

HOUSE OF REPRESENTATIVES FINAL BILL ANALYSIS

BILL #:	CS/HB 189	FINAL HOUSE FLOOR ACTION:	
SPONSOR(S):	K-12 Subcommittee; Diaz, M. and others	100 Y's	11 N's
COMPANION BILLS:	CS/HB 432	GOVERNOR'S ACTION: Pending	

SUMMARY ANALYSIS

CS/HB 189 passed the house on February 18, 2016, and subsequently passed the Senate on March 10, 2016. The bill allows an individual to earn a professional educator certificate for grades 6 through 12 in a STEM subject without having to complete additional coursework if the individual:

- meets the general certification requirements;
- holds a master's or higher degree in the area of science, technology, engineering, or mathematics;
- passes the subject area examination for the correlating certificate;
- passes the professional education competency examination required by state board rule;
- teaches a high school course in the subject of the advanced degree; and
- is rated highly effective under the school district's performance evaluation system, based in part on student performance as measured by a statewide standardized assessment or an Advanced Placement, Advanced International Certificate of Education, or International Baccalaureate examination.

The bill does not appear to have a fiscal impact on the state or local governments.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2016.

I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

In order for a person to serve as an educator in a traditional public school, charter school, virtual school, or other publicly operated school, the person must hold a certificate issued by the Florida Department of Education.¹ Persons seeking employment at a public school as a school supervisor, school principal, teacher, library media specialist, school counselor, athletic coach, or in another instructional capacity must be certified.² The purpose of certification is to require school-based personnel to “possess the credentials, knowledge, and skills necessary to allow the opportunity for a high-quality education in the public schools.”³

The department issues three types of educator certificates:

- **Professional Certificate.** The professional certificate is Florida’s highest type of full-time educator certification.⁴ The professional certificate is valid for five years and is renewable.⁵
- **Temporary Certificate.** The temporary certificate covers employment in full-time positions for which educator certification is required.⁶ The temporary certificate is valid for three years and is nonrenewable.⁷
- **Athletic Coaching Certificate.** The athletic coaching certificate covers full-time and part-time employment as a public school’s athletic coach.⁸

In addition, school districts are authorized to issue adjunct teaching certificates to part-time teachers who have expertise in the subject area to be taught. An adjunct teaching certificate is valid through the term of the annual contract between the educator and the school district.⁹

To be eligible for an educator certificate, a person must:¹⁰

- be at least 18 years of age;
- sign an affidavit attesting that the applicant will uphold the U.S. and State Constitutions;
- earn a bachelor’s or higher degree from an accredited institution of higher learning¹¹ or from a nonaccredited institution identified by the department as having a quality program resulting in a bachelor’s or higher degree;¹²
- submit to fingerprinting and background screening and not have a criminal history that requires the applicant’s disqualification from certification or employment;
- be of good moral character; and

¹ Sections 1012.55(1) and 1002.33(12)(f), F.S.

² Sections 1002.33(12)(f) (charter school teachers) and 1012.55(1), F.S.

³ Section 1012.54, F.S.; *see* rule 6A-4.001(1), F.A.C.

⁴ Rule 6A-4.004(2), F.A.C.

⁵ Section 1012.56(7)(a), F.S.; *see* rule 6A-4.0051(3)(c), F.A.C. (validity period is expressed as 5 years from July 1 of the school fiscal year).

⁶ Rule 6A-4.004(1)(a)2., F.A.C.

⁷ Section 1012.56(7), F.S. (flush-left provisions at end of subsection; validity period is expressed in school fiscal years); rule 6A-4.004(1)(a), F.A.C.

⁸ Section 1012.55(2), F.S.

⁹ Section 1012.57(1) and (4), F.S. An additional annual certification and an additional annual contract may be awarded by the district at its discretion only if the adjunct teacher is rated effective or highly effective during each year of teaching under the adjunct certification. Section 1012.57(4), F.S.

¹⁰ Section 1012.56(2)(a)-(f), F.S.

¹¹ Section 1012.56(2)(c), F.S.; rule 6A-4.003(1), F.A.C. (approved accrediting agencies); *see also* 34 C.F.R. ss. 602.1-602.50; U.S. Department of Education, *Regional and National Institutional Accrediting Agencies*, http://www2.ed.gov/admins/finaid/accred/accreditation_pg6.html#NationallyRecognized (last visited Nov. 23, 2015) (list of accrediting agencies approved by the U.S. Department of Education).

