

1                   A bill to be entitled  
2           An act relating to education; amending 800.101, F.S.;  
3           providing criminal penalties for certain actions  
4           related to specified reports; amending s. 1004.04,  
5           F.S.; revising teacher preparation program core  
6           curricula requirements; revising criteria for  
7           continued program approval; authorizing the State  
8           Board of Education to adopt rules that include certain  
9           criteria and authorize continued program approval;  
10          requiring the State Board of Education to adopt rules  
11          that establish certain continued program approval  
12          criteria; revising specified requirements relating to  
13          field experiences; amending s. 1004.85, F.S.; revising  
14          teacher preparation program core curricula  
15          requirements; requiring certain program candidates to  
16          complete a minimum period of field experience, as  
17          determined by the State Board of Education; revising  
18          criteria for continued program approval; authorizing  
19          the State Board of Education to adopt rules that  
20          include certain criteria and authorize continued  
21          program approval; requiring the State Board of  
22          Education to adopt rules that establish certain  
23          continued program approval criteria; amending s.  
24          1012.32, F.S.; requiring employing entities that  
25          employ certain instructional and noninstructional

26 personnel to submit such personnel's fingerprints to  
 27 the Department of Law Enforcement; conforming  
 28 provisions to changes made by the act; revising  
 29 requirements for background screening; providing that  
 30 an employing entity has the sole authority for  
 31 determining a person's employment eligibility;  
 32 providing an exception; deleting provisions  
 33 authorizing certain persons to appeal specified  
 34 terminations; requiring the Department of Law  
 35 Enforcement to report the results from background  
 36 screenings to the employing entity; defining the term  
 37 "employing entity"; amending s. 1012.321, F.S.;  
 38 revising an exception for specified individuals from  
 39 certain background rescreening requirements; amending  
 40 s. 1012.34, F.S.; providing that certain procedures  
 41 relating to a school district's instructional,  
 42 administrative, and supervisory personnel set the  
 43 standards of service to be offered to the public and  
 44 are not subject to collective bargaining; providing  
 45 effective dates.

46  
 47 Be It Enacted by the Legislature of the State of Florida:

48  
 49 Section 1. Subsection (5) is added to section 800.101,  
 50 Florida Statutes, to read:

51 800.101 Offenses against students by authority figures.—

52 (5) (a) Any person who is required to make a report  
53 regarding an incident of sexual misconduct with a student that  
54 could impact an educator's inclusion on the disqualification  
55 list maintained by the Department of Education pursuant to s.  
56 1001.10 (4) (b), and who knowingly or willfully fails to do so, or  
57 who knowingly or willfully prevents another person from doing  
58 so, commits a misdemeanor of the first degree, punishable as  
59 provided in s. 775.082 or s. 775.083.

60 (b) Any person who knowingly or willfully submits  
61 inaccurate, incomplete, or untruthful information with respect  
62 to a report regarding an incident of sexual misconduct with a  
63 student that could impact an educator's inclusion on the  
64 disqualification list maintained by the Department of Education  
65 pursuant to s. 1001.10 (4) (b) commits a misdemeanor of the first  
66 degree, punishable as provided in s. 775.082 or s. 775.083.

67 (c) Any person who knowingly or willfully coerces or  
68 threatens any other person with the intent to alter testimony or  
69 a written report regarding an incident of sexual misconduct with  
70 a student that could impact an educator's inclusion on the  
71 disqualification list maintained by the Department of Education  
72 pursuant to s. 1001.10 (4) (b) commits a misdemeanor of the first  
73 degree, punishable as provided in s. 775.082 or s. 775.083.

74 Section 2. Paragraph (b) of subsection (2), paragraphs (a)  
75 and (b) of subsection (4), and paragraph (c) of subsection (5)

76 | of section 1004.04, Florida Statutes, are amended to read:

77 |       1004.04 Public accountability and state approval for  
78 | teacher preparation programs.—

79 |       (2) UNIFORM CORE CURRICULA AND CANDIDATE ASSESSMENT.—

80 |       (b) The rules to establish uniform core curricula for each  
81 | state-approved teacher preparation program must include, but are  
82 | not limited to, the following:

83 |           1. Candidate instruction and assessment in the Florida  
84 | Educator Accomplished Practices across content areas.

85 |           2. The use of state-adopted content standards to guide  
86 | curricula and instruction.

87 |           3. Scientifically researched and evidence-based reading  
88 | instructional strategies that improve reading performance for  
89 | all students, including explicit, systematic, and sequential  
90 | approaches to teaching phonemic awareness, phonics, vocabulary,  
91 | fluency, and text comprehension and multisensory intervention  
92 | strategies.

93 |           4. Content literacy and mathematics practices.

94 |           5. Strategies appropriate for the instruction of English  
95 | language learners.

96 |           6. Strategies appropriate for the instruction of students  
97 | with disabilities.

98 |           7. Strategies to differentiate instruction based on  
99 | student needs.

