

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 1331 Education
SPONSOR(S): PreK-12 Quality Subcommittee and Grall
TIED BILLS: None **IDEN./SIM. BILLS:** CS/SB 1598

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) PreK-12 Quality Subcommittee	14 Y, 0 N, As CS	Brink	Duncan
2) PreK-12 Appropriations Subcommittee	9 Y, 4 N	Seifert	Potvin
3) Education Committee		Brink	Hassell

SUMMARY ANALYSIS

The bill establishes the Schools of Excellence Program to provide administrative flexibility to the state's highest performing schools. The bill requires the State Board of Education to designate a school as a School of Excellence if it has a school grades score in the 80th percentile or higher, statewide, for schools of its type (elementary, middle, high, or combination) for 2 of the last 3 school years. A school retains its designation for 3 years unless it earns a school grade lower than a "B" during that span. A school may renew its designation if it remains in the 80th percentile or higher for 2 of the 3 years and does not receive a grade lower than a "B." The bill provides the following administrative flexibilities to a School of Excellence:

- Exemption from any provision in law or rule that expressly requires a minimum period of daily or weekly instruction in reading.
- The same autonomy over personnel and budgetary decisions for the school's principal as provided to principals participating in the Principal Autonomy Pilot Project Initiative.
- Exemption from district-set starting and stopping times for the school day.
- Allowing a teacher to substitute 1 school year of employment at a School of Excellence for 20 inservice points toward the renewal of their professional certificate, up to 60 inservice points.
- Calculation for compliance with maximum class size at the school level rather than the classroom level.

Under the bill, a temporary certificate holder who completes an approved professional development certification program and earns a highly effective rating will qualify for a renewable professional certificate without having to complete additional classwork or pass the Professional Education Test.

The bill allows charter schools and charter management organizations to offer a professional development certification and educator competence program and requires the mentorship and induction component of a program to, at a minimum, provide weekly opportunities for specified mentoring and induction activities. The mentorship and induction activities must be provided for a teacher's first year in the program and may be provided until the teacher attains his or her professional certificate. The bill requires the DOE to adopt standards for approving a professional development certification and educator competence program, including the mentorship and induction component.

The bill allows mentoring activities, including serving as a mentor, to count towards a teacher's inservice requirements for certification renewal. The bill requires professional development activities to provide training to mentors. The bill requires model professional development programs disseminated by the DOE to include effective mentorship activities to new teachers and training to mentors.

The bill also streamlines the temporary certificate application process.

This bill has no state fiscal impact.

The bill takes effect July 1, 2017

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: h1331e.EDC

DATE: 4/4/2017

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Schools of Excellence

Present Situation

Recognizing High-Performing Schools: School Grades and School Recognition

One function of Florida's statewide accountability system is to identify and recognize schools that perform well based on school quality metrics established in law. Initially implemented in 1999 as the A+ Plan for Education,¹ Florida's system has evolved and increased accountability for schools and educators by using student achievement and learning gains data from statewide, standardized assessments and other measures of school quality to assign schools grades on an A through F scale. The School Recognition Program was established to financially reward high-performing schools as indicated by the school grades.²

School Grades

School grades are used to explain a school's performance in a familiar, easy-to-understand manner for parents and the public.³ School grades are also used to determine whether a school must select or implement a turnaround option⁴ or whether a school is eligible for school recognition funds as appropriated by the Legislature.⁵

The annual reports must identify schools as having one of the following grades:

- "A," for schools making excellent progress – 62% or higher of total points
- "B," for schools making above average progress – 54% to 61% of total points
- "C," for schools making satisfactory progress – 41% to 53% of total points
- "D," for schools making less than satisfactory progress – 32% to 40% of total points
- "F," for schools failing to make adequate progress – 31% or less of total points⁶

Elementary schools, middle schools, and high schools each share a basic model for determining school grades, based on the percentage of total points earned by a school for each component in the model. Middle and high school models include additional components beyond the basic model.⁷ Combination school models include the additional components for the grades served (e.g., a school serving grades K through 12 would include the additional components for the middle and high school models).

¹ See ch. 1999-398, L.O.F.; Florida Department of Education, *Evaluation and Reporting, Florida School Recognition Program*, Frequently Asked Questions, <http://www.fldoe.org/accountability/accountability-reporting/fl-school-recognition-program/FAQ.shtml> (last visited Mar. 13, 2017).

² Section 3, ch. 1997-212, L.O.F.

³ Section 1008.34(1), F.S. If there are fewer than 10 eligible students with data for a component, the component is not included in the calculation. Section 1008.34(3)(a), F.S.

⁴ See s. 1008.33(4), F.S.

⁵ See s. 1008.26, F.S.

⁶ Section 1008.34(2), F.S.; rule 6A-1.09981(4)(d), F.A.C.

⁷ See s. 1008.34(3)(b), F.S.; rule 6A-1.09981(4)(a)-(c), F.A.C.

