



PreK-12 Policy Committee

Wednesday, March 18, 2009

1:30 p.m.

404 HOB

Action Packet

**Larry Cretul
Speaker**

**John Legg
Chair**

COMMITTEE MEETING REPORT

PreK-12 Policy Committee

3/18/2009 1:30:00PM

Location: 404 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
John Legg (Chair)	X		
Dwight Bullard	X		
Rachel V. Burgin	X		
Anitere Flores	X		
Clay Ford	X		
Erik Fresen	X		
Mia Jones	X		
Martin Kiar	X		
Rick Kriseman	X		
Charles McBurney	X		
Scott Plakon	X		
Kelli Stargel	X		
Ritch Workman	X		
Totals:	13	0	0

Committee meeting was reported out: Wednesday, March 18, 2009 5:53:29PM

COMMITTEE MEETING REPORT

PreK-12 Policy Committee

3/18/2009 1:30:00PM

Location: 404 HOB

HB 197 : Use of Pancreatic Enzyme Prescription Supplements

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard			X		
Rachel V. Burgin	X				
Anitere Flores			X		
Clay Ford			X		
Erik Fresen	X				
Mia Jones	X				
Martin Kiar	X				
Rick Kriseman	X				
Charles McBurney	X				
Scott Plakon	X				
Kelli Stargel	X				
Ritch Workman	X				
John Legg (Chair)	X				
Total Yeas: 10		Total Nays: 0			

Committee meeting was reported out: Wednesday, March 18, 2009 5:53:29PM

COMMITTEE MEETING REPORT

PreK-12 Policy Committee

3/18/2009 1:30:00PM

Location: 404 HOB

HB 643 : District and School Advisory Councils

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard	X				
Rachel V. Burgin	X				
Anitere Flores	X				
Clay Ford	X				
Erik Fresen	X				
Mia Jones	X				
Martin Kiar	X				
Rick Kriseman	X				
Charles McBurney	X				
Scott Plakon	X				
Kelli Stargel	X				
Ritch Workman	X				
John Legg (Chair)	X				
Total Yeas: 13		Total Nays: 0			

Appearances:

School Advisory Council

Vicki Drake, School Board Member - Proponent

1701 Prudential Dr.

Jacksonville FL 32307

Phone: 904-390-2373

School Advisory Council

Maureen Dinnen, School Board Chair - Proponent

Broward School Board

600 SE 3 Ave.

Fort Lauderdale FL 33301

Phone: 754-321-2003

School Advisory Council

Jim Hamilton, Consultant (Lobbyist) - Proponent

Hillsborough County Schools

4031 Teal Way

Pensacola FL 32507

Phone: 813-624-2171

School Advisory Council

Georgia Slack, Legislative Consultant (Lobbyist) - Proponent

Broward Public Schools

9693 Ridgecrest Ct.

Davie FL 33328

Phone: 305-608-5110

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COMMITTEE MEETING REPORT

PreK-12 Policy Committee

3/18/2009 1:30:00PM

Location: 404 HOB

HB 1377 : Supplemental Educational Services

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard			X		
Rachel V. Burgin	X				
Anitere Flores	X				
Clay Ford			X		
Erik Fresen	X				
Mia Jones	X				
Martin Kiar	X				
Rick Kriseman	X				
Charles McBurney	X				
Scott Plakon	X				
Kelli Stargel	X				
Ritch Workman	X				
John Legg (Chair)	X				
Total Yeas: 11		Total Nays: 0			

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COMMITTEE MEETING REPORT

PreK-12 Policy Committee

3/18/2009 1:30:00PM

Location: 404 HOB

HB 1411 : Education Personnel

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard		X			
Rachel V. Burgin	X				
Anitere Flores	X				
Clay Ford	X				
Erik Fresen	X				
Mia Jones		X			
Martin Kiar		X			
Rick Kriseman		X			
Charles McBurney	X				
Scott Plakon	X				
Kelli Stargel	X				
Ritch Workman	X				
John Legg (Chair)	X				
Total Yeas: 9		Total Nays: 4			

Appearances:

Educational Personnel

Sandi Jacobs, Vice President - Proponent
 National Council on Teacher Quality
 1341 G Street NW
 Washington DC 20005
 Phone: 202-393-0020

Educational Personnel

Steve Donovan, School Board Member (General Public) - Proponent
 3601 Osceola Trail
 Naples FL 34119
 Phone: 239-377-0001

Educational Personnel

Patricia Levesque, Executive Director (Lobbyist) - Proponent
 Foundation for Florida's Future
 215 S. Monroe St. Suite 100
 Tallahassee FL 32301
 Phone: 850-391-3070

Educational Personnel

David Holmes, Teacher (State Employee) - Opponent
 United School Employees of Pasco
 10140 Montague St.
 Tampa FL 33626
 Phone: 813-391-9969

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PreK-12 Policy Committee

3/18/2009 1:30:00PM

Location: 404 HOB

Educational Personnel

Marshall Ogletree, Legislative Advocacy (Lobbyist) - Opponent

FEA

213 S. Adams Street

Tallahassee FL 32301

Phone: 850-224-2078

Educational Personnel

Glenda McCallister, Teacher/Parent (State Employee) - Opponent

United School Employees of Pasco

39767 Meadowood Loop

Zephyrhills FL 33542

Phone: 813-779-9051

Educational Personnel

Mareen Dinnen, School Board Chair (General Public) - Opponent

600 SE 3 Ave.

Fort Lauderdale FL 33301

Phone: 754-321-2003

Educational Personnel

Yvonne Perkins, SRP (General Public) - Opponent

USEP

29431 Allegro Dr.

Wesley Chapel FL 33543

Phone: 813-765-8192

Educational Personnel

Matt Susin, Teacher (State Employee) - Opponent

1650 Banyan St.

Cocoa FL 32927

Phone: 321-638-0750

Educational Personnel

Kenneth Blankenship, Teacher - Opponent

P.O. Box 1831

Land O' Lakes FL 34639

Phone: 813-486-7742

Committee meeting was reported out: Wednesday, March 18, 2009 5:53:29PM

COMMITTEE MEETING REPORT

PreK-12 Policy Committee

3/18/2009 1:30:00PM

Location: 404 HOB

PCS for HB 1293 : High School Graduation

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Dwight Bullard		X			
Rachel V. Burgin				X	
Anitere Flores			X		
Clay Ford	X				
Erik Fresen	X				
Mia Jones		X			
Martin Klar		X			
Rick Kriseman		X			
Charles McBurney	X				
Scott Plakon	X				
Kelli Stargel	X				
Ritch Workman	X				
John Legg (Chair)	X				
Total Yeas: 7		Total Nays: 4			

Appearances:

High School Graduation

Kevin Vu, former high school student (General Public) - Proponent
 9355 Jaybird Circle East
 Jacksonville FL 32257
 Phone: 904-613-9392

High School Graduation

Vincent Evans, former high school student (General Public) - Proponent
 P.O. Box 71840
 Tallahassee FL 32307
 Phone: 904-803-3332

High School Graduation

Stanford D. Taylor, college student (General Public) - Proponent
 7514 Petrell Dr
 Jacksonville FL 32222
 Phone: 904-563-4301

High School Graduation

Stacey Webb (Lobbyist) - Proponent
 AIF
 120 S. Monroe St.
 Tallahassee FL 32301
 Phone: 850-671-4401

