

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 1704

SPONSOR: Education Committee and Senator Sullivan

SUBJECT: Teacher Quality

DATE: April 3, 2001 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	White	O'Farrell	ED	Favorable/CS
2.	_____	_____	AED	_____
3.	_____	_____	AP	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

To improve Florida's ability to recruit teachers, this Committee Substitute:

- Authorizes a school district to use another district's approved alternate route to certification, without the Department of Education's review and approval.
- Creates a type of alternate certification for "adjunct educators," who must have a bachelor's degree but do not need to demonstrate mastery of general knowledge, subject area knowledge, or professional preparation and education competence.
 - Adjunct educators must be employed part time.
 - School districts rather than the department will administer the certification process for adjunct educators.
 - The school district must determine that the adjunct teacher has expertise in the subject to be taught.
 - The certificate requires certain supportive activities during the adjunct educator's first year.
 - Adjunct teachers are authorized to operate under contract and enjoy the same employment status as state-certified teachers.
- Requires school districts to recognize and accept for pay and retirement credit every year in which a teacher was employed and earned credit in the Florida Retirement System.
- Requires the principal to have the opportunity to review records, conduct an interview, and approve the transfer of a teacher to his or her school.
- Requires assistance in accessing resources for a teacher teaching out-of-field.
- Eliminates a program created in 2000 that awarded bonuses or salary supplements to teachers with demonstrated mastery who taught at low performing schools or schools for violent or disruptive youth.
- Requires the department to:
 - Develop a system for posting teaching vacancies

- Establish an applicant database
- Identify best practices for retaining high-quality teachers
- Develop a long-range plan for educator recruitment.
- Communicate quarterly with Workforce Florida, Inc., and regional workforce boards to access resources to improve teacher recruitment and retention.
- Seek waivers or reductions or matching contributions that may be required of district school boards to access workforce funding.
- Eliminates the requirement that teachers must have a professional teaching certificate to be classified as associate teachers or teachers participating in the Florida mentor teacher school pilot program.
- Authorizes a mentor teacher under the Excellent Teaching Program to provide mentoring or related services during the regular school day, but not during student contact time.
- Extends the period during which a teacher may be employed without demonstrating mastery of general knowledge. Teachers may remain in the position through the end of the school year for which they were contracted.

This bill amends sections 228.041, 230.23, 231.096, 231.15, 231.17, 231.36, 231.625, 231.700, 236.08106, 230.2305, 231.045, 231.1725, 231.36, 231.471, and 232.435 of the Florida Statutes.

It creates section 231.1726 of the Florida Statutes.

II. Present Situation:

Need for Teachers

The Florida Office of Economic and Demographic Research projects a need for a total of 162,296 new teachers in Florida between now and 2010. This year, 14,366 teachers are expected to resign or terminate their employment, and 1,081 additional teachers will be needed to accommodate growing student enrollments. Last year, almost 9 percent of Florida's teaching force needed to be replaced.

Florida's increasing student population, especially at the secondary school level, has increased the need for teachers. In Florida, 52 of the 67 school districts have increased their student population since 1995. Statewide, the student population has grown by more than 200,000 students. Student growth means that 11,400 additional teachers will be needed to accommodate higher enrollments.

Only about 6,000 teacher candidates graduate each year from state-approved teacher education programs.

Legislative Response

The 1999 and 2000 Legislatures passed major Legislation designed to improve the certification process and create incentives for teachers to enter the profession without undue hurdles. These measures were guided by a Department of Education study, *A Review of Florida Educator Certification*, which described many problems associated with the recruitment and preparation of high-quality teachers. Most of the problems are a result of a dichotomy between stringently rigorous requirements versus a hodgepodge of flexible options. In response to these conditions, the 2000 Legislature passed laws that:

- Eliminate a number of barriers while maintaining or raising standards
- Create full reciprocity for out-of-state teachers
- Assure consistency among certification options
- Set a due date of July 1, 2002, for alignment of certification requirements with statewide standards and assessments

The dichotomy is not completely eliminated, however, because school districts still have the option of employing non-certified personnel to provide instructional services in the individual's field of specialty (s. 231.15, F.S.; rule 6A1-0502, F.A.C.). These personnel are not state-certified, so a district takes responsibility for the quality of their teaching. But anecdotal evidence is beginning to surface that these provisions are a loophole for teachers who cannot pass the general knowledge test.