School Grades Models							
Basic/Elementary (700 Points)			Middle School (Basic +200 Points)		High School (Basic+300 Points)		
English Language Arts	Mathematics	Science	Civics EOC Assessment	Acceleration Success	U.S. History EOC Assessment	Graduation Rate	Acceleration Success
Achievement (0% to 100%)	Achievement (0% to 100%)	Achievement (0% to 100%)	Achievement (0% to 100%)	Percentage of students who pass high school EOC assessments & industry certifications	Achievement (0% to 100%)	Overall, 4-year graduation rate	Percent of students eligible to earn college credit through AP, IB, AICE, dual enrollment, or earn industry certification
Learning Gains (0% to 100%)	Learning Gains (0% to 100%)					(0% to 100%)	
Learning Gains of Low 25% (0% to 100%)	Learning Gains of Low 25% (0% to 100%)			(0% to 100%)			(0% to 100%) ⁸

Schools with a combination of grade groups (combination schools), such as K-8 or 6-12, have a school grades calculation that is based on the components that are applicable based on the grade groups served by the school. By example, a school that serves students in K-8 would have a school grade calculation based on the basic model plus the middle grades components but not the high school components, for a total of 900 possible points.

A school's grade must include only those components for which at least 10 students have complete data. If a school does not meet the 10-student threshold for a component, it will receive a school grade based only on the remaining components.⁹

School Recognition

The Florida School Recognition Program was created in 1997 to recognize the "outstanding faculty and staff in highly productive [public] schools."¹⁰ The program provides public recognition and financial awards to schools sustaining high student performance or schools that demonstrate exemplary improvement in student performance.¹¹ Funds were first awarded to eligible schools in the 1999-2000 school year.¹²

Public schools, including charter schools, that receive a school grade of "A," improve at least one letter grade from the prior year, or improve more than one letter grade and sustain the improvement the following year are eligible for awards.¹³ In addition, alternative schools that maintain a "commendable" rating or improve at least one improvement-rating level are also eligible for awards.¹⁴

⁸ Other assessments used to measure college readiness, such as the Postsecondary Education Readiness Test and the College Level Examination Program, are not included in the Acceleration Success component of the school grading formula.

⁹ See s. 1008.34(3)(a), F.S.

¹⁰ Section 3, ch. 1997-212, L.O.F., initially codified at s. 231.2905 (1), F.S., redesignated in 2002 as s. 1008.36 (1), F.S.

¹¹ Section 1008.36(2), F.S.; Florida Department of Education, Accountability Reporting, *Florida School Recognition Program: Frequently Asked Questions*, <http://www.fldoe.org/how-do-i/evaluation-reporting.shtml> (last visited Mar. 13, 2017).

¹² *Id.*

¹³ Section 1008.36(2) and (3), F.S. A school that serves any combination of students in kindergarten through grade 3 that does not receive a school grade because its students are not tested and not included in the school grading system receives the school grade designation of a K-3 feeder pattern school, if at least 60 percent of the students in the K-3 school are scheduled to be assigned to the graded school. Section 1008.34(3)(a)2., F.S.

¹⁴ Section 1008.34(1)(2), F.S. Alternative schools have the option of receiving a school improvement rating. There are 3 ratings: commendable, maintaining, and unsatisfactory. *Id.*

Financial awards may be used for:

- Nonrecurring bonuses for faculty and staff;
- Nonrecurring expenditures for educational equipment or materials; or
- Temporary personnel to assist in maintaining and improving student performance.¹⁵

Although the law provides recognition in the form of publicly reported school grades and financial incentives through the School Recognition Program, the law does not provide consistently, highly successful schools any relief from prescriptive state- or district-level regulations that may hinder a school from implementing additional, effective practices that further improve student outcomes.

Principal Autonomy Pilot Program Initiative

In 2016, the Legislature established the Principal Autonomy Pilot Program Initiative (PAPPI) within the Department of Education (DOE) to provide the principal of a participating school with increased autonomy and authority regarding allocation of resources and staffing to improve student achievement and school management.¹⁶ School district participation in PAPPI is voluntary, and only open to school districts in Broward, Duval, Jefferson, Madison, Palm Beach, Pinellas and Seminole Counties. School districts seeking to participate in PAPPI must submit a principal autonomy proposal to the State Board of Education for approval. A participating school must have received at least two school grades of “D” or “F” during the previous three school years, and a participating principal must have earned a highly effective rating on the prior year’s performance evaluation.¹⁷

The program exempts participating schools from the K-20 Education Code and state board rules implementing such provisions, with some exceptions.¹⁸ In addition, a principal at a participating school may select qualified instructional personnel for placement at the school and refuse placement or transfer of instructional personnel by the district school superintendent, in any case.¹⁹ The principal also has greater budgeting authority to allocate resources to help improve student achievement.²⁰

Professional Certification Renewal

Instructional personnel with a professional educator certificate must apply to renew their certificate every five years.²¹ In order to qualify for renewal, the applicant must earn at least six college credits or 120 inservice (professional development) points during the 5-year cycle.²² At least three college credits or 60 inservice points must be earned in each subject area for which renewal is sought.²³ In addition to credits or inservice points required in the subject area, credits or inservice points may be earned in courses in clinical educator training, literacy and computational skills acquisition, exceptional student education, child development, drug abuse, child abuse, limited English proficiency, dropout prevention, and other topics.²⁴

¹⁵ Section 1008.36(5), F.S.

