 eligibility criteria:

187 (a) Be a certified teacher in grades 9-12 in a public
188 school in this state.

189 (b) Be accepted into, or currently enrolled in, an approved
190 graduate program in a subject within his or her area of
191 certification, as identified pursuant to paragraph (2) (b).

192 (4) (a) As a condition of receiving a scholarship, the
193 recipient must agree to do all of the following:

194 1. Complete the graduate degree program and additional
195 required credentials within 3 academic years of the initial
196 award.

197 2. Upon completion of the degree, teach at least one
198 general education core course, as identified in s. 1007.25, per
199 semester at a public school mutually agreed upon by the school
200 district and the postsecondary institution. The recipient may
201 teach additional courses at the school upon the approval of the
202 school district and the postsecondary institution.

203 3. Remain in his or her district, or an eligible district

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204 as identified by the Department of Education, as a certified
205 classroom teacher for at least 3 school years after completion
206 of his or her degree.

207 (b) A scholarship recipient who does not complete an
208 identified degree, or who does not complete at least 3 school
209 years of service after the completion of an identified degree,
210 must repay the amount of the scholarship to the Department of
211 Education on a schedule determined by the department. The
212 department may provide the teacher additional time to meet his
213 or her service requirement if the department finds that
214 circumstances beyond the control of the teacher caused or
215 contributed to his or her failure to complete the degree or meet
216 the service requirement.

217 (5) The scholarship must cover the full cost of tuition and
218 fees, including a book stipend each semester, required to
219 complete the teacher's program.

220 (6) Funding for the Dual Enrollment Educator Scholarship
221 Program is contingent upon the appropriation of funds in the
222 General Appropriations Act.

223 (7) The State Board of Education shall adopt rules to
224 implement this section.

225 Section 4. Section 1012.555, Florida Statutes, is created
226 to read:

227 1012.555 Teacher Apprenticeship Program.—

228 (1) The Teacher Apprenticeship Program is established to
229 create an alternative pathway for individuals to enter the
230 teaching profession. The Department of Education shall
231 administer the program in accordance with s. 446.011.

232 (2) (a) An individual must meet the following minimum

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233 eligibility requirements to participate in the apprenticeship
234 program:

235 1. Have received an associate degree from an accredited
236 postsecondary institution.

237 2. Have earned a cumulative grade point average of 3.0 in
238 that degree program.

239 3. Have successfully passed a background screening as
240 provided in s. 1012.32.

241 4. Have received a temporary apprenticeship certificate as
242 provided in s. 1012.56(7) (d).

243 (b) As a condition of participating in the program, an
244 apprentice teacher must commit to spending the first 2 years in
245 the classroom of a mentor teacher using team teaching strategies
246 identified in s. 1003.03(5) (b) and fulfilling the on-the-job
247 training component of the registered apprenticeship and its
248 associated standards.

249 (c) An apprentice teacher must do both of the following:

250 1. Complete 2 years in an apprenticeship before being
251 eligible to apply for a professional certificate established in
252 s. 1012.56(7) (a). Completion of the Teacher Apprenticeship
253 Program does not exempt an apprentice teacher from the
254 requirements of s. 1012.56(2) (c).

255 2. Receive related instruction as provided in s. 446.051.

256 (d) An apprentice teacher must be appointed by the district
257 school board as an education paraprofessional and must be paid
258 in accordance with s. 446.032 and rules adopted by the State
259 Board of Education.

260 (e) An apprentice teacher may change schools or districts
261 after the first year of his or her apprenticeship if the hiring

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262 school or district has agreed to fund the remaining year of the
263 apprenticeship.

264 (3) A teacher who serves as a mentor in the apprenticeship
265 program shall mentor his or her apprentice teacher using team
266 teaching strategies and must, at a minimum, meet all of the
267 following requirements:

268 (a) Have at least 7 years of teaching experience in this
269 state.

270 (b) Have received an aggregate score of highly effective on
271 the three most recent available value-added model (VAM) scores,
272 as used by the department, or have received an aggregate score
273 of highly effective on the three most recent available
274 performance evaluations if the teacher does not generate a state
275 VAM score.

276 (c) Satisfy any other requirements established by the
277 department.

278 (4) Subject to legislative appropriation, a teacher who
279 serves as a mentor in the apprenticeship program may receive a
280 bonus, as specified in this subsection. If such funding is
281 available:

282 (a) The district school board must pay a teacher who serves
283 as a mentor 50 percent of the bonus amount upon completion of
284 the first year of the apprenticeship.

285 (b) The district school board must pay a teacher who serves
286 as a mentor the remainder of the bonus at the conclusion of the
287 apprenticeship if:

288 1. The teacher successfully guides his or her apprentice to
289 completion of the apprenticeship program;

290 2. Upon completion of the apprenticeship program, his or

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291 her apprentice is hired by a school district or charter school
292 in this state; and

293 3. The teacher meets any additional requirements imposed by
294 state board rule.