Other state programs that respond to teacher recruitment include:

- A state-wide alternate route to teacher certification, due in 2002, that will exploit the acquired abilities of teacher candidates and align the required demonstrations of mastery with the Sunshine State Standards. This method will not require a degree in education, but it will require a demonstration of each of the 12 accomplished practices required of teachers who hold a professional certificate.
 - Until the state-level alternative certification is complete in 2002, districts may continue to design their own alternate routes.
- The Mentor Teacher School Pilot Programs that authorize a hierarchy of teaching positions designed to create a career ladder for master teachers while increasing support for novice teachers (s. 231.700, F.S.).
- Several programs designed to make available fellowships, forgivable loans, or tuition reimbursement for teachers who agree to teach in Florida's public schools for a number of years. These include:
 - Student fellowship program (s. 231.6215, F.S.), which if funded will provide annual forgivable loans of \$6500 to rising juniors who agree to teach in Florida for 3 years. Fellows must complete a major in a content area other than education and attain teaching expertise through a 12-month program designed by the university or college.
 - Minority Teacher Education Scholars Program and the Florida Fund for Minority Teachers (ss. 240.4128 and 240.4129, F.S.)
 - Critical Teacher Shortage Tuition Reimbursement Program (s. 240.4064, F.S.)
 - Critical Teacher Shortage Student Loan Forgiveness Program (s. 231.621, F.S.)
 - Florida Teacher Scholarship and Forgivable Loan Program (s. 240.4063, F.S.)
 - Grants for teachers for special training in exceptional student education (s. 240.405, F.S.)
- The Excellent Teaching Program, which provides substantial annual bonuses to teachers who attain certification by the National Board of Professional Teaching Standards (s. 236.08106, F.S.).

Debate over Teacher Effectiveness

A literature review conducted for a 1999 Senate Education Committee interim project on teacher effectiveness found no objective research correlating the various preparation programs with the teacher's ability to improve learning in the classroom. Improved student learning could be

predicted better by the teacher's use of continuous assessment and "deep teaching," rather than by a particular route to certification. One study used a comparison of student learning gains and found that more effective teachers were those who continued their pursuit of subject matter knowledge after graduation, but that study did not compare the different types of certification. No studies demonstrated conclusively that one teacher preparation program produced better teachers than another.¹

In early 2001, Florida received a federal grant of \$2.5 million for teacher quality enhancement.² Part of the grant will be used to conduct a research project designed to evaluate and compare the effectiveness of teachers with various types of preparation. Education experts in the department intend for this study to be among the first to provide data linking teacher effectiveness directly with certification. Although controlled studies of teacher effectiveness are rare, the debate is vigorous over questions such as:

- Will carefully designed alternative routes to certification attract into teaching well qualified professionals who have more content knowledge than is traditionally associated with education majors?
- Will alternate routes to certification reduce the teaching profession to a craft that relies on on-the-job training?
- Can alternative routes relieve teacher shortages without compromising quality?

III. Effect of Proposed Changes:

The legislation under consideration is an omnibus education act, amending, creating, and repealing a number of statutes. For the sake of clarity, the following analysis provides a brief summary of the present situation and the changes made by the bill. Rather than take up sections in numerical order, the analysis is by topic.

Alternate Routes to Certification

1. Adjunct Educators

Section 5

Creates s. 231.1726, F.S., to define a new route to certification for people who have a bachelor's degree but no teacher education courses, teaching experience, test scores, or other demonstrations of knowledge. Educators holding adjunct teaching certificates are eligible only for part-time employment.

To be eligible, the adjunct teacher must:

- Be at least 18 years old.
- Swear to uphold the Constitution.
- Have a bachelor's or higher degree from an accredited college or a non-accredited college approved by the Department of Education.
- Submit to a fingerprint check.
- Be of good moral character.

¹ Florida Senate Education Committee, *Teacher Effectiveness*, Interim Project 2 000-3-, September 1999.

² *Quality of Teacher Preparation*: Title II, Higher Education Act, NCES 2000-089. Washington, DC: 2000.

- Be competent and capable of performing the duties of a teacher, including knowledge of the subject area to be taught, as determined by the school district.

The school board must:

- Assign a peer teacher to assist the adjunct teacher during the first year of teaching.
- Provide the adjunct teacher an orientation in classroom management.
- Develop a policy to determine that an adjunct teacher has expertise in the subject area to be taught.

The adjunct teaching certificate is good for 5 years and is renewable, if:

- The adjunct teacher completes at least 60 in-service points or 3 semester credit hours that include classroom management, school board procedures, school culture, and other activities that enhance the professional teaching skills.
- The adjunct teacher has satisfactory performance evaluations during each year of teaching.