¹⁶ Chapter 2016-223, L.O.F. *Codified at* ss. 1012.28(8), and 1011.6202, F.S.

¹⁷ Section 1011.6202(2)(a)1. and 2., F.S.

¹⁸ *See* s. 1011.6202(3), F.S.

¹⁹ Section 1012.28(8)(a), F.S.

²⁰ Section 1012.28(8)(b), F.S.

²¹ Section 1012.585(2)(a), F.S.

²² Section 1012.585(3)(a), F.S. Applicants may combine college credits and inservice points to meet this requirement. One semester hour of college credit is equivalent to 20 inservice points. Rule 6A-4.0051(1)(a)2., F.A.C. College credits must be earned at an accredited or state board-approved institution. Inservice points must be earned through participation in state board-approved school district inservice activities. Rule 6A-4.0051(1)(a), F.A.C.; *see* rule 6A-4.003(1) and (2), F.A.C. (list of approved accrediting agencies and guidelines for nonaccredited approved institutions).

²³ Section 1012.585(3)(a), F.S.

²⁴ *Id.*

Applicants for renewal of a professional certificate must earn at least one college credit or the equivalent amount of inservice points in the area of instruction for teaching students with disabilities.²⁵

Effect of Proposed Changes

The bill establishes the Schools of Excellence Program to provide administrative flexibility to the state's highest performing schools.

The bill requires the State Board of Education to designate a school as a School of Excellence when the school's percentage of possible points earned in its school grades calculation is in the 80th percentile or higher for schools within the same grade group (elementary schools, middle schools, high schools, or combination schools) for 2 of the last 3 school years. In order to qualify, the school must have data for each school grades component for its grade group.

Under the bill, a school retains its designation as a School of Excellence for 3 years so long as it does not receive a school grade lower than a "B" during that span. The school may renew its designation for another 3 years if it remains in the 80th percentile or higher for 2 of the 3 years and does not receive a grade lower than a "B" in any of the years. The bill provides that a School of Excellence that receives a grade lower than "B" may not continue to be designated as a School of Excellence and loses its administrative flexibility during the remainder of the 3-year period.

The bill provides the following administrative flexibilities to a School of Excellence:

- Exemption from any provision in law or rule that expressly requires a minimum period of daily or weekly instruction in reading.
- The same autonomy over personnel and budgetary decisions for the school's principal as provided to principals participating in the Principal Autonomy Pilot Project Initiative.
- Exemption from district-set starting and stopping times for the school day.
- Calculation for compliance with maximum class size at the school level rather than the classroom level.

In addition, the bill allows a teacher to substitute 1 school year of employment at a School of Excellence for 20 inservice points toward the renewal of their professional certificate. The provision allows the teacher to earn up to 60 inservice points out of the 120 points required to renew a professional educator certificate at the end of the 5-year certification cycle. The bill provides that the principal of a School of Excellence may still require instructional personnel to participate in professional development implemented by the school.

Educator Certification

Present Situation

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 (DOE).²⁶ Persons seeking employment at a public school as a school supervisor, principal, teacher, library media specialist, counselor, athletic coach, or in another instructional capacity must be certified.²⁷ The purpose of certification is to require school-based

²⁵ Section 1012.585(4), F.S. This required training may not add to the total hours required by the DOE for continuing education or inservice training. *Id.*

²⁶ Sections 1012.55(1) and 1002.33(12)(f), F.S.

²⁷ Sections 1002.33(12)(f) (charter school teachers) and 1012.55(1), F.S. District school boards and charter school governing boards are authorized to hire non-certified individuals who possess expertise in a given field to serve in an instructional capacity. Rule 6A-1.0502, F.A.C.; ss. 1002.33(12)(f) and 1012.55(1)(c), F.S. Occupational therapists, physical therapists, audiologists, and speech therapists are not required to be certified educators. Rule 6A-1.0502(10) and (11), F.A.C.

personnel to “possess the credentials, knowledge, and skills necessary to allow the opportunity for a high-quality education in the public schools.”²⁸

The DOE issues three types of educator certificates:

- **Professional Certificate.** The professional certificate is Florida’s highest type of full-time educator certification.²⁹ The professional certificate is valid for five years and is renewable.³⁰
- **Temporary Certificate.** The temporary certificate covers employment in full-time positions for which educator certification is required.³¹ The temporary certificate is valid for three years and is nonrenewable.³²
- **Athletic Coaching Certificate.** The athletic coaching certificate covers full-time and part-time employment as a public school’s athletic coach.³³ DOE issues two types of athletic coaching certificates – one is valid for five years and may be issued for subsequent five-year periods while the other is valid for three years and may be issued only once.³⁴ The five-year certificate requires satisfaction of certain specialization requirements established in rule.³⁵

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.³⁶

To be eligible for an educator certificate, a person must:³⁷

- 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 learning³⁸ or from a nonaccredited institution identified by the DOE as having a quality program resulting in a bachelor’s or higher degree;³⁹
- 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
- 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 DOE.⁴⁰ Although most of the application process is conducted electronically, certain portions of the process, like

²⁸ Section 1012.54, F.S.; *see* rule 6A-4.001(1), F.A.C.