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COMMITTEE MEETING REPORT

PreK-12 Policy Committee

3/18/2009 1:30:00PM

Location: 404 HOB

High School Graduation

Sasha Johnson, college student/former high school student (General Public) - Proponent

11800 UNF Dr. #3295

Jacksonville FL 32224

Phone: 904-415-7754

High School Graduation

Gabe Sheheane, Government Affairs (Lobbyist) - Proponent

Florida Chamber of Commerce

136 S. Bronough St.

Tallahassee FL 32301

Phone: 850-521-1251

High School Graduation

Patricia Levesque, Executive Director (Lobbyist) - Proponent

Foundation for Florida's Future

215 S. Monroe St. Suite 100

Tallahassee FL 32312

Phone: 850-391-3074

High School Graduation

Darvin Boothe, Legislative Consultant (Lobbyist) - Opponent

School Board of Seminole County

1606 N. Westmoreland Dr.

Orlando FL 32804

Phone: 407-592-5263

High School Graduation

Vicki Drake, Board Member - Opponent

Duval County School Board

1701 Prudential Drive

Jacksonville FL 32207

Phone: 904-390-2373

High School Graduation

Sharon Rousey (General Public) - Opponent

1002 Douglas Ave.

Altamonte Springs FL 32714

Phone: 407-712-5467

High School Graduation

Kenneth Blankenship, Teacher (General Public) - Opponent

P.O. Box 1831

Land O' Lakes FL 34639

Phone: 813-486-7742

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COMMITTEE MEETING REPORT

PreK-12 Policy Committee

3/18/2009 1:30:00PM

Location: 404 HOB

Summary:

PreK-12 Policy Committee

Wednesday March 18, 2009 01:30 pm

HB 197	Favorable With Committee Substitute	Yeas: 10	Nays: 0
HB 643	Favorable With Committee Substitute	Yeas: 13	Nays: 0
HB 1377	Favorable With Committee Substitute	Yeas: 11	Nays: 0
HB 1411	Favorable With Committee Substitute	Yeas: 9	Nays: 4
PCS for HB 1293	Favorable	Yeas: 7	Nays: 4

Committee meeting was reported out: Wednesday, March 18, 2009 5:53:29PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 001

Bill No. 197

COUNCIL/COMMITTEE ACTION

ADOPTED — (Y/N)
ADOPTED AS AMENDED — (Y/N)
ADOPTED W/O OBJECTION ✓ (Y/N)
FAILED TO ADOPT — (Y/N)
WITHDRAWN — (Y/N)
OTHER _____

1 Council/Committee hearing bill: PreK-12 Policy Committee
2 Representative Renuart offered the following:

Amendment (with title amendment)

Remove line(s) 21-35 and insert:

(j) Use of prescribed pancreatic enzyme supplements.--A

7 student who has experienced or is at risk for pancreatic
8 insufficiency or who has been diagnosed as having cystic
9 fibrosis may carry and self-administer a prescribed pancreatic
10 enzyme supplement while in school, participating in school-
11 sponsored activities, or in transit to or from school or school-
12 sponsored activities if the school has been provided with
13 authorization from the student's parent and prescribing
14 practitioner. The State Board of Education, in cooperation with
15 the Department of Health, shall adopt rules for the use of
16 prescribed pancreatic enzyme supplements which shall include
17 provisions to protect the safety of all students from the misuse
18 or abuse of the supplements. A school district, county health
19 department, public-private partner, and their employees and
20 volunteers shall be indemnified by the parent of a student
21 authorized to use prescribed pancreatic enzyme supplements for

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 001

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T I T L E A M E N D M E N T

Remove line(s) 2-5 and insert:

An act relating to the use of prescribed pancreatic enzyme supplements; amending s. 1002.20, F.S.; authorizing certain K-12 students to use prescribed pancreatic enzyme supplements under certain circumstances;

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 001

Bill No. 643

COUNCIL/COMMITTEE ACTION

ADOPTED — (Y/N)
ADOPTED AS AMENDED — (Y/N)
ADOPTED W/O OBJECTION ✓ (Y/N)
FAILED TO ADOPT — (Y/N)
WITHDRAWN — (Y/N)
OTHER _____

1 Council/Committee hearing bill: PreK-12 Policy Committee
2 Representative Jones offered the following:
3
4 **Amendment**
5 Remove line 21 and insert:
6 council must be persons who are not employed at ~~by~~ the school

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 001

Bill No. 1377

COUNCIL/COMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	_____	

1 Council/Committee hearing bill: PreK-12 Policy Committee
 2 Representative Dorworth offered the following:

Amendment (with directory and title amendments)

5 Remove line 71 and insert:

6 (6) RULES.—

7 (a) The State Board of Education shall ~~may~~ adopt rules
 8 pursuant to ss. 120.536(1) and 120.54 to implement the
 9 provisions of this section and may enforce the provisions of
 10 this section pursuant to s. 1008.32.

11 (b) Agency rules shall include an internal complaint
 12 procedure to resolve disputes regarding the state approval
 13 process, termination of state approval, and assignment of a
 14 service designation. The internal complaint procedure shall
 15 afford an informal review by a hearing officer employed by the
 16 department and, if requested, a formal review by a hearing
 17 officer employed by the department who shall recommend a
 18 resolution of the dispute to the Commissioner of Education. The
 19 internal complaint procedure is exempt from the provisions of
 20 chapter 120. The decision of the Commissioner of Education
 21 constitutes final agency action.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 001

22 Section 2. This act shall take effect July 1, 2009.

23

24

25

26

D I R E C T O R Y A M E N D M E N T

27

Remove line(s) 14-15 and insert:

28

Section 1. Subsections (5) and (6) of section 1008.331,

29

Florida Statutes, are amended to read:

30

31

32

33

T I T L E A M E N D M E N T

34

Remove line 10 and insert:

35

certain funds; requiring rulemaking to include a review process;

36

providing an effective date.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. 1411

COUNCIL/COMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER _____

1 Council/Committee hearing bill: PreK-12 Policy Committee
2 Representative(s) Stargel offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

3
4
5
6
7 Section 1. This act may be cited as the "Quality Teachers
8 for All Students Act."

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

11 39.202 Confidentiality of reports and records in cases of
12 child abuse or neglect.--

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

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

21 Section 3. Paragraph (i) of subsection (1) of section
22 120.81, Florida Statutes, is amended to read:

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

23 120.81 Exceptions and special requirements; general
24 areas.--

25 (1) EDUCATIONAL UNITS.--

26 (i) For purposes of s. 120.68, a district school board
27 whose decision is reviewed under the provisions of s. 1012.33 or
28 s. 1012.335 and whose final action is modified by a superior
29 administrative decision shall be a party entitled to judicial
30 review of the final action.

31 Section 4. Paragraph (g) of subsection (7) of section
32 1002.36, Florida Statutes, is amended to read:

33 1002.36 Florida School for the Deaf and the Blind.--

34 (7) PERSONNEL SCREENING.--

35 (g) For purposes of protecting the health, safety, or
36 welfare of students, the Florida School for the Deaf and the
37 Blind is considered a school district and must, except as
38 otherwise provided in this section, comply with ss. 1001.03,
39 1001.42, 1001.51, 1006.061, 1012.27, 1012.315, 1012.32, 1012.33,
40 1012.335, 1012.34, 1012.56, 1012.795, and 1012.796.