Adjunct teachers have the same rights and protection as teachers certified by the state's certification statute or the alternate route (both provided in s. 231.17, F.S.) but they are not required to demonstrate mastery of general knowledge, subject area knowledge, or professional preparation and education competence.

2. Alternate Routes to Certification Designed by School Districts

Section 4

Amends s. 231.17, F.S., *Teacher certification requirements; professional preparation and education competency program*, to authorize a school district to use the alternate route to certification adopted by any other district. The implementation of the alternate route does not require approval by the department, but the district must notify the department and may not modify an approved program without approval.

Background

The 1996 Legislature adopted this portion of the teacher certification requirements to authorize school districts to develop their own alternate routes to certification. By 2000, only three districts had designed alternate routes, and the general consensus was that their methodology was sound and assured that novice teachers received support during the 3 years of preparation while on the job. Moreover, the design of the on-the-job preparation program assured equality with those who pursued the regular route and graduated from a qualified college of education. Teachers who pursue this alternate route are not exempt from any of the required competencies, including demonstration of the 12 accomplished practices adopted by the Education Standards Commission.

The 2000 Legislature created the "Professional Preparation and Education Competency Program," a statewide alternate route modeled after the Hillsborough County method. It will be fully implemented in 2002, when all the competency tests are developed and validated. At that time, individual districts will no longer have the authority to implement their own programs

In effect, this section of the bill will make it easier for districts to implement their own programs until the statewide one is available in 2002.

Exemption from Requirement to Demonstrate Mastery of General Knowledge

Section 5 also extends the period of time during which a teacher may remain employed without demonstrated mastery of general knowledge. Under current law, until July 1, 2002, a teacher demonstrates mastery in one of four ways (s. 231.17, F.S.):

- Passing the College Level Skills Test
- Passing another state's general knowledge test
- Holding a valid teaching certificate from another state that has a general knowledge test, with 2 years full-time experience during the previous 5 years
- Possessing a national certification from the National Board of Professional Teaching Standards with a regular certificate from another state

The law authorizes a temporary certificate for 3 years, but requires the mastery of general knowledge within the calendar year following employment. Sometimes that calendar year ends before the end of the school year, and a district is forced to let the teacher go without completing the year-end tasks.

Under the bill, teachers who are employed under contract at the end of the 1 calendar year time period may continue to be employed through the end of the year in which they have been contracted.

Transfer of Years of Service

Section 6

Amends s. 231.36, F.S., *Contracts with instructional staff, supervisors, and principals*, to require school districts to recognize and accept for pay and retirement credit every year in which a teacher was satisfactorily employed, as reported for purposes of the Florida Retirement System. This recognition is subject to any applicable collective bargaining requirements. The requirement begins July 1, 2001 and applies to teachers who were not employed as of June 30, 2001.

In current practice, districts vary in the amount of years of "credit" they will give a new employee for the years of experience gained in other districts or states. Under the bill, teachers employed after June 30, 2001, may get credit for more experience than previously employed teachers, and thus a higher salary.

Assistance Provided by Department of Education and Regional Workforce Board

Section 7

Amends s. 231.625, F.S., *Teacher recruitment and retention*, to require the department to:

- Develop a system for posting teaching vacancies
- Establish an applicant database

- Identify best practices for retaining high-quality teachers
- Develop a long-range plan for educator recruitment
- Communicate quarterly with Workforce Florida, Inc., and regional workforce boards to access resources to improve teacher recruitment and retention.
- Seek waivers or reductions or matching contributions that may be required of district school boards to access workforce funding

Section 3

Amends s. 231.31.096, F.S., *Teacher teaching out-of-field*, to require the district school board to contact its regional workforce board to access resources to assist teachers who are teaching out-of-field and are pursuing certification.

Principal's Involvement in Teacher Transfer Repeal of Bonuses for Teachers At Low Performing Schools

Section 2

Amends s. 230.23, F.S., *Powers and duties of school board*, to require a superintendent to consult with the principal before transferring a teacher to the principal's school. The principal may review the teacher's records and interview the teacher. If, in the judgment of the principal, students would not benefit from the transfer, the bill says, "an alternative placement may be sought." In effect, this provision does not affect the authority of the superintendent, but it will require a dialogue.

This section also will eliminate a program created in 2000 that awarded bonuses or salary supplements to teachers with demonstrated mastery who taught at low performing schools or schools for violent or disruptive youth.

The program was not implemented to attract better teachers to these low performing schools; instead, most school districts gave a bonus to each teacher at the school without attempting to determine teaching mastery. As of this date, March 29, 2001, the Senate proposed budget does not have an appropriation for this program.