²⁹ Rule 6A-4.004(2), F.A.C.

³⁰ 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). DOE also issues a nonrenewable 5-year professional certificate that allows an applicant with a bachelor’s degree in the area of speech-language impairment to complete a master’s degree in speech-language impairment. Section 1012.56(7)(c), F.S.; rule 6A-4.004(3), F.A.C.

³¹ Rule 6A-4.004(1)(a)2., F.A.C.

³² 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. DOE also issues a nonrenewable temporary certificate, which is valid for 2 years, in the area of speech-language impairment. Sections 1012.56(7)(c) and 1012.54, F.S.; rule 6A-4.001(1), F.A.C.

³³ Section 1012.55(2), F.S.

³⁴ Rule 6A-4.004(4), F.A.C. (validity periods expressed in school fiscal years).

³⁵ *See* rule 6A-4.0282, F.A.C.

³⁶ 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.

³⁷ Section 1012.56(2)(a)-(f), F.S.

³⁸ 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*, https://www2.ed.gov/admins/finaid/accred/accreditation_pg6.html#NationallyRecognized (last visited Mar. 9, 2017) (list of accrediting agencies approved by the U.S. Department of Education).

³⁹ 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.

notifications of deficiencies in an application and supporting documentation, are sent through conventional postal delivery services which can delay the process. These notices are expected to be fully electronic by November of 2017.⁴¹

To receive a temporary certificate, an applicant must:

- meet the basic eligibility requirements for certification;⁴²
- obtain full-time employment in a position that requires a Florida educator certificate by a school district or private school that has a DOE-approved professional education competence demonstration program;⁴³ and
- do one of the following:
 - demonstrate mastery of subject area knowledge (e.g., passage of the appropriate subject area test);⁴⁴ or
 - complete the required degree or content courses specified in state board rule for subject area specialization⁴⁵ and attain at least a 2.5 grade point average on a 4.0 scale in the subject area courses.⁴⁶

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.⁴⁷ 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.⁴⁸ A temporary certificate is valid for 3 years and is nonrenewable.⁴⁹

An applicant seeking a professional certificate must:

- meet the basic eligibility requirements for certification;⁵⁰
- demonstrate mastery of general knowledge;⁵¹
- demonstrate mastery of subject area knowledge;⁵² and
- demonstrate mastery of professional preparation and education competence.⁵³

A professional certificate is valid for five years and is renewable.⁵⁴

Pathways to a professional certificate include:

- 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 DOE-approved institution and achieving a passing score on the Professional

⁴⁰ 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.

⁴¹ Telephone interview with Bureau Chief, Florida Department of Education, Bureau of Educator Certification (Feb. 23, 2017).

⁴² Section 1012.56(2)(a)-(f) and (7)(b), F.S.

⁴³ Section 1012.56(1)(b), F.S.; rule 6A-4.004(1)(a)2., F.A.C.

⁴⁴ Section 1012.56(7)(b), F.S.; Florida Department of Education, *Subject Area Knowledge*, http://www.fldoe.org/edcert/mast_sub.asp (last visited April 28, 2016).

⁴⁵ Section 1012.56(7)(b), F.S. The degree and content requirements are specified in ch. 6A-4, F.A.C.

⁴⁶ Section 1012.56(2)(c), F.S.; see Florida Department of Education, *Certificate Types and Requirements*, <http://www.fldoe.org/teaching/certification/general-cert-requirements/index.shtml> (last visited Mar. 9, 2017).

⁴⁷ Section 1012.56(7), F.S. (flush-left provisions at end of subsection).

⁴⁸ *Id.*

⁴⁹ *Id.*

⁵⁰ Section 1012.56(2)(a)-(f), F.S.; see *supra* text accompanying notes 37-40.

⁵¹ 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 Mar. 9, 2017).

⁵² Section 1012.56(2)(h) and (5), F.S.

⁵³ 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 Mar. 9, 2017) [hereinafter *Professional Preparation and Education Competence*].

⁵⁴ Sections 1012.56(7)(a) and 1012.585, F.S.; rule 6A-4.0051(1), F.A.C. See *supra* note 30.