41 Section 5. Paragraph (a) of subsection (2) of section
42 1003.62, Florida Statutes, is amended to read:

43 1003.62 Academic performance-based charter school
44 districts.--The State Board of Education may enter into a
45 performance contract with district school boards as authorized
46 in this section for the purpose of establishing them as academic
47 performance-based charter school districts. The purpose of this
48 section is to examine a new relationship between the State Board
49 of Education and district school boards that will produce
50 significant improvements in student achievement, while complying
51 with constitutional and statutory requirements assigned to each
52 entity.

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

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

54 (a) An academic performance-based charter school district
55 shall operate in accordance with its charter and shall be exempt
56 from certain State Board of Education rules and statutes if the
57 State Board of Education determines such an exemption will
58 assist the district in maintaining or improving its high-
59 performing status pursuant to paragraph (1)(a). However, the
60 State Board of Education may not exempt an academic performance-
61 based charter school district from any of the following
62 statutes:

63 1. Those statutes pertaining to the provision of services
64 to students with disabilities.

65 2. Those statutes pertaining to civil rights, including s.
66 1000.05, relating to discrimination.

67 3. Those statutes pertaining to student health, safety,
68 and welfare.

69 4. Those statutes governing the election or compensation
70 of district school board members.

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

73 6. Those statutes pertaining to financial matters,
74 including chapter 1010.

75 7. Those statutes pertaining to planning and budgeting,
76 including chapter 1011, except that ss. 1011.64 and 1011.69
77 shall be eligible for exemption.

78 8. Sections 1012.22(1)(c) and 1012.27(2), relating to
79 differentiated pay and performance-pay policies for school
80 administrators and instructional personnel. Professional service
81 contracts shall be subject to the provisions of ss. 1012.33 and
82 1012.34. Professional performance contracts shall be subject to
83 the provisions of ss. 1012.335 and 1012.34.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

84 9. Those statutes pertaining to educational facilities,
85 including chapter 1013, except as specified under contract with
86 the State Board of Education. However, no contractual provision
87 that could have the effect of requiring the appropriation of
88 additional capital outlay funds to the academic performance-
89 based charter school district shall be valid.

90 Section 6. Paragraph (h) of subsection (2) of section
91 1003.621, Florida Statutes, is amended to read:

92 1003.621 Academically high-performing school
93 districts.--It is the intent of the Legislature to recognize and
94 reward school districts that demonstrate the ability to
95 consistently maintain or improve their high-performing status.
96 The purpose of this section is to provide high-performing school
97 districts with flexibility in meeting the specific requirements
98 in statute and rules of the State Board of Education.

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

104 (h) Sections 1012.22(1)(c) and 1012.27(2), relating to
105 differentiated pay and performance-pay policies for school
106 administrators and instructional personnel. Professional service
107 contracts are subject to the provisions of ss. 1012.33 and
108 1012.34. Professional performance contracts are subject to the
109 provisions of ss. 1012.335 and 1012.34.

110 Section 7. Subsection (13) of section 1004.04, Florida
111 Statutes, is renumbered as subsection (14), and a new subsection
112 (13) is added to that section to read:

113 1004.04 Public accountability and state approval for
114 teacher preparation programs.--

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

15 (13) REPORT.--By March 1, 2010, and biennially thereafter,
116 the Department of Education shall report to the State Board of
117 Education on the effectiveness of the graduates of state-
118 approved teacher preparation programs. Specifically, the report
119 shall include an analysis of the public school student learning
120 gains on statewide assessments, pursuant to s. 1008.22, by
121 students who were taught by graduates of each state-approved
122 teacher preparation program.

123 Section 8. Subsections (2) and (6) of section 1012.21,
124 Florida Statutes, are amended to read:

125 1012.21 Department of Education duties; K-12 personnel.--

126 (2) COMPUTER DATABASE OF CERTAIN PERSONS WHOSE EMPLOYMENT
127 WAS TERMINATED.--

128 (a) The Department of Education shall establish a computer
129 database containing the names of persons whose employment is
130 terminated under s. 1012.33(1)(a) or (4)(c) or under s.
131 1012.335(6) or (7), which information shall be available to the
132 district school superintendents and their designees.

133 (b) Each district school superintendent shall report to
134 the Department of Education the name of any person terminated
135 under s. 1012.33(1)(a) or (4)(c) or under s. 1012.335(6) or (7)
136 within 10 working days after the date of final action by the
137 district school board on the termination, and the department
138 shall immediately enter the information in the computer records.

139 (6) REPORTING.-- The Department of Education shall
140 annually:

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

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

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

148 (c) Report to the State Board of Education by school
149 district the number of classroom teachers whose students'
150 declining academic performance indicates educational
151 insufficiency. The State Board of Education shall adopt rules
152 pursuant to ss. 120.536(1) and 120.54 to define educational
153 insufficiency, which shall be based upon multiyear, objective
154 data on declines in student performance.

155 (d) Report to the State Board of Education by school
156 district the number of dismissals initiated based on educational
157 insufficiency as defined by state board rule and the number of
158 the initiated dismissals that resulted in termination of
159 classroom teachers.

160 Section 9. Paragraph (c) of subsection (1) of section
161 1012.22, Florida Statutes, is amended to read:

162 1012.22 Public school personnel; powers and duties of the
163 district school board.--The district school board shall:

164 (1) Designate positions to be filled, prescribe
165 qualifications for those positions, and provide for the
166 appointment, compensation, promotion, suspension, and dismissal
167 of employees as follows, subject to the requirements of this
168 chapter:

169 (c) Compensation and salary schedules.--

170 ~~1. The district school board shall adopt a salary schedule~~
171 ~~or salary schedules designed to furnish incentives for~~
172 ~~improvement in training and for continued efficient service to~~
173 ~~be used as a basis for paying all school employees and fix and~~
174 ~~authorize the compensation of school employees on the basis~~
175 ~~thereof.~~

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

76 ~~1.2.~~ A district school board, in determining the salary
177 schedule for instructional personnel, must base a portion of
178 each employee's compensation on performance demonstrated under
179 s. 1012.34, ~~must consider the prior teaching experience of a~~
180 ~~person who has been designated state teacher of the year by any~~
181 ~~state in the United States, and must consider prior professional~~
182 ~~experience in the field of education gained in positions in~~
183 ~~addition to district level instructional and administrative~~
184 ~~positions.~~

185 ~~2.3.~~ In developing the salary schedule, the district
186 school board shall seek input from parents, teachers, and
187 representatives of the business community.

188 ~~3.4.~~ ~~Beginning with the 2007-2008 academic year,~~ Each
189 district school board shall adopt a salary schedule with
190 differentiated pay for both instructional personnel and school-
91 based administrators. The salary schedule is subject to
192 negotiation as provided in chapter 447 and must allow
193 differentiated pay based on district-determined factors,
194 including, but not limited to, additional responsibilities,
195 school demographics, critical shortage areas, and level of job
196 performance difficulties. Each district school board shall
197 annually report to the Department of Education on its adopted
198 differentiated pay policy in the manner and format prescribed by
199 the department.