100 |           8. Strategies and practices to support evidence-based

101 content aligned to state standards and grading practices ~~The use~~  
 102 ~~of character-based classroom management.~~

103 9. Strategies appropriate for the early identification of  
 104 a student in crisis or experiencing a mental health challenge  
 105 and the referral of such student to a mental health professional  
 106 for support.

107 10. Strategies to support the use of technology in  
 108 education and distance learning.

109 (4) CONTINUED PROGRAM APPROVAL.—Continued approval of a  
 110 teacher preparation program shall be based upon evidence that  
 111 the program continues to implement the requirements for initial  
 112 approval and upon significant, objective, and quantifiable  
 113 measures of the program and the performance of the program  
 114 completers.

115 (a) The criteria for continued approval must include each  
 116 of the following:

117 1. Candidate readiness based on passage rates on educator  
 118 certification examinations under s. 1012.56, as applicable  
 119 ~~Documentation from the program that each program candidate met~~  
 120 ~~the admission requirements provided in subsection (3).~~

121 ~~2. Documentation from the program that the program and~~  
 122 ~~each program completer have met the requirements provided in~~  
 123 ~~subsection (2).~~

124 ~~2.3.~~ Evidence of performance in each of the following  
 125 areas:

126 ~~a. Placement rate of program completers into instructional~~  
127 ~~positions in Florida public schools and private schools, if~~  
128 ~~available.~~

129 ~~b. Rate of retention for employed program completers in~~  
130 ~~instructional positions in Florida public schools.~~

131 a.e. Performance of students in prekindergarten through  
132 grade 12 who are assigned to in-field program completers on  
133 statewide assessments using the results of the student learning  
134 growth formula adopted under s. 1012.34.

135 ~~d. Performance of students in prekindergarten through~~  
136 ~~grade 12 who are assigned to in-field program completers~~  
137 ~~aggregated by student subgroup, as defined in the federal~~  
138 ~~Elementary and Secondary Education Act (ESEA), 20 U.S.C. s.~~  
139 ~~6311(b)(2)(C)(v)(II), as a measure of how well the program~~  
140 ~~prepares teachers to work with a diverse population of students~~  
141 ~~in a variety of settings in Florida public schools.~~

142 b.e. Results of program completers' annual evaluations in  
143 accordance with the timeline as set forth in s. 1012.34.

144 c.f. Workforce contributions, including placement of  
145 program completers in instructional positions in Florida public  
146 and private schools, with additional weight given to production  
147 of program completers in statewide critical teacher shortage  
148 areas as identified in s. 1012.07.

149 3.4. Results of the program completers' survey measuring  
150 their satisfaction with preparation for the realities of the

151 classroom.

152 ~~4.5.~~ Results of the employers' survey measuring  
153 satisfaction with the program and the program's responsiveness  
154 to local school districts.

155 (b) The State Board of Education shall adopt rules for  
156 continued approval of teacher preparation programs which include  
157 the program review process, the continued approval timelines,  
158 and the performance level targets for each of the continued  
159 approval criteria in paragraph (a). Additional criteria may be  
160 approved by the State Board of Education. The Commissioner of  
161 Education shall determine the continued approval of each program  
162 based on the data collected pursuant to this section and the  
163 rules of the State Board of Education, which may include  
164 weighted criteria and may authorize continued program approval  
165 based on a review conducted by a nationally recognized  
166 accrediting entity. The rules must establish criteria, based on  
167 program size, for determining whether a program review is  
168 necessary, whether program quality should be aggregated and  
169 measured at the provider or institution level, and whether  
170 program reviews may be validly conducted on a remote basis.

171 (5) PRESERVICE FIELD EXPERIENCE.—All postsecondary  
172 instructors, school district personnel and instructional  
173 personnel, and school sites preparing instructional personnel  
174 through preservice field experience courses and internships  
175 shall meet special requirements. District school boards may pay

176 student teachers during their internships.

177 (c) Preservice field experience must fully prepare a  
178 candidate to manage a classroom by requiring the candidate to  
179 practice and demonstrate the uniform core curricula specific to  
180 the candidate's area or areas of program concentration with a  
181 diverse population of students in a variety of challenging  
182 environments, including, but not limited to, high-poverty  
183 schools, urban schools, and rural schools. Beginning with  
184 candidates entering a program in the 2023-2024 school year, a  
185 minimum of 60 hours of preservice ~~The length of structured~~ field  
186 experience must be completed before the culminating field  
187 experience, which must include a minimum of 12 weeks of student  
188 teaching ~~experiences may be extended to ensure that candidates~~  
189 ~~achieve the competencies needed to meet certification~~  
190 ~~requirements.~~

191 Section 3. Paragraph (a) of subsection (3) and subsections  
192 (4), (5), and (8) of section 1004.85, Florida Statutes, are  
193 amended to read:

194 1004.85 Postsecondary educator preparation institutes.—

195 (3) Educator preparation institutes approved pursuant to  
196 this section may offer competency-based certification programs  
197 specifically designed for noneducation major baccalaureate  
198 degree holders to enable program participants to meet the  
199 educator certification requirements of s. 1012.56. An educator  
200 preparation institute choosing to offer a competency-based



201 certification program pursuant to the provisions of this section  
202 must implement a program previously approved by the Department  
203 of Education for this purpose or a program developed by the  
204 institute and approved by the department for this purpose.  
205 Approved programs shall be available for use by other approved  
206 educator preparation institutes.