Education Test (PET), Subject Area Examination (SAE), and General Knowledge Test (GKT) required by state board rule;⁵⁵

- successfully completing a competency-based professional development certification program offered by a school district or an educator preparation institute (EPI) and passing the PET, SAE, and GKT;⁵⁶
- completing 15 semester hours in professional preparation courses specified in state board rule⁵⁷ or completing the Professional Training Option for Content Majors;⁵⁸ completing requirements for practical experience in teaching;⁵⁹ completing an approved professional education competence demonstration program;⁶⁰ and passing the PET, SAE, and GKT;⁶¹
- providing documentation of a valid professional standard teaching certificate issued by another U.S. state or by the National Board Professional Teaching Standards (NBPTS);⁶²
- providing documentation of a valid professional standard teaching certificate issued by the American Board for Certification of Teacher Excellence (ABCTE) and completing an approved professional education competence demonstration program;⁶³ or
- completing two semesters of part-time or full-time college teaching experience at an accredited community college, state university, or private college or university that awards associate's or higher degrees or at a nonaccredited institution of higher education identified by the DOE as having a quality program and passing the SAE and PET.⁶⁴

In 2016, the law was amended to allow an individual to earn a professional certificate covering grades 6 through 12 in a Science, Technology, Engineering, or Mathematics (STEM) subject without having to complete coursework associated with professional preparation and education competence, if the individual:

- meets the basic eligibility requirements for certification;
- demonstrates mastery of general knowledge;
- holds a master's or higher degree in science, technology, engineering, or mathematics;
- passes the PET and the SAE for the correlated educator certificate;
- teaches a high school course in the subject area 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, Advance International Certificate of Education, or International Baccalaureate examination.⁶⁵

⁵⁵ 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.

⁵⁶ Section 1012.56(6)(g)-(h), F.S.; *see ss. 1004.85 and 1012.56(8), F.S.*; rule 6A-5.066(2)(b)1.d. and (c)1.d., F.A.C.

⁵⁷ 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.

⁵⁸ The Professional Training Option for Content Majors authorizes an approved teacher preparation program at a postsecondary institution in Florida to allow students who do not major in education but do major or minor in a content area (*e.g.*, English major) to satisfy professional preparation course requirements. Rule 6A-5.066(3), F.A.C.

⁵⁹ *Professional Preparation and Education Competence*, *supra* note 53; *see rules 6A-4.002(5) and 6A-4.006(2)(b), F.A.C.*

⁶⁰ Section 1012.56(6)(f), F.S. Each school district must, and a state-supported public or private school may, establish a professional education competence demonstration program that allows the district's or school's instructional staff to demonstrate mastery of professional preparation and education competence through a performance evaluation plan, which documents the staff's classroom application and instructional performance. *See s. 1012.56(8)(b), F.S.*

⁶¹ Section 1012.56(6)(f), F.S.

⁶² Section 1012.56(6)(c)-(d), F.S.; *see rule 6A-4.002(1)(i)-(j), F.A.C.*

⁶³ Section 1012.56(6)(d), F.S.; rule 6A-4.002(1)(j), F.A.C.; *Professional Preparation and Education Competence*, *supra* note 53.

⁶⁴ Section 1012.56(6)(e), F.S. A non-accredited institution of higher learning is approved as having a quality program if the institution meets one of the following criteria: is accepted for certification purposes by the state department of education where the institution is located; holds a certificate of exemption pursuant to s. 1005.06, F.S.; is a newly created Florida public college or university that offers a bachelor's or higher degree program; is located outside the U.S. and awards a degree that is the equivalent to a bachelor's or higher degree awarded by an accredited or approved institution in the U.S.; or the degree from the institution was accepted by an accredited or approved institution either in transfer or as a basis for admission into the graduate program which resulted in the conferral of a higher degree. Rule 6A-4.003(2), F.A.C.

⁶⁵ Chapter 2016-117, L.O.F.

Several of the pathways allow a temporary certificate holder to complete the general knowledge and professional preparation and education competence requirements for a professional certificate while serving as a classroom teacher. These include the college coursework option, EPIs, district professional development certification and education competency programs (professional development certification program), professional training option programs, and the STEM secondary certification pathway. Data from the DOE show that 35 percent of temporary certificate holders do not complete the requirements for a professional certificate by the end of their 3-year temporary certificate.⁶⁶

A professional certificate must be renewed every five years.⁶⁷ An educator must submit an application,⁶⁸ pay a fee,⁶⁹ and earn at least six college credits or 120 inservice points to renew professional certification.⁷⁰ At least three college credits or 60 inservice points must be earned in each subject area for which renewal is sought.⁷¹ The renewal period may be extended to include two successive renewal periods up to 10 years to enable educators who are certified in three or more subject areas to earn the required credits or inservice points in each subject area.⁷² In addition to credits or inservice points required in the subject area, credits or inservice points may be earned in courses in clinical educator training, literacy and computational skills acquisition, exceptional student education, child development, drug abuse, child abuse, limited English proficiency, dropout prevention, and other topics.⁷³

State board rule includes special provisions for teachers of limited English proficient students, teachers of students with disabilities and teachers of reading.⁷⁴ The law allows a professional certificate holder to use college credits or inservice points earned through training in teaching students of limited English proficiency or students with disabilities and training in teaching reading in excess of six semester hours during one certificate validity period toward renewal of the professional certificate during the subsequent validity periods.⁷⁵ Temporary certificate holders may use college credits or inservice points earned through training in teaching students of limited English proficiency or students with disabilities and training in teaching reading toward renewal of the teacher's first professional certificate; however, the training must not have been included within the degree program, and the temporary and professional certificates must be issued for consecutive school years.⁷⁶

Applicants for renewal of a professional certificate must earn at least one college credit or the equivalent amount of inservice points in the area of instruction for teaching students with disabilities.⁷⁷

⁶⁶ Florida Department of Education, *Pathways to the Professional Certificate: hearing before the House PreK-12 Quality Subcommittee* (Feb. 15, 2017), available at <http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=2909&Session=2017&DocumentType=Meeting%20Packets&FileName=pkq%202-15-17.pdf>.