200
201 The State Board of Education shall adopt rules pursuant to ss.
202 120.536(1) and 120.54 for the implementation of this paragraph.
203 Such rules shall include compliance requirements for district
204 salary schedules regarding individual performance and
205 differentiated pay, reporting formats, and procedures for review
06 of salary schedules.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

207 Section 10. Subsection (5) of section 1012.2315, Florida
208 Statutes, is amended to read:

209 1012.2315 Assignment of teachers.--

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

211 (a) Post on its Internet website the percentage of
212 classroom teachers by school who are first-time teachers,
213 temporarily certified teachers, teachers in need of improvement,
214 or out-of-field teachers.

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

221 Section 11. Subsection (3) of section 1012.28, Florida
222 Statutes, is amended to read:

223 1012.28 Public school personnel; duties of school
224 principals.--

225 (3) Each school principal is responsible for the
226 performance of all personnel employed by the district school
227 board and assigned to the school to which the principal is
228 assigned. The school principal shall faithfully and effectively
229 apply the personnel appraisal ~~assessment~~ system approved by the
230 district school board pursuant to s. 1012.34.

231 Section 12. Section 1012.335, Florida Statutes, is created
232 to read:

233 1012.335 Contracts with classroom teachers hired on or
234 after July 1, 2009.--

235 (1) LEGISLATIVE INTENT.--It is the intent of the
236 Legislature to ensure that every student has a high-quality
237 teacher in his or her classroom.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

38 (2) FINDINGS.--The Legislature finds that:

239 (a) The quality of the classroom teacher is the single
240 most important factor impacting the quality of education in the
241 state's public school classrooms.

242 (b) An effective classroom teacher can produce student
243 learning gains far greater than those of an ineffective
244 classroom teacher.

245 (c) An effective classroom teacher can increase student
246 learning and thereby provide the student with the potential for
247 greater future success and higher income over a lifetime.

248 (d) District school boards need flexibility to recruit and
249 retain high-quality classroom teachers.

250 (3) DEFINITIONS.--

251 (a) "Annual contract" means a contract for a period of no
252 longer than 1 school year which the district school board can
53 choose to renew or not renew without cause.

254 (b) "Classroom teacher" means the same as classroom
255 teacher as defined in s. 1012.01(2)(a), excluding substitute
256 teachers.

257 (c) "Probationary contract" means a contract for a period
258 of no longer than 1 school year in which a classroom teacher may
259 be dismissed without cause or may resign from the contractual
260 position without breach of contract.

261 (d) "Professional performance contract" means a contract
262 for a period of no longer than 5 school years which the district
263 school board can choose to renew or not renew without cause.

264 (4) EMPLOYMENT.--

265 (a) Beginning July 1, 2009, each person newly hired as a
266 classroom teacher by a Florida school district shall receive a
267 probationary contract.

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268 (b) Classroom teachers are eligible for an annual contract
269 after successful completion of the term of a probationary
270 contract. No classroom teacher shall receive more than 7
271 consecutive annual contracts.

272 (c) Classroom teachers are eligible for a professional
273 performance contract after completion of no fewer than 5 annual
274 contracts in the same school district during a period not in
275 excess of 7 successive years, except for leave duly authorized
276 and granted. A professional performance contract may only be
277 offered by a district school board to a classroom teacher:

278 1. Who holds a professional certificate as prescribed by
279 s. 1012.56 and rules of the State Board of Education.

280 2. Who has been recommended by the district school
281 superintendent for such contract and approved by the district
282 school board based on successful performance of duties and
283 demonstration of professional competence.

284 3. Whose performance is satisfactory after a cumulative
285 review of the teacher's effectiveness in the classroom based on
286 objective student learning gains.

287 (d) A district school board may issue a professional
288 performance contract after July 1, 2009, to any classroom
289 teacher who has previously held a professional performance
290 contract, a professional service contract, or a continuing
291 contract in the same or another school district within this
292 state. Any classroom teacher who holds a professional service
293 contract or a continuing contract may, but is not required to,
294 exchange such contract for a professional performance contract
295 in the same district.

296 (5) VIOLATION OF CONTRACT.--Any classroom teacher employed
297 on the basis of a written offer of a specific position by a duly
298 authorized agent of the district school board for a stated term

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299 of service at a specified salary, who accepted such offer by
300 telegram or letter or by signing the regular contract form, and
301 who violates the terms of such contract or agreement by leaving
302 his or her position without first being released from his or her
303 contract or agreement by the district school board of the
304 district in which the classroom teacher is employed shall be
305 subject to the jurisdiction of the Education Practices
306 Commission. The district school board shall take official action
307 on such violation and shall furnish a copy of its official
308 minutes to the Commissioner of Education.

309 (6) SUSPENSION OR DISMISSAL OF CLASSROOM TEACHERS ON
310 ANNUAL CONTRACT.--Any classroom teacher with an annual contract
311 may be suspended or dismissed at any time during the term of the
312 contract for just cause as provided in subsection (8). The
313 district school board must notify the classroom teacher in
314 writing whenever charges are made against the classroom teacher
315 and may suspend such person without pay. However, if the charges
316 are not sustained, the classroom teacher shall be immediately
317 reinstated and his or her back salary shall be paid.

318 (7) SUSPENSION OR DISMISSAL OF CLASSROOM TEACHERS ON
319 PROFESSIONAL PERFORMANCE CONTRACT.--Any classroom teacher with a
320 professional performance contract may be suspended or dismissed
321 at any time during the term of the contract for just cause as
322 provided in subsection (8). The district school board must
323 notify the classroom teacher in writing whenever charges are
324 made against the classroom teacher and may suspend such person
325 without pay. However, if the charges are not sustained, the
326 classroom teacher shall be immediately reinstated and his or her
327 back salary shall be paid. If the classroom teacher wishes to
328 contest the charges, the classroom teacher must, within 15 days
329 after receipt of the written notice, submit a written request

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330 for a hearing to the district school board. Such hearing shall
331 be conducted at the district school board's election in
332 accordance with one of the following procedures:

333 (a) A direct hearing conducted by the district school
334 board within 60 days after receipt of the written appeal. The
335 hearing shall be conducted in accordance with the provisions of
336 ss. 120.569 and 120.57. A majority vote of the membership of the
337 district school board shall be required to sustain the district
338 school superintendent's recommendation. The determination of the
339 district school board shall be final as to the sufficiency or
340 insufficiency of the grounds for termination of employment; or

341 (b) A hearing conducted by an administrative law judge
342 assigned by the Division of Administrative Hearings of the
343 Department of Management Services. The hearing shall be
344 conducted within 60 days after receipt of the written appeal in
345 accordance with chapter 120. The recommendation of the
346 administrative law judge shall be made to the district school
347 board. A majority vote of the membership of the district school
348 board shall be required to sustain or change the administrative
349 law judge's recommendation. The determination of the district
350 school board shall be final as to the sufficiency or
351 insufficiency of the grounds for termination of employment.

352

353 Any such decision adverse to the classroom teacher may be
354 appealed by the classroom teacher pursuant to s. 120.68 if the
355 appeal is filed within 30 days after the decision of the
356 district school board.

357 (8) JUST CAUSE.--The State Board of Education shall adopt
358 rules pursuant to ss. 120.536(1) and 120.54 to define just
359 cause. Just cause includes, but is not limited to:

360 (a) Immorality.

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- 361 (b) Misconduct in office.
362 (c) Incompetency.
363 (d) Gross insubordination.
364 (e) Willful neglect of duty.
365 (f) Being convicted or found guilty of, or entering a plea
366 of guilty to, regardless of adjudication of guilt, any crime
367 involving moral turpitude.
368 (g) Educational insufficiency.