¹² Section 1012.56(2)(c), F.S.; rule 6A-4.003(2), F.A.C. (criteria for approval of nonaccredited institutions of higher learning). For initial certification, an applicant must attain at least a 2.5 overall grade point average on a 4.0 scale in the applicant’s major field of study. Section 1012.56(2)(c), F.S.

- be competent and capable of performing the duties, functions, and responsibilities of a teacher.

In addition, each applicant must submit an application and the required fee to the department.¹³

An applicant seeking a professional certificate must:

- meet the basic eligibility requirements for certification;¹⁴
- demonstrate mastery of general knowledge;¹⁵
- demonstrate mastery of subject area knowledge;¹⁶ and
- demonstrate mastery of professional preparation and education competence.¹⁷

To receive a temporary certificate, an applicant must:

- meet the basic eligibility requirements for certification;¹⁸
- obtain full-time employment in a position that requires a Florida educator certificate by a school district or private school that has a department-approved professional education competence demonstration program;¹⁹ and
- do one of the following:
 - demonstrate mastery of subject area knowledge (e.g., passage of the appropriate subject area test);²⁰ or
 - complete the required degree or content courses specified in state board rule for subject area specialization²¹ and attain at least a 2.5 grade point average on a 4.0 scale in the subject area courses.²²

An educator who is employed under a temporary certificate must demonstrate mastery of general knowledge within one calendar year after employment in order to remain employed in a position that requires a certificate.²³ If the educator is employed under contract, the calendar year deadline for demonstrating mastery of general knowledge may be extended through the end of the school year.²⁴

Mastery of general knowledge may be demonstrated through several methods, including achieving a passing score on the General Knowledge Test²⁵ or achieving passing scores established in state board rule on national or international examinations that test comparable content and relevant standards in verbal, analytical writing, and quantitative reasoning skills (e.g., the verbal, analytical writing, and quantitative reasoning portions of the Graduate Record Examination (GRE)).²⁶

¹³ Section 1012.56(1), F.S.; see s. 1012.59, F.S. The fee for initial certification is \$75 per subject area. Rule 6A-4.0012(1)(a)1. and 2., F.A.C.

¹⁴ Section 1012.56(2)(a)-(f), F.S.

¹⁵ Section 1012.56(2)(g) and (3), F.S.; Florida Department of Education, *General Knowledge*, http://www.fldoe.org/edcert/mast_gen.asp (last visited Nov. 23, 2015).

¹⁶ Section 1012.56(2)(h) and (5), F.S.

¹⁷ Section 1012.56(2)(i) and (6), F.S.; Florida Department of Education, *Professional Preparation and Education Competence*, http://www.fldoe.org/edcert/mast_prof.asp (last visited Nov. 23, 2015).

¹⁸ Section 1012.56(2)(a)-(f) and (7)(b), F.S.

¹⁹ Section 1012.56(1)(b), F.S.; rule 6A-4.004(1)(a)2., F.A.C.

²⁰ Section 1012.56(7)(b), F.S.; Florida Department of Education, *Subject Area Knowledge*, http://www.fldoe.org/edcert/mast_sub.asp (last visited Nov. 23, 2015).

²¹ Section 1012.56(7)(b), F.S. The degree and content requirements are specified in ch. 6A-4, F.A.C.

²² Section 1012.56(2)(c), F.S.; see Florida Department of Education, *Certificate Types and Requirements*, http://www.fldoe.org/edcert/cert_types.asp (last visited Nov. 23, 2015).

²³ Section 1012.56(7), F.S. (flush-left provisions at end of subsection).

²⁴ *Id.*

²⁵ Section 1012.56(3)(a), F.S. The General Knowledge Test is part of the Florida Teacher Certification Examinations and is administered as four subtests: Reading, English Skills, English Essay, and Mathematics. Rule 6A-4.0021(7), F.A.C.

²⁶ Section 1012.56(3)(e), F.S.; rules 6A-4.002(4)(e) and 6A-4.0021(12)(a), F.A.C.