⁶⁷ Section 1012.585(2)(a), F.S.

⁶⁸ Rule 6A-4.0051(3)(b), F.A.C. The DOE processes certification renewals for individuals who are not employed by district school boards. Section 1012.585(1)(b), F.S. District school boards are responsible for processing certificate renewals for school district employees. Section 1012.585(1)(a), F.S.

⁶⁹ The fee for a certification renewal is \$75. Rules 6A-4.0051(3)(b), F.A.C. and 6A-4.0012(1)(a)1.

⁷⁰ Section 1012.585(3)(a), F.S. Applicants may combine college credits and inservice points to meet this requirement. One semester hour of college credit is equivalent to 20 inservice points. Rule 6A-4.0051(1)(a)2., F.A.C. College credits must be earned at an accredited or state board-approved institution. Inservice points must be earned through participation in state board-approved school district inservice activities. Rule 6A-4.0051(1)(a), F.A.C.; see rule 6A-4.003(1) and (2), F.A.C. (list of approved accrediting agencies and guidelines for nonaccredited approved institutions).

⁷¹ Section 1012.585(3)(a), F.S.

⁷² Section 1012.585(3)(c), F.S.; rule 6A-4.0051(2)(c), F.A.C.

⁷³ Section 1012.585(3)(a), F.S.

⁷⁴ Rule 6A-4.0051(5), F.S.

⁷⁵ Section 1012.585(3)(d)1., F.S.

⁷⁶ Section 1012.585(3)(d)2., F.S.

⁷⁷ Section 1012.585(4), F.S. This required training may not add to the total hours required by the DOE for continuing education or inservice training. *Id.*

Certification in subject areas may also be renewed by earning a passing score on the corresponding Florida-developed subject area test or standardized examination specified in state board rule.⁷⁸ Certification by NBPTS is deemed to meet certification renewal requirements for the life of the certificate, in the corresponding certification subject area.⁷⁹

Teacher Preparation

There are various teacher preparation programs that individuals may use to receive the training needed to attain teaching credentials, including:⁸⁰

- **Initial Teacher Preparation programs** are “traditional” teacher preparation programs that require candidates to demonstrate mastery of subject area knowledge in one or more specific subject areas(s), mastery of general knowledge, and mastery of professional preparation and education competence. Such programs result in qualification for a professional educator certificate.⁸¹
- **Educator Preparation Institutes** are alternative certification programs offered by postsecondary institutions and private providers for baccalaureate degree holders. These programs provide professional preparation for career-changers and recent college graduates who do not already possess a Professional Educator Certificate and require mastery of general knowledge, mastery of subject area knowledge and mastery of professional preparation and education competence.
- **District Professional Development Certification and Education Competency Programs** are cohesive, competency-based professional preparation certification programs offered by Florida public school districts, by which a school district’s instructional staff can satisfy the mastery of professional preparation and education competence requirements. In addition to completing the district program, candidates must demonstrate mastery of general knowledge and subject area knowledge.

Professional Development

Florida law requires a number of entities, including the DOE, public postsecondary educational institutions, public school districts, public schools, state education foundations, consortia, and professional organizations, to work collaboratively to develop a coordinated system of professional development. The purpose of the system is to increase student achievement, enhance classroom instructional strategies that promote rigor and relevance throughout the curriculum, and prepare students for continuing education and the workforce.⁸²

Part of the DOE’s responsibility in the professional development system is to disseminate to the school community research-based professional development methods and programs that have demonstrated success in meeting identified student needs.⁸³ At least one method of dissemination must be through a web-based statewide performance support system, including a database of exemplary professional development activities, a listing of available professional development resources, training programs, and available assistance.⁸⁴ In addition, the DOE must disseminate, using the web-based statewide performance-support system, proven model professional development programs that have demonstrated success in increasing rigorous and relevant content, increasing student achievement and

⁷⁸ Section 1012.585(3)(b), F.S. For the purposes of renewing a professional certificate, passage of a subject area examination is equivalent to three semester hours of college credit. Rule 6A-4.0051(1)(b), F.A.C.

⁷⁹ Section 1012.585(2)(b), F.S.; rule 6A-4.0051(1)(c), F.A.C.

⁸⁰ Florida Department of Education, *Educator Preparation*, <http://www.fldoe.org/teaching/preparation> (last visited Mar. 9, 2017). *See also* rule 6A-5.066, F.A.C.