369
370 The rules shall include a definition of educational
371 insufficiency that is based upon multiyear, objective data on
372 declines in student performance.

373 Section 13. Section 1012.34, Florida Statutes, is amended
374 to read:

375 1012.34 Appraisal Assessment procedures and criteria.--

376 (1) For the purpose of increasing student achievement by
377 improving the quality of instructional, administrative, and
378 supervisory services in the public schools of the state, the
379 district school superintendent shall establish procedures for
380 evaluating ~~assessing~~ the performance of duties and
381 responsibilities of all instructional, administrative, and
382 supervisory personnel employed by the school district. The
383 Department of Education must approve each district's
384 instructional personnel appraisal assessment system and
385 appraisal instruments.

386 (2) The following conditions must be considered in the
387 design of the district's instructional personnel appraisal
388 assessment system:

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

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391 (b) The system must provide appropriate appraisal
392 instruments, procedures, and criteria for continuous quality
393 improvement of the professional skills of instructional
394 personnel.

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

398 (d) In addition to addressing generic teaching
399 competencies, districts must determine those teaching fields for
400 which special procedures and criteria will be developed,
401 including a process for determining the professional education
402 competence of a teacher who holds a temporary certificate as
403 required under s. 1012.56.

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

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

413 (g) The system must include a process for monitoring the
414 effective and consistent use of appraisal criteria by
415 supervisors and administrators and a process for evaluating the
416 effectiveness of the system itself in improving the level of
417 instruction and learning in the district's schools.

418 (3) The appraisal ~~assessment~~ procedure for instructional
419 personnel and school administrators must be primarily based on
420 the performance of students assigned to their classrooms or
421 schools, as appropriate. Pursuant to this section, a school

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22 district's performance appraisal ~~assessment~~ is not limited to
423 basing unsatisfactory performance of instructional personnel and
424 school administrators upon student performance, but may include
425 other criteria approved to evaluate ~~assess~~ instructional
426 personnel and school administrators' performance, or any
427 combination of student performance and other approved criteria.
428 The procedures must comply with, but are not limited to, the
429 following requirements:

430 (a) An appraisal ~~assessment~~ must be conducted for each
431 employee at least once a year, except that an appraisal for each
432 first-year teacher must be conducted at least twice a year. The
433 appraisal ~~assessment~~ must be based upon sound educational
434 principles and contemporary research in effective educational
435 practices. ~~The assessment must primarily use data and indicators~~
436 ~~of improvement in student performance assessed annually as~~
37 ~~specified in s. 1008.22 and may consider results of peer reviews~~
438 ~~in evaluating the employee's performance. Student performance~~
439 ~~must be measured by state assessments required under s. 1008.22~~
440 ~~and by local assessments for subjects and grade levels not~~
441 ~~measured by the state assessment program.~~ The appraisal
442 assessment criteria must include, but are not limited to,
443 indicators that relate to the following:

444 1. Performance of students. The appraisal must primarily
445 use data and indicators of improvement in student performance
446 assessed annually as specified in s. 1008.22 and by district-
447 determined assessments for subjects and grade levels not
448 measured by the state assessment program.

449 2. Instructional practice. For instructional personnel,
450 performance criteria must include indicators based on each of
451 the Florida Educator Accomplished Practices adopted by the State
52 Board of Education under s. 1012.52.

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453 3. Instructional leadership. For school-based
454 administrators, performance criteria must include indicators
455 based on each of the leadership standards adopted by the State
456 Board of Education under s. 1012.986.

457 4. Professional responsibilities. Such criteria must
458 include professional responsibilities and employment
459 requirements as established by the State Board of Education and
460 through policies of the district school board.

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

462 ~~3. Knowledge of subject matter. The district school board~~
463 ~~shall make special provisions for evaluating teachers who are~~
464 ~~assigned to teach out of field.~~

465 ~~4. Ability to plan and deliver instruction and the use of~~
466 ~~technology in the classroom.~~

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

468 ~~6. Ability to establish and maintain a positive~~
469 ~~collaborative relationship with students' families to increase~~
470 ~~student achievement.~~

471 ~~7. Other professional competencies, responsibilities, and~~
472 ~~requirements as established by rules of the State Board of~~
473 ~~Education and policies of the district school board.~~

474 (b) All personnel must be fully informed of the criteria
475 and procedures associated with the appraisal assessment process
476 before the appraisal assessment takes place.

477 (c) The individual responsible for supervising the
478 employee must evaluate ~~assess~~ the employee's performance. The
479 evaluator must submit a written report of the appraisal
480 ~~assessment~~ to the district school superintendent for the purpose
481 of reviewing the employee's contract. The evaluator must submit
482 the written report to the employee no later than 10 days after
483 the appraisal ~~assessment~~ takes place. The evaluator must discuss

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'84 the written report of appraisal assessment with the employee.
485 The employee shall have the right to initiate a written response
486 to the appraisal assessment, and the response shall become a
487 permanent attachment to his or her personnel file.

488 (d) If an employee is not performing his or her duties in
489 a satisfactory manner, the evaluator shall notify the employee
490 in writing of such determination. The notice must describe such
491 unsatisfactory performance and include notice of the following
492 procedural requirements:

493 1. Upon delivery of a notice of unsatisfactory
494 performance, the evaluator must confer with the employee, make
495 recommendations with respect to specific areas of unsatisfactory
496 performance, and provide assistance in helping to correct
497 deficiencies within a prescribed period of time.

498 2.a. If the employee holds a professional service contract
'99 as provided in s. 1012.33 or a professional performance contract
500 as provided in 1012.335, the employee shall be placed on
501 performance probation and governed by the provisions of this
502 section for 90 calendar days following the receipt of the notice
503 of unsatisfactory performance to demonstrate corrective action.
504 School holidays and school vacation periods are not counted when
505 calculating the 90-calendar-day period. During the 90 calendar
506 days, the employee who holds a professional service contract or
507 a professional performance contract must be evaluated
508 periodically and apprised of progress achieved and must be
509 provided assistance and inservice training opportunities to help
510 correct the noted performance deficiencies. At any time during
511 the 90 calendar days, the employee who holds a professional
512 service contract or a professional performance contract may
513 request a transfer to another appropriate position with a

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514 different supervising administrator; however, a transfer does
515 not extend the period for correcting performance deficiencies.

516 b. Within 14 days after the close of the 90 calendar days,
517 the evaluator must evaluate ~~assess~~ whether the performance
518 deficiencies have been corrected and forward a recommendation to
519 the district school superintendent. Within 14 days after
520 receiving the evaluator's recommendation, the district school
521 superintendent must notify the employee who holds a professional
522 service contract or a professional performance contract in
523 writing whether the performance deficiencies have been
524 satisfactorily corrected and whether the district school
525 superintendent will recommend that the district school board
526 continue or terminate his or her employment contract. If the
527 employee wishes to contest the district school superintendent's
528 recommendation, the employee must, within 15 days after receipt
529 of the district school superintendent's recommendation, submit a
530 written request for a hearing. The hearing shall be conducted at
531 the district school board's election in accordance with one of
532 the following procedures:

533 (I) A direct hearing conducted by the district school
534 board within 60 days after receipt of the written appeal. The
535 hearing shall be conducted in accordance with the provisions of
536 ss. 120.569 and 120.57. A majority vote of the membership of the
537 district school board shall be required to sustain the district
538 school superintendent's recommendation. The determination of the
539 district school board shall be final as to the sufficiency or
540 insufficiency of the grounds for termination of employment; or

541 (II) A hearing conducted by an administrative law judge
542 assigned by the Division of Administrative Hearings of the
543 Department of Management Services. The hearing shall be
544 conducted within 60 days after receipt of the written appeal in

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45 accordance with chapter 120. The recommendation of the
546 administrative law judge shall be made to the district school
547 board. A majority vote of the membership of the district school
548 board shall be required to sustain or change the administrative
549 law judge's recommendation. The determination of the district
550 school board shall be final as to the sufficiency or
551 insufficiency of the grounds for termination of employment.