295 (5) A class in which an apprenticeship is conducted may
296 exceed the class size limitation imposed in s. 1003.03(1) up to
297 1.5 times the allowable number of students under that
298 subsection.

299 (6) The State Board of Education may adopt rules to
300 implement this section.

301 Section 5. Present paragraphs (d) and (e) of subsection (7)
302 of section 1012.56, Florida Statutes, are redesignated as
303 paragraphs (e) and (f), respectively, a new paragraph (d) is
304 added to that subsection, and present paragraph (e) of that
305 subsection is amended, and subsection (5) of that section is
306 amended, to read:

307 1012.56 Educator certification requirements.—

308 (5) MASTERY OF SUBJECT AREA KNOWLEDGE.—Each of the
309 following is an acceptable means of demonstrating mastery of
310 subject area knowledge ~~are~~:

311 (a) For a subject requiring only a baccalaureate degree for
312 which a Florida subject area examination has been developed,
313 achievement of a passing score on the Florida-developed subject
314 area examination specified in state board rule. ~~†~~

315 (b) For a subject for which a Florida subject area
316 examination has not been developed, achievement of a passing
317 score on a standardized examination specified in state board
318 rule, including, but not limited to, passing scores on both the
319 oral proficiency and written proficiency examinations

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320 administered by the American Council on the Teaching of Foreign
321 Languages.†

322 (c) For a subject for which a Florida subject area
323 examination has not been developed or a standardized examination
324 has not been specified in state board rule, completion of the
325 subject area specialization requirements specified in state
326 board rule and verification of the attainment of the essential
327 subject matter competencies by the district school
328 superintendent of the employing school district or chief
329 administrative officer of the employing state-supported or
330 private school.†

331 (d) For a subject requiring a master's or higher degree,
332 completion of the subject area specialization requirements
333 specified in state board rule and achievement of a passing score
334 on the Florida-developed subject area examination or a
335 standardized examination specified in state board rule.†

336 (e) Documentation of a valid professional standard teaching
337 certificate issued by another state.†

338 (f) Documentation of a valid certificate issued by the
339 National Board for Professional Teaching Standards or a national
340 educator credentialing board approved by the State Board of
341 Education.†

342 (g) Documentation of successful completion of a United
343 States Defense Language Institute Foreign Language Center
344 program.† ~~or~~

345 (h) Documentation of a passing score on the Defense
346 Language Proficiency Test (DLPT).

347 (i) For a subject requiring only a baccalaureate degree for
348 which a Florida subject area examination has been developed,

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349 documentation of receipt of a master's degree or higher from an
350 accredited postsecondary educational institution that the
351 Department of Education has identified as having a quality
352 program resulting in a baccalaureate degree or higher in the
353 certificate subject area as identified by state board rule.

354
355 School districts are encouraged to provide mechanisms for middle
356 grades teachers holding only a K-6 teaching certificate to
357 obtain a subject area coverage for middle grades through
358 postsecondary coursework or district add-on certification.

359 (7) TYPES AND TERMS OF CERTIFICATION.—

360 (d) The department shall issue a temporary apprenticeship
361 certificate to any applicant who:

362 1. Meets the requirements of paragraphs (2) (a), (b), (d),
363 (e), and (f).

364 2. Completes the subject area content requirements
365 specified in state board rule or demonstrates mastery of subject
366 area knowledge as provided in subsection (5).

367 (f)~~(e)~~1. A temporary certificate issued under subparagraph
368 (b)1. is valid for 3 school fiscal years and is nonrenewable.

369 2. A temporary certificate issued under subparagraph (b)2.
370 is valid for 5 school fiscal years, is limited to a one-time
371 issuance, and is nonrenewable.

372 3. A temporary apprenticeship certificate issued under
373 paragraph (d) is valid for 5 school years, may be issued only
374 once, and is nonrenewable.

375
376 At least 1 year before an individual's temporary certificate is
377 set to expire, the department shall electronically notify the

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378 individual of the date on which his or her certificate will
379 expire and provide a list of each method by which the
380 qualifications for a professional certificate can be completed.
381 The State Board of Education shall adopt rules to allow the
382 department to extend the validity period of a temporary
383 certificate for 2 years when the requirements for the
384 professional certificate were not completed due to the serious
385 illness or injury of the applicant, the military service of an
386 applicant's spouse, other extraordinary extenuating
387 circumstances, or if the certificateholder is rated highly
388 effective in the immediate prior year's performance evaluation
389 pursuant to s. 1012.34 or has completed a 2-year mentorship
390 program pursuant to subsection (8). The department shall extend
391 the temporary certificate upon approval by the Commissioner of
392 Education. A written request for extension of the certificate
393 shall be submitted by the district school superintendent, the
394 governing authority of a university lab school, the governing
395 authority of a state-supported school, or the governing
396 authority of a private school.