⁸¹ Rule 6A-5.066, F.A.C.

⁸² Section 1012.98(1), F.S.

⁸³ Section 1012.98(4)(a), F.S. The web-based statewide performance support system can be accessed at <https://www.floridaschoolleaders.org>.

⁸⁴ *Id.*

engagement, and meeting identified school needs.⁸⁵ The DOE must also disseminate, using web-based technology, research-based best practice methods by which the state and district school boards may evaluate and improve the professional development system.⁸⁶

Each school district is required to develop a professional development system in consultation with teachers, teacher-educators of Florida College System (FCS) institutions and state universities, business and community representatives, and local education foundations, consortia, and professional organizations.⁸⁷ The system must:

- be approved by the DOE, with all substantial revisions thereto also approved by the DOE;
- be based on analyses of student achievement data and instructional strategies and methods that support rigorous, relevant, and challenging curricula for all students;
- provide in-service activities with follow-up support appropriate to accomplish district-level and school-level improvement goals and standards;
- include a master plan for inservice activities, which must be aligned to and support school-based inservice plans and school improvement plans and be approved annually by the district school board;
- include inservice activities for school administrative personnel that address updated skills necessary for instructional leadership and effective school management;
- provide for systematic consultation with regional and state personnel designated to provide technical assistance and evaluation of local professional development programs;
- provide for delivery of professional development by distance learning and other technology-based delivery systems to reach more educators at lower costs;
- provide for the continuous evaluation of the quality and effectiveness of professional developmental programs in order to eliminate ineffective programs and strategies and expand effective ones; and
- for middle grades, emphasize:
 - interdisciplinary planning, collaboration, and instruction;
 - alignment of curriculum and instructional materials to the state academic standards; and
 - use of small learning communities; problem-solving, inquiry-driven research and analytical approaches for students; strategies and tools based on student needs; competency-based instruction; integrated digital instruction; and project-based instruction.⁸⁸

A district school board may contract with independent entities for professional development services and inservice education if the district school board can demonstrate to the Commissioner of Education that, through such a contract, a better product can be acquired or its goals for education improvement can be better met.⁸⁹

Teacher Mentoring and Induction

Teacher induction programs “aim to improve the performance and retention of new hires and to enhance the skills and prevent the loss of new teachers with the ultimate goal of improving students’ growth and learning.”⁹⁰ Data show that recent concerns over staffing shortages are primarily related to retaining new teachers rather than recruiting them, as beginning teachers leave the profession at a higher clip than experienced ones or teachers who retire.⁹¹ Beginning teachers who leave the profession often report a lack of adequate administrative support as a motivating factor.⁹² This has led

⁸⁵ Section 1012.98(11), F.S.

⁸⁶ Section 1012.98(7), F.S.

⁸⁷ Section 1012.98(4)(b), F.S.

⁸⁸ Section 1012.98(4)(b), F.S.

⁸⁹ Section 1012.98(9), F.S.

⁹⁰ Richard Ingersoll, *Beginning Teacher Induction: What the Data Tell Us*, http://www.edweek.org/ew/articles/2012/05/16/kappan_ingersoll.h31.html (last visited Mar. 6, 2017).

⁹¹ *See id.*

⁹² *Id.*

to a significant portion of the teacher workforce consisting more of beginning teachers as well as an increase in participation in teacher induction programs.⁹³ However, there is great variation in the quality of induction opportunities offered to new teachers between states and school districts.⁹⁴

Generally, teacher induction has a positive effect on retaining new teachers. Further, participation in certain activities is correlated with higher rates of retention, including having a peer mentor in the subject area and having common planning time.⁹⁵

Florida law has no provisions related to new teacher induction other than requiring the assignment of a peer mentor as part of a district program.⁹⁶ Although a peer mentor must hold a valid professional certificate, have at least 3 years of teaching experience in prekindergarten through grade 12, and have a rating of effective or highly effective on the prior year's performance evaluation,⁹⁷ the law does not expressly establish mentor training and mentoring activities requirements.

Effect of Proposed Changes

To help districts recruit and retain new teachers, the bill enhances requirements for the peer mentor component of a district program and establishes a mentorship and induction-based pathway to a professional educator certificate. Under the bill, a temporary certificate holder who completes a DOE-approved district program and who has a highly effective district performance evaluation rating will receive a professional certificate without having to sit for additional coursework or take the Professional Education Test (PET).

The bill requires that the mentorship and induction component of a district's professional development certification program, at a minimum, provide weekly opportunities for mentoring and induction activities, including:

- common planning time;
- ongoing professional development targeted to a mentee teacher's needs;
- opportunities to observe other teachers;
- co-teaching experiences; and
- reflection and follow-up discussions.

The bill requires that the mentorship and induction activities must be provided for the teacher's first year in the program and may be provided until the teacher attains his or her professional certificate. The bill requires that a principal who is rated highly effective must be provided flexibility in selecting professional development activities for the mentorship and induction component so long as they are approved by the DOE.