552 (4) The district school superintendent shall notify the
553 department of any instructional personnel who receive two
554 consecutive unsatisfactory evaluations and who have been given
555 written notice by the district that their employment is being
556 terminated or is not being renewed or that the district school
557 board intends to terminate, or not renew, their employment. The
558 department shall conduct an investigation to determine whether
559 action shall be taken against the certificateholder pursuant to
60 s. 1012.795(1)(e).

561 ~~(5) The district school superintendent shall develop a~~
562 ~~mechanism for evaluating the effective use of assessment~~
563 ~~criteria and evaluation procedures by administrators who are~~
564 ~~assigned responsibility for evaluating the performance of~~
565 ~~instructional personnel. The use of the assessment and~~
566 ~~evaluation procedures shall be considered as part of the annual~~
567 ~~assessment of the administrator's performance. The system must~~
568 ~~include a mechanism to give parents and teachers an opportunity~~
569 ~~to provide input into the administrator's performance~~
570 ~~assessment, when appropriate.~~

571 ~~(5)(6)~~ Nothing in this section shall be construed to grant
572 a probationary employee a right to continued employment beyond
573 the term of his or her contract.

574 ~~(6)(7)~~ The district school board shall establish a
75 procedure annually reviewing instructional personnel appraisal

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576 ~~assessment~~ systems to determine compliance with this section.
577 All substantial revisions to an approved system must be reviewed
578 and approved by the district school board before being used to
579 evaluate assess instructional personnel. Upon request by a
580 school district, the department shall provide assistance in
581 developing, improving, or reviewing an appraisal assessment
582 system.

583 ~~(7)-(8)~~ The State Board of Education shall adopt rules
584 pursuant to ss. 120.536(1) and 120.54, that establish uniform
585 guidelines for the submission, review, and approval of district
586 procedures for the annual appraisal assessment of instructional
587 personnel and that include criteria for evaluating professional
588 performance.

589 Section 14. Subsection (3) is added to section 1012.52,
590 Florida Statutes, to read:

591 1012.52 Teacher quality; legislative findings; Florida
592 Educator Accomplished Practices.--

593 (3) The State Board of Education shall adopt by rule the
594 Florida Educator Accomplished Practices, which shall form the
595 basis for the state's expectations for effective instructional
596 practice. The Commissioner of Education shall periodically
597 review the Florida Educator Accomplished Practices based on
598 contemporary educational research and analysis of student
599 performance data. The commissioner shall include input from
600 associations representing teachers, principals, superintendents,
601 and school boards when reviewing the Florida Educator
602 Accomplished Practices. Upon finalizing any resulting revisions
603 to the Florida Educator Accomplished Practices, the commissioner
604 shall submit the revised practices and supporting evaluation
605 information to the Governor, the President of the Senate, and
606 the Speaker of the House of Representatives at least 21 days

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07 before the State Board of Education considers adoption of the
608 revised practices.

609 Section 15. Subsection (1) and paragraphs (g) and (h) of
610 subsection (6) of section 1012.56, Florida Statutes, are
611 amended, paragraph (i) is added to subsection (6), and
612 subsection (18) is added to that section, to read:

613 1012.56 Educator certification requirements.--

614 (1) APPLICATION.--Each person seeking certification
615 pursuant to this chapter shall submit a completed application
616 containing the applicant's social security number to the
617 Department of Education and remit the fee required pursuant to
618 s. 1012.59 and rules of the State Board of Education. Pursuant
619 to the federal Personal Responsibility and Work Opportunity
620 Reconciliation Act of 1996, each party is required to provide
621 his or her social security number in accordance with this
22 section. Disclosure of social security numbers obtained through
623 this requirement is limited to the purpose of administration of
624 the Title IV-D program of the Social Security Act for child
625 support enforcement. Pursuant to s. 120.60, the department shall
626 issue within 90 calendar days after the stamped receipted date
627 of the completed application:

628 (a) If the applicant meets the requirements, a
629 professional certificate covering the classification, level, and
630 area for which the applicant is deemed qualified and a document
631 explaining the requirements for renewal of the professional
632 certificate;

633 (b) If the applicant meets the requirements and if
634 requested by an employing school district or an employing
635 private school with a professional education competence
636 demonstration program pursuant to paragraphs (6) (f) ~~(5) (f)~~ and
37 (8) (b) ~~(7) (b)~~, a temporary certificate covering the

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638 classification, level, and area for which the applicant is
639 deemed qualified and an official statement of status of
640 eligibility; or

641 (c) If an applicant does not meet the requirements for
642 either certificate, an official statement of status of
643 eligibility.

644

645 The statement of status of eligibility must advise the applicant
646 of any qualifications that must be completed to qualify for
647 certification. Each statement of status of eligibility is valid
648 for 3 years after its date of issuance, except as provided in
649 paragraph (2) (d). For purposes of this section, the term
650 "private school" includes an approved Voluntary Prekindergarten
651 Education Program provider.

652 (6) MASTERY OF PROFESSIONAL PREPARATION AND EDUCATION
653 COMPETENCE.--Acceptable means of demonstrating mastery of
654 professional preparation and education competence are:

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

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

662 (i) Successful completion of a professional education
663 training program provided by Teach for America and achievement
664 of a passing score on the professional education competency
665 examination required by rule of the State Board of Education.

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

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669 (a) For purposes of demonstrating mastery of professional
670 preparation and education competence through the completion of
671 professional preparation courses as specified in state board
672 rule, allow a person to use his or her teaching experience as a
673 military instructor to verify occupational teaching experience
674 for the same number of years of instruction provided in one of
675 the branches of the United States Armed Forces.

676 (b) For purposes of demonstrating the completion of
677 certification requirements specified in state board rule, allow
678 for the acceptance of college course credits recommended by the
679 American Council on Education (ACE), which are posted on an
680 official ACE transcript.

681 (c) This subsection applies to credit for instruction
682 performed, or course credits awarded, prior to and after July 1,
683 2009.

684 Section 16. Paragraph (h) of subsection (1) of section
685 1012.795, Florida Statutes, is amended to read:

686 1012.795 Education Practices Commission; authority to
687 discipline.--

688 (1) The Education Practices Commission may suspend the
689 educator certificate of any person as defined in s. 1012.01(2)
690 or (3) for up to 5 years, thereby denying that person the right
691 to teach or otherwise be employed by a district school board or
692 public school in any capacity requiring direct contact with
693 students for that period of time, after which the holder may
694 return to teaching as provided in subsection (4); may revoke the
695 educator certificate of any person, thereby denying that person
696 the right to teach or otherwise be employed by a district school
697 board or public school in any capacity requiring direct contact
698 with students for up to 10 years, with reinstatement subject to
699 the provisions of subsection (4); may revoke permanently the

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700 educator certificate of any person thereby denying that person
701 the right to teach or otherwise be employed by a district school
702 board or public school in any capacity requiring direct contact
703 with students; may suspend the educator certificate, upon an
704 order of the court or notice by the Department of Revenue
705 relating to the payment of child support; or may impose any
706 other penalty provided by law, if the person:

707 (h) Has breached a contract, as provided in s. 1012.33(2)
708 or s. 1012.335(5).