Excellent Teaching Program

Section 9

Amends s. 236.08106, F.S., *Excellent Teaching Program*, to authorize a mentor teacher under the program to provide mentoring or related services during the regular school day, but not during student contact time.

Background

The 1998 Legislature created this program to motivate teachers to seek national certification. The program assists teachers with the fees required to apply to the National Board for Professional Teaching Standards (NBPTS) and provides an annual salary bonus to those who earn the credential. The bonus is 10 percent of the statewide average teacher salary. In 2000-2001, the dollar amount is \$3,603.60. The program is phenomenally successful. In the year before its

creation, Florida had only 22 national board-certified teachers. The next year, we had 546. This year, 2000-2001, we have 1,268 teachers receiving the bonus.

An additional bonus is available for nationally certified teachers who provide the equivalent of 12 working days of mentoring and related services to other teachers. To assure that excellent teachers are not removed from the classroom, the law does not allow them to provide services “during the regular school day.” According to teachers, this prohibition prevents them from observing other teachers in the classroom, an important part of mentoring. They wish to use their planning period for working in other teachers’ classrooms.

Mentor Teacher Pilot Program

Section 8

Amends s. 231.700, Florida Mentor School Pilot Program, to allow teachers who do not hold a professional teaching certificate to participate as associate teachers or teachers. The effect will be that adjunct educators and teachers with temporary certificates will be eligible for the program.

Background

The 2000 Florida Legislature created the Florida Mentor Teacher School Pilot Program that is based on several of the key principles of the Teacher Advancement Program created by the Milken Family Foundation. Five key elements of the Florida Mentor Teacher Program include:

- Multiple career paths. Teachers move up the ranks knowing that compensation will increase, as do responsibilities, qualifications, and professional development requirements.
- Broad, market-driven compensation ranges. Florida mentor teachers may earn as much as \$70,000 each year.
- Multiple entry paths with intensive support and mentoring for new teachers. Advancement up the ranks is determined by student progress, academic achievement, and performance demonstration. Peer reviews may be an element of advancement.
- Ongoing, applied professional development is to occur through daily professional growth blocks built into the teacher’s work schedule.
- Collaboration among instructional personnel is important with time for reflection, planning, sharing, and learning.

The Legislature included a million dollars in the 2000-2001 General Appropriations Act to fund up to 20 pilot schools \$50,000 per site for the development of a Mentor Teacher School Pilot Program to be implemented during the 2001-2002 school year. Applications were received from schools in response to a Request for Proposals that had been distributed to each public K-12 school in Florida in July 2000. A review committee recommended funding for eight pilot schools in the following counties: Brevard, Leon, St. Johns, Manatee, Palm Beach (two schools), Polk, and Miami-Dade.

Technical Changes

Section 1

Amends s. 228.041, F.S., to add “adjunct educators” to the definition of instructional personnel. They will be a type of “other instructional staff.”

Section 3

Amends s. 231.15, F.S., Positions for which certificates required, to delete the term “part-time” certificate from the types of certificates that qualify an athletic coach.

Section 10

Amends s. 230.2305, F.S., *Pre-kindergarten early intervention programs*, to authorize adjunct educators to be exempt from screening requirements under s. 231.02, F.S.

Section 11

Amends s. 231.045, F.S., *Periodic criminal history record checks*, to authorize the department to perform a criminal history record check on adjunct educators.

Section 12

Amends s. 231.1725, F.S., *Employment of substitute teachers, teachers of adult education, non-degreed teachers of career education, and career specialists; students performing clinical field experience*, to add requirements for adjunct educators to the provisions that may be waived for these types of teaching assignments.

Section 13

Amends s. 231.36, F.S., *Contracts with instructional staff, supervisors, and principals*, to authorize adjunct educators to receive a written contract for employment.

Section 14

Amends s. 231.471, F.S., *Part-time teachers*, to add a reference to adjunct educators.

Section 15

Amends s. 232.435, F.S. Extracurricular activities; athletic trainers, to authorize adjunct educators to serve as teacher apprentice trainers I.

Section 16

Provides an effective date of July 1, 2001.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Teachers who bring experience from other states or districts could earn higher salaries when they become employed for the first time in a Florida district.

The ability to teach part-time without education courses or test scores might enable some people to increase their income without dedicating too much of their spare time.

C. Government Sector Impact:

School districts and the department will incur some expense as a result of the actions required in the bill, but the amount will depend upon the extent to which they avail themselves of the new authority.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.