The bill allows charter schools and charter management organizations to offer a DOE-approved professional development certification program.

The bill requires the DOE to adopt standards for the approval of professional development certification programs, including standards for the teacher mentorship and induction component, by December 31, 2017. The standards for the teacher mentorship and induction component must include:

- program administration and evaluation;

⁹³ See *id.*

⁹⁴ See *id.* See also The New Teacher Center, *Support from the Start: A 50-State Review of Policies on New Educator Induction and Mentoring* (2016) at iii-iv, available at <https://newteachercenter.org/wp-content/uploads/2016ExecSummaryStatePolicies.pdf>.

⁹⁵ See RICHARD INGERSOLL, *Beginning Teacher Induction: What the Data Tell Us*, http://www.edweek.org/ew/articles/2012/05/16/kappan_ingersoll.h31.html (last visited Mar. 6, 2017).

⁹⁶ See s. 1012.56(8)(a)3., F.S.

⁹⁷ *Id.* School district personnel evaluation systems differentiate among four levels of performance: Highly Effective; Effective; Needs improvement (or Developing for instructional personnel in their first 3 years of employment who need improvement); and Unsatisfactory. Section 1012.34(2)(e), F.S.

- mentor roles, selection, and training;
- beginning teacher assessment and professional development; and
- teacher content knowledge and practices aligned to the Florida Educator Accomplished Practices.

Each school district, charter school, or charter management organization, wishing to provide a professional development certification program must submit its program, including the teacher mentorship and induction component, to the DOE for approval no later than June 30, 2018. Beginning January 1, 2019, a teacher may not satisfy requirements for a professional certificate through a professional development certification program unless the program has been approved by the DOE. As a result, teachers can complete the requirements for a professional certificate based on current program requirements through December 31, 2018, at the latest.

The bill allows participation in a district program as a mentor or a mentee to count toward a teacher's inservice specialization requirements for renewal of a professional certificate. The bill also requires each district professional development system to provide inservice activities and support targeted to the individual needs of teachers participating in the district program.

The bill requires professional development activities designed to implement the School Community Professional Development Act to provide training to mentors as part of the district program. The training must include components on teacher development, peer coaching, time management, and other related topics as determined by the DOE. The bill requires model professional development programs disseminated by the DOE to include effective mentorship activities to new teachers and training to mentors.

The bill also streamlines the temporary certificate application process by requiring the DOE to electronically issue a temporary certificate to a qualifying applicant within 14 calendar days after it receives a request from the applicant's employing school district or private school. The DOE must also electronically provide an official statement of status of eligibility at the time the certificate is issued. The statement must include each method by which an applicant can complete the qualifications for a professional certificate.

B. SECTION DIRECTORY:

Section 1. Creates s. 1003.631, F.S.; creating the Schools of Excellence Program; providing for designation as a School of Excellence; providing requirements for a School of Excellence; providing for redesignation; authorizing Schools of Excellence to have specified administrative flexibilities; authorizing certain teachers to earn a professional certificate by completing a specified program.

Section 2. Amends s. 1012.56, F.S.; requiring the Department of Education to issue a temporary educator certificate within a specified period; requiring the department to provide electronic notice of the issuance of a temporary certificate to specified entities; requiring the department to provide the applicant an official statement of status of eligibility upon issuance of a temporary certificate; providing content requirements for the statement of status of eligibility; revising the criteria instructional personnel must meet to be issued a professional certificate; providing that an applicant for professional certification is not required to take or pass a specified examination under certain circumstances; authorizing charter schools and charter management organizations to develop a professional development certification and education competency program; revising program requirements; requiring the department to adopt standards for the approval of such programs by a specified date; providing requirements for such standards; requiring each school district and charter school to submit its program for approval by a specified date; providing that certification requirements may not be met in a program that is not approved by the department after a specified date.

Section 3. Amends s. 1012.585, F.S.; revising college credit and inservice hour requirements for renewal of a professional certificate to include participation in specified activities.

Section 4. Amends s. 1012.98, F.S.; revising the activities designed to implement the school community professional development act to include specified training relating to a professional development certification and education competency program; revising requirements for school district professional development systems; requiring the department to disseminate professional development programs that meet specified criteria.

Section 5. Provides an effective date.

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:

The bill may result in cost savings to teachers who participate in a professional development certification program because they would not be required to enroll in additional college coursework or take the Professional Education Test to earn their professional certificate.

D. FISCAL COMMENTS:

While the Department of Education indicated an additional FTE would be required to review and approve districts' professional development certification programs, insufficient data was provided to substantiate the request.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On March 14, 2017, the bill was amended and reported favorably by the PreK-12 Quality Subcommittee as a committee substitute. The two amendments:

- include calculation of class size at the school level, rather than classroom level, as an additional flexibility for a School of Excellence;
- clarify that the exemption from a minimum period of instruction applies only to reading; and
- delete a provision granting autonomy to principals newly assigned to a “D” or “F” school.

The bill analysis is drafted to the bill as amended.