709 Section 17. Subsection (6) of section 1012.98, Florida
710 Statutes, is amended to read:

711 1012.98 School Community Professional Development Act.--

712 (6) An organization of private schools which has no fewer
713 than 10 member schools in this state, which publishes and files
714 with the Department of Education copies of its standards, and
715 the member schools of which comply with the provisions of part
716 II of chapter 1003, relating to compulsory school attendance, or
717 an organization of approved Voluntary Prekindergarten Education
718 Program providers with no fewer than 10 members in this state,
719 may also develop a professional development system that includes
720 a master plan for inservice activities and a program for
721 demonstration of professional education competence under s.
722 1012.56. The professional development system and inservice plan
723 must be submitted to the commissioner for approval pursuant to
724 rules of the State Board of Education.

725 Section 18. Section 1012.986, Florida Statutes, is amended
726 to read:

727 1012.986 William Cecil Golden Professional Development
728 Program for School Leaders.--

729 (1) There is established the William Cecil Golden
730 Professional Development Program for School Leaders to provide

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731 high standards and sustained support for principals as
732 instructional leaders. The program shall consist of a
733 collaborative network of state and national professional
734 leadership organizations to respond to instructional leadership
735 needs throughout the state.

736 (2) The network shall support the human-resource
737 development needs of principals, principal leadership teams, and
738 candidates for principal leadership positions using the
739 framework of leadership standards adopted by the State Board of
740 Education, the Southern Regional Education Board, and the
741 National Staff Development Council. Leadership standards adopted
742 under this section must focus on instructional leadership and
743 include the ability to:

744 (a) Identify and promote effective instruction.

745 (b) Recruit and retain high-performing instructional
746 personnel.

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

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

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

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

756 (c) Build the capacity to increase the quality of programs
757 for preservice education for aspiring principals and inservice
758 professional development for principals and principal leadership
759 teams.

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

763 ~~(4)(2)~~ The Department of Education shall coordinate
764 through the network identified in subsection (1) to offer the
765 program through multiple delivery systems, including:

766 (a) Approved school district training programs.

767 (b) Interactive technology-based instruction.

768 (c) Regional consortium service organizations pursuant to
769 s. 1001.451.

770 (d) State, regional, or local leadership academies.

771 (e) State-approved educational leadership programs in
772 public and nonpublic colleges and universities.

773 ~~(5)(3)~~ The State Board of Education shall adopt rules
774 pursuant to ss. 120.536(1) and 120.54 to administer this
775 section.

776 Section 19. Paragraph (g) of subsection (3) of section
777 1012.33, Florida Statutes, is repealed.

778 Section 20. This act shall take effect upon becoming a
779 law.

780

781

782 **T I T L E A M E N D M E N T**

783 Remove the entire title and insert:

784 A bill to be entitled

785 An act relating to education personnel; providing a short title;
786 amending s. 39.202, F.S.; providing for access to records by
787 certain education employees or agents in cases of child abuse or
788 neglect; amending ss. 120.81, 1002.36, 1003.62, and 1003.621,
789 F.S., to conform to provisions in the act; amending s. 1004.04,
790 F.S.; requiring the Department of Education to report on the

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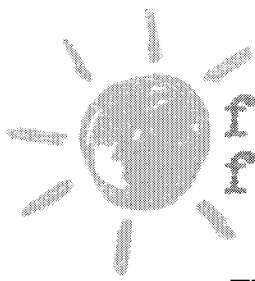
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791 effectiveness of graduates of state-approved teacher preparation
792 programs; amending s. 1012.21, F.S.; conforming provisions;
793 requiring the department to notify the Legislature relating to
794 school district compliance with compensation and salary schedule
795 requirements; requiring the department to report to the State
796 Board of Education on educational insufficiency and dismissal
797 and termination related thereto; requiring rulemaking to define
798 educational insufficiency; amending s. 1012.22, F.S.; deleting
799 certain provisions relating to district school board adoption of
800 salary schedules and the basis for an employee's compensation;
801 requiring each district school board to report to the department
802 on its adopted differentiated pay policy; requiring rulemaking
803 relating to school district implementation of compensation and
804 salary schedule requirements; amending s. 1012.2315, F.S.;
805 revising department reporting requirements relating to the
806 assignment of classroom teachers; amending s. 1012.28, F.S.;
807 conforming provisions; creating s. 1012.335, F.S., relating to
808 contracts with classroom teachers hired on or after July 1,
809 2009; providing intent, findings, and definitions; providing
810 conditions for receipt of probationary, annual, and professional
811 performance contracts; providing a penalty for violation of a
812 contract; providing criteria and procedures for suspension or
813 dismissal of classroom teachers on contract; providing
814 procedures for hearings to contest charges; requiring rules to
815 define just cause; amending s. 1012.34, F.S.; revising
816 provisions to require a school district personnel appraisal
817 system; specifying criteria and procedures for the appraisal
818 process; requiring approval of appraisal instruments; requiring
819 appraisals twice a year for first-year teachers; requiring
820 evaluation of appraisal system; conforming provisions; amending
21 s. 1012.52, F.S.; requiring the State Board of Education to

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

822 adopt by rule the Florida Educator Accomplished Practices;
823 requiring periodic review and revision of the practices;
824 amending s. 1012.56, F.S.; correcting cross-references;
825 authorizing Voluntary Prekindergarten Education Program
826 providers to meet certain requirements relating to educator
827 certification; providing additional means of demonstrating
828 mastery of professional preparation and education competence;
829 authorizing State Board of Education rules for acceptance of
830 certain teaching experience and course credits; providing for
831 retroactive application; amending s. 1012.795, F.S.; conforming
832 provisions; amending s. 1012.98, F.S.; authorizing certain
833 organizations, including organizations of Voluntary
834 Prekindergarten Education Program providers, to develop a
835 professional development system and a program for demonstration
836 of education competence; amending s. 1012.986, F.S.; specifying
837 criteria for leadership standards under the William Cecil Golden
838 Professional Development Program for School Leaders; authorizing
839 the program to be offered through state-approved leadership
840 programs; repealing s. 1012.33(3)(g), F.S., relating to
841 acceptance of certain teaching service for purposes of pay for
842 instructional staff, supervisors, and school principals;
843 providing an effective date.



foundation for
florida's future

Keeping the Promise of Quality Education

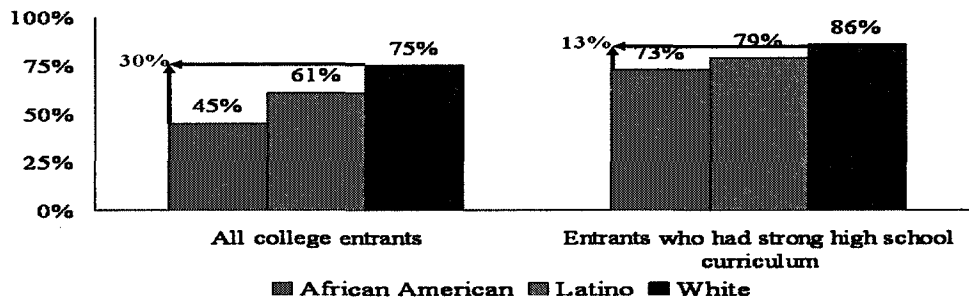
**The Foundation for Florida's Future
SUPPORTS**

Proposed Committee Substitute for HB 1293 Relating to Graduation Requirements

The Foundation asks that you vote **YES** on the Proposed Committee Substitute for HB 1293 by Rep. Fresen and the House Pre K - 12 Committee on March 18th. To provide for our state's future economic growth, the **21st Century Diploma Initiative** raises high school graduation standards to ensure Florida's students are prepared to compete in the global marketplace.