397 Section 6. Paragraph (d) is added to subsection (3) of
398 section 1012.59, Florida Statutes, to read:

399 1012.59 Certification fees.—

400 (3) The State Board of Education shall waive initial
401 general knowledge, professional education, and subject area
402 examination fees and certification fees for:

403 (d) A retired first responder, which includes a law
404 enforcement officer as defined in s. 943.10(1), a firefighter as
405 defined in s. 633.102(9), or an emergency medical technician or
406 paramedic as defined in s. 401.23.

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407 Section 7. Section 1012.715, Florida Statutes, is created
408 to read:

409 1012.715 Heroes in the Classroom Bonus Program.-

410 (1) PURPOSE.-Subject to legislative appropriation, the
411 Department of Education must provide a one-time sign-on bonus,
412 as provided in the General Appropriations Act, to retired first
413 responders and veterans who commit to joining the teaching
414 profession as a full-time classroom teacher. A retired first
415 responder or veteran may receive an additional bonus for
416 teaching a course in a critical teacher shortage area as defined
417 in s. 1012.07.

418 (2) DEFINITIONS.-As used in this section, the term:

419 (a) "Retired first responder" means an individual who can
420 document his or her full retirement as a law enforcement officer
421 as defined in s. 943.10(1), a firefighter as defined in s.
422 633.102(9), or an emergency medical technician or paramedic as
423 defined in s. 401.23.

424 (b) "Veteran" has the same meaning as defined in s.
425 1.01(14).

426 (3) ELIGIBILITY.-To be eligible to receive a bonus under
427 this section, an individual must:

428 (a) As applicable, document that he or she has not been the
429 subject of any disciplinary action during the most recent 5
430 years of his or her employment. For purposes of this paragraph,
431 the term "disciplinary action" includes suspensions, dismissals,
432 and involuntary demotions associated with disciplinary actions;

433 (b) Document his or her honorable discharge from the
434 military;

435 (c) Document receipt of a professional certificate or

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436 temporary certificate under s. 1012.56(7)(a) and (b)1.,
437 respectively; and

438 (d) Commit to maintaining employment with the district or
439 charter school for a minimum of 2 school years.

440 (4) DEPARTMENT DUTIES.—The Department of Education shall
441 administer the bonus program. At a minimum, the department
442 shall:

443 (a) Establish a method for determining the estimated number
444 of eligible military veterans and first responders hired in the
445 applicable fiscal year.

446 (b) Establish additional minimum criteria necessary to
447 receive the bonus.

448 (c) Establish an estimated cost to the department
449 associated with developing and administering the program.

450 (d) Establish a method by which a teacher must reimburse
451 the state if he or she receives the bonus payment under the
452 program but fails to maintain continuous employment for the
453 required 2-year school period.

454 (e) Identify critical teacher shortage areas in which a
455 military veteran or retired first responder who teaches may be
456 eligible for an additional bonus.

457 (5) DISTRICT DUTIES.—A school district that hires eligible
458 participants must:

459 (a) Provide any necessary information requested by the
460 department.

461 (b) Notify, in a manner established by the department,
462 eligible employees for whom such employment may impact their
463 pension from a previous position.

464 (6) RULES.—The State Board of Education may adopt rules to

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465 implement this section.

466 Section 8. Chapter 1015, Florida Statutes, consisting of
467 ss. 1015.01-1015.06, Florida Statutes, is created and entitled
468 "Teachers' Bill of Rights."

469 Section 9. Section 1015.01, Florida Statutes, is created to
470 read:

471 1015.01 Short title.—This section and ss. 1015.02-1015.06
472 may be cited as the "Teachers' Bill of Rights."

473 Section 10. Section 1015.02, Florida Statutes, is created
474 to read:

475 1015.02 Legislative findings.—The Legislature finds that
476 education is critically important in the development of children
477 in this state. The Legislature additionally recognizes the
478 supreme importance of having high-quality teachers in the
479 classroom. Further, the Legislature finds it is necessary to
480 establish a clear set of rights for teachers regarding their
481 profession and classrooms.

482 Section 11. Section 1015.03, Florida Statutes, is created
483 to read:

484 1015.03 Rights of employment.—

485 (1) Pursuant to s. 447.301 and s. 6., Art. I of the State
486 Constitution, the right of public employees, including teachers,
487 to work may not be denied or abridged on account of membership
488 or nonmembership in any labor union.

489 (2) (a) A teacher, except in cases of excessive force or
490 cruel and unusual punishment, may not be held civilly or
491 criminally liable for actions carried out in conformity with
492 State Board of Education rules. Pursuant to s. 1012.75, a
493 teacher shall have access to liability coverage, subject to the

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494 General Appropriations Act, through the educator liability
495 insurance program.