Mastery of subject area knowledge may be demonstrated by earning a qualifying bachelor's or higher degree and passing the Florida-developed subject area examination specified in state board rule²⁷ or, if a Florida subject area examination has not been developed, achieving a passing score on a standardized examination specified in state board rule. If there is no Florida-developed or state board-identified examination, subject area mastery may be demonstrated by completion of subject area specialization requirements specified in state board rule and verification by the employing district's superintendent or employing state-supported or private school's chief administrative officer that the essential subject competencies have been attained.²⁸ An applicant may also demonstrate mastery of subject area knowledge by providing documentation of a valid professional standard teaching certificate issued for a subject area by another U.S. state or territory, by the National Board for Professional Teaching Standards, or by the American Board for Certification of Teacher Excellence, if the certificate is comparable to the Florida certificate issued for the same subject area.²⁹

Mastery of professional preparation and education competence is typically demonstrated by successfully completing an approved teacher preparation program at a postsecondary educational institution in Florida, or a teacher preparation program from an out-of-state accredited or department-approved institution, and achieving a passing score on the Professional Education Test required by state board rule.³⁰ However, for individuals who already have a bachelor's or higher degree in a subject other than education, competence is demonstrated in part by completing 15 semester hours in professional preparation courses specified in state board rule³¹ and achieving a passing score on the Professional Education Test.³²

An expert in the field who meets the general certification requirements and holds a temporary certificate may immediately begin teaching in a classroom as the teacher of record. However, temporary certificate holders with a master's degree or higher in the area of science, technology, engineering, or mathematics (STEM) who are rated highly effective must still complete the 15 hours of coursework within three years to earn a professional certificate.³³

A STEM teacher's evaluation rating is determined by the school district's performance evaluation system, which incorporates student performance on statewide, standardized assessments or other district-selected measures into a teacher's summative evaluation.³⁴ For example, districts may use performance data from Advanced Placement (AP) examinations to evaluate a high school teacher in the following AP STEM courses:

- Chemistry;
- Environmental Science;
- Computer Science;
- Physics;
- Calculus;
- Biology; and
- Statistics.³⁵

²⁷ Section 1012.56(5)(a), F.S. The Florida Teacher Certification Examinations include 44 subject area tests. Florida Department of Education, *Florida Teacher Certification Examinations*, http://www.fl.nesinc.com/FL_TIGS.asp (last visited Nov. 23, 2015).

²⁸ Section 1012.56(5)(c), F.S. See, e.g., rule 6A-4.0123, F.A.C. (specialization requirements for certification in dance).

²⁹ Section 1012.56(5)(e) and (f), F.S.; rule 6A-4.002(1)(i)-(j), F.A.C.

³⁰ Section 1012.56(6)(a) and (b), F.S.; see s. 1004.04, F.S.; rule 6A-4.003(1) and (4), F.A.C. (accreditation of teacher education programs). The Professional Education Test is part of the Florida Teacher Certification Examinations. Rule 6A-4.0021(8), F.A.C.

³¹ Section 1012.56(6)(f), F.S.; rule 6A-4.006(2)(a), F.A.C. Separate professional preparation course requirements are established for certification in Agriculture (grades 6-12). Rule 6A-4.006(3)(a), F.A.C.

³² Section 1012.56(6)(f), F.S.

³³ See s. 1012.56(6)(f)-(h), F.S. See also rules 6A-4.004(1) and 6A-4.006(2)(a) and (b), F.A.C.

³⁴ See s. 1012.34, F.S. See also rules 6A-5.030 and 6A-5.0411, F.A.C. The teacher's performance evaluation also includes instructional practice (i.e., classroom observations) and other criteria as determined by the school district. See s. 1012.34(3), F.S.

³⁵ See CollegeBoard, *AP Courses*, <https://apstudent.collegeboard.org/apcourse> (last visited Nov. 23, 2015). Similar courses and examinations are offered through International Baccalaureate and Advanced International Certification of Education programs. See Cambridge AICE, *Cambridge AICE Diploma Curriculum*, <http://www.cie.org.uk/programmes-and-qualifications/cambridge->

Effect of the Bill

The bill makes it easier for qualifying temporary certificate holders to earn a professional certificate by reducing the coursework associated with meeting professional preparation and education competence requirements. Under the bill, an individual may earn a professional certificate covering grades 6 through 12 in a STEM subject without having to complete additional coursework if the individual:

- meets the general certification requirements;
- holds a master's or higher degree in the area of science, technology, engineering, or mathematics;
- passes the subject area examination for the correlated educator certificate;
- passes the professional education competency examination required by state board rule;
- teaches a high school course in the subject of the advanced degree; and
- is rated highly effective under the school district's performance evaluation system based in part on student performance as measured by a statewide standardized assessment or an AP, Advanced International Certificate of Education, or International Baccalaureate examination.

A candidate who meets all of these requirements may apply for a professional certificate before the completion of his or her three-year temporary certification period.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.