Despite a recent overall ranking of tenth in the nation for quality of education by the highly respected annual report card issued by *Education Week*, Florida failed in the category of "college readiness," scoring an F with an abysmal 50 out of 100 points. The 21st Century Diploma Initiative features measures to increase graduation requirements to ensure our students are ready for college and the workforce.

A U.S. Department of Education study found that students who completed at least Algebra II were more prepared for college. **In fact, raising standards benefits minority students the most, narrowing the achievement gap.**



National research is clear: more challenging, college and career-aligned high school classes lead to continued success:

- 68% of non-college students who took Algebra II or higher say they are prepared for the math they face at work.
- 84% of individuals with highly paid highly paid professional jobs took Algebra II or higher.

Currently, a student can meet the requirements for high school graduation and not meet the minimum college admissions requirements for any state university.

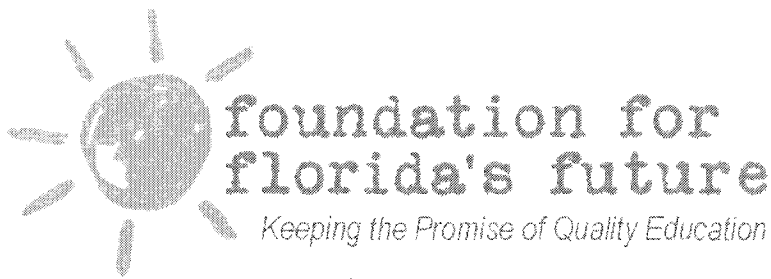
When we raise the bar, more students work to meet the higher standards. Since adding Algebra I and the more challenging 10th grade FCAT to graduation requirements, **more** Florida students are graduating and receiving a diploma than when algebra I was not required and the exit exam was just an 8th grade level test.

"Let's challenge our states to adopt world-class standards that will bring our curriculums to the 21st century."
- President Barack Obama

21st Century Diploma Initiative

- **Raising Math and Science Standards:** The legislation raises the standard diploma requirements to new 21st Century Diploma graduation requirements. Starting in two school years, freshmen in the class of 2014 will be required to take Algebra I plus geometry for two out of their four math courses. Additionally, Biology I will be required as one of their three courses in science. In four years, freshmen in the class of 2016 will be required to take Algebra I, geometry, plus Algebra II as three of their four required math courses. For science, students will be required to take Biology I plus chemistry as two of their three courses.
- **Raising the Bar for Graduation:** The bill requires students receive a grade-level score on the state assessment to graduate. Right now, a student can graduate high school with a below grade-level score on the test.
- **Enhancing Bright Futures:** The bill aligns Bright Futures Scholarships with the 21st Century Diploma requirements. To make the Bright Futures program a little brighter, the legislation ensures scholarship recipients are prepared to succeed at Florida universities and colleges.

Your support of our legislative priorities will be reflected in the grade you earn on Florida's Education Report Card to be released following the 2009 Legislative Session. If you have any questions, please contact Adam Peshek, Policy Analyst, at (850) 298-8571 or adam@afloridapromise.org.

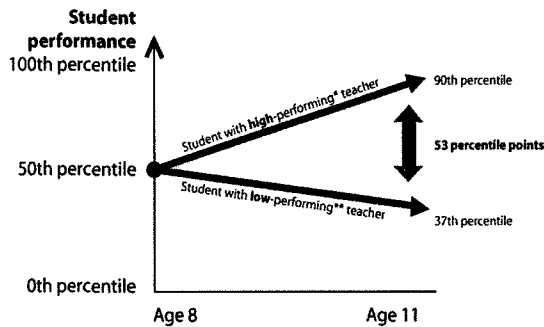


**The Foundation for Florida's Future
SUPPORTS
HB 1411 Educational Personnel by Rep. Stargel**

The Foundation asks that you vote YES on HB 1411 in the House PreK-12 Committee on March 18th. To protect our state's economic viability, the **2009 Teacher Quality Initiative** will attract and retain excellent teachers for Florida classrooms.

Research is clear that effective teachers are the most important factor in a student's academic progress. The difference between an effective and an ineffective teacher can change a student's life forever – for good or bad:

- The most effective teachers produce student gains almost four times greater than the least effective teachers.
- A good teacher can move a student up at least four percentiles within one year. Just one percentage point higher growth leads to a 64 percent higher income over the course of an individual's lifetime.
- The effects of one bad teacher on a student's progress are evident for at least the following three years:



"From the moment students enter a school, the most important factor in their success is not the color of their skin or the income of their parents, it's the person standing at the front of the classroom."
- President Barack Obama

*Among the top 20% of teachers; **Among the bottom 20% of teachers
Analysis of test data from Tennessee showed that teacher quality effected student performance more than any other variable; on average, two students with average performance (50th percentile) would diverge by more than 50 percentile points over a three year period depending on the teacher they were assigned

Recently, Florida was given a below average grade in teacher quality by the National Center for Teacher Quality, who highlighted burdensome tenure regulations, lack of rewards and incentives for teachers with more difficult responsibilities and the bureaucratic process for removing poor teachers from classrooms as areas where our state sorely needs improvement. To address these issues, the **2009 Teacher Quality Initiative**:

- **Increases Access to Quality Teachers for Poor Students:** The legislation holds districts accountable for complying with existing laws requiring them to pay teachers who teach in poor schools or who teach a subject with a shortage of qualified teachers more. This bill also requires the Department of Education to report how districts are following – and not following – the laws relating to the assignment of teachers to “D” or “F” schools – a measure to ensure every failing school has the resources needed to improve student progress and raise achievement.
- **Recruits Quality Teachers for Florida Classrooms:** The legislation modernizes teacher certification by recognizing the experience of military veterans in the *Troops to Teachers* program and the expertise of graduates from *Teach for America*.
- **Keeps Effective Teachers in Florida Classrooms:** The legislation provides school leadership with the flexibility needed to staff schools with the very best teachers possible. Applying only to new teachers, the legislation enables administrators to make the best choices for their students by extending, from three years to five years, the period of time required for teachers to earn tenure and reforming open-ended lifetime tenure to 5-year professional performance contracts.

President Obama and Education Secretary Arne Duncan have both come out in favor of broad reforms for the teaching profession — including merit pay and tenure reform. Providing access to an effective educator for every American child is a goal people of all political stripes can support.

Your support of our legislative priorities will be reflected in the grade you earn on Florida's Education Report Card to be released following the 2009 Legislative Session. If you have any questions, please contact Adam Peshek, Policy Analyst, at (850) 298-8571 or adam@afloridapromise.org