496 (b) Pursuant to s. 1012.26, a teacher may receive a
497 reimbursement of reasonable expenses for legal services from his
498 or her school district if the teacher is charged with civil or
499 criminal actions arising out of and in the course of the
500 performance of assigned duties and responsibilities.

501 (3) All students and public K-20 educational institution
502 employees, including teachers, have the right to be free from
503 discrimination in public K-20 educational institutions. Pursuant
504 to s. 1000.05, a person may bring an action for equitable
505 relief, attorney fees, and court costs as determined by the
506 court.

507 (4) Pursuant to s. 1012.56, teachers must be provided
508 multiple pathways to earn an educator certificate.

509 Section 12. Section 1015.04, Florida Statutes, is created
510 to read:

511 1015.04 Right to continuing education.—

512 (1) Teachers are guaranteed a coordinated system of
513 professional development with the goals of increasing student
514 achievement, enhancing classroom instruction, and preparing
515 students for continuing their education or joining the
516 workforce. Pursuant to s. 1012.98, the Department of Education,
517 public postsecondary educational institutions, public school
518 districts, public schools, state education foundations,
519 consortia, and professional organizations must work
520 collaboratively to provide a coordinated system of professional
521 development.

522 (2) Pursuant to s. 1009.26(10), teachers employed by a

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523 school district may receive a waiver for tuition and fees for up
524 to 6 credit hours per term at a state university or Florida
525 College System institution.

526 Section 13. Section 1015.05, Florida Statutes, is created
527 to read:

528 1015.05 Right to control the classroom.—

529 (1) In accordance with state board rules and general law, a
530 teacher has the authority to control and discipline students in
531 his or her classroom and in other places in which the teacher is
532 assigned to be in charge of students. Pursuant to s. 1003.32 and
533 in order to provide an orderly and safe learning environment for
534 students, a teacher may:

535 (a) Establish classroom rules of conduct.

536 (b) Establish and implement consequences, which are
537 designed to change behavior, for infractions of classroom rules
538 of conduct.

539 (c) Have disobedient, disrespectful, violent, abusive,
540 uncontrollable, or disruptive students removed from the
541 classroom for behavior management intervention.

542 (d) Have violent, abusive, uncontrollable, or disruptive
543 students directed to appropriate school or district school board
544 personnel for information and assistance.

545 (e) Assist in enforcing school rules on school property,
546 during school-sponsored transportation, and during school-
547 sponsored activities.

548 (f) Request and receive information relating to the
549 disposition of any referrals to administration for a violation
550 of classroom rules of conduct or school rules.

551 (g) Request and receive immediate assistance in classroom

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552 management if a student becomes uncontrollable or in the case of
553 an emergency.

554 (h) Request and receive training and other assistance to
555 improve his or her skills in classroom management, violence
556 prevention, conflict resolution, and related areas.

557 (i) Press charges if there is a reason to believe that a
558 crime has been committed on school property, during school-
559 sponsored transportation, or during school-sponsored activities.

560 (j) Use reasonable force, according to standards adopted by
561 the State Board of Education, to protect himself or herself or
562 others from injury.

563 (2) For purposes of this section, in cases in which a
564 teacher faces litigation or professional practices sanctions for
565 an action taken pursuant to subsection (1), there is a
566 rebuttable presumption that a teacher was taking necessary
567 action to restore or maintain the safety or educational
568 atmosphere of his or her classroom.

569 Section 14. Section 1015.06, Florida Statutes, is created
570 to read:

571 1015.06 Right to direct classroom instruction.—

572 (1) (a) In accordance with general law and State Board of
573 Education rules, a teacher has the right to direct his or her
574 classroom instruction. If a teacher is directed by his or her
575 school district or school to violate general law or state board
576 rules, he or she may request the Commissioner of Education to
577 appoint a special magistrate who is a member of The Florida Bar
578 in good standing and who has at least 5 years' experience in
579 administrative law. The special magistrate shall determine facts
580 relating to the dispute over the school district procedure or

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581 practice, consider information provided by the teacher and the
582 school district, and render a recommended decision for
583 resolution to the state board within 30 days after receipt of
584 the request by the teacher.

585 (b) The state board must approve or reject the special
586 magistrate's recommended decision at its next scheduled board
587 meeting. The costs of the special magistrate must be borne by
588 the school district.

589 (c) If the school district is found in violation of general
590 law or state board rules, the State Board of Education may
591 withhold the salary of the superintendent until the violation is
592 corrected.

593 (2) Pursuant to s. 1008.25, a teacher has the right to
594 receive student assessment data in a timely manner in order to
595 assist in instruction.

596 Section 15. This act shall take effect July 1, 2023.