207 (a) Within 90 days after receipt of a request for  
208 approval, the Department of Education shall approve a  
209 preparation program pursuant to the requirements of this  
210 subsection or issue a statement of the deficiencies in the  
211 request for approval. The department shall approve a  
212 certification program if the institute provides evidence of the  
213 institute's capacity to implement a competency-based program  
214 that includes each of the following:

215 1.a. Participant instruction and assessment in the Florida  
216 Educator Accomplished Practices across content areas.

217 b. The use of state-adopted student content standards to  
218 guide curriculum and instruction.

219 c. Scientifically researched and evidence-based reading  
220 instructional strategies that improve reading performance for  
221 all students, including explicit, systematic, and sequential  
222 approaches to teaching phonemic awareness, phonics, vocabulary,  
223 fluency, and text comprehension and multisensory intervention  
224 strategies.

225 d. Content literacy and mathematical practices.

- 226 e. Strategies appropriate for instruction of English  
 227 language learners.
- 228 f. Strategies appropriate for instruction of students with  
 229 disabilities.
- 230 g. Strategies to differentiate instruction based on  
 231 student needs.
- 232 h. Strategies and practices to support evidence-based  
 233 content aligned to state standards and grading practices ~~The use~~  
 234 ~~of character-based classroom management.~~
- 235 i. Strategies appropriate for the early identification of  
 236 a student in crisis or experiencing a mental health challenge  
 237 and the referral of such student to a mental health professional  
 238 for support.
- 239 j. Strategies to support the use of technology in  
 240 education and distance learning.
- 241 2. An educational plan for each participant to meet  
 242 certification requirements and demonstrate his or her ability to  
 243 teach the subject area for which the participant is seeking  
 244 certification, which is based on an assessment of his or her  
 245 competency in the areas listed in subparagraph 1.
- 246 3. Field experiences appropriate to the certification  
 247 subject area specified in the educational plan with a diverse  
 248 population of students in a variety of challenging environments,  
 249 including, but not limited to, high-poverty schools, urban  
 250 schools, and rural schools, under the supervision of qualified

251 educators. Beginning with candidates entering a program in the  
 252 2023-2024 school year, a minimum period of field experience, as  
 253 determined in state board rule, must be completed before serving  
 254 as the teacher of record.

255 4. A certification ombudsman to facilitate the process and  
 256 procedures required for participants who complete the program to  
 257 meet any requirements related to the background screening  
 258 pursuant to s. 1012.32 and educator professional or temporary  
 259 certification pursuant to s. 1012.56.

260 (4) Continued approval of each program approved pursuant  
 261 to this section shall be determined by the Commissioner of  
 262 Education based upon a periodic review of the following areas:

263 (a) Candidate readiness based on passage rates on educator  
 264 certification examinations under s. 1012.56, as applicable  
 265 ~~Documentation from the program that each program completer has~~  
 266 ~~met the requirements of paragraphs (3) (a) - (c).~~

267 (b) Evidence of performance in each of the following  
 268 areas:

269 ~~1. Placement rate of program completers into instructional~~  
 270 ~~positions in Florida public schools and private schools, if~~  
 271 ~~available.~~

272 ~~2. Rate of retention for employed program completers in~~  
 273 ~~instructional positions in Florida public schools.~~

274 ~~1.3.~~ Performance of students in prekindergarten through  
 275 grade 12 who are assigned to in-field program completers on

276 statewide assessments using the results of the student learning  
277 growth formula adopted under s. 1012.34.

278 ~~4. Performance of students in prekindergarten through~~  
279 ~~grade 12 who are assigned to in-field program completers~~  
280 ~~aggregated by student subgroups, as defined in the federal~~  
281 ~~Elementary and Secondary Education Act (ESEA), 20 U.S.C. s.~~  
282 ~~6311(b)(2)(C)(v)(II), as a measure of how well the program~~  
283 ~~prepares teachers to work with a diverse population of students~~  
284 ~~in a variety of settings in Florida public schools.~~

285 ~~2.5.~~ Results of program completers' annual evaluations in  
286 accordance with the timeline as set forth in s. 1012.34.

287 ~~3.6.~~ Production of program completers in statewide  
288 critical teacher shortage areas as identified in s. 1012.07.

289 (5) Each institute approved pursuant to this section shall  
290 submit to the Department of Education annual performance  
291 evaluations that measure the effectiveness of the programs,  
292 including the pass rates of participants on all examinations  
293 required for teacher certification, employment rates,  
294 longitudinal retention rates, and satisfaction surveys of  
295 employers and program completers ~~candidates~~. The satisfaction  
296 surveys must be designed to measure the sufficient preparation  
297 of the educator for the realities of the classroom and the  
298 institute's responsiveness to local school districts. These  
299 evaluations shall be used by the Department of Education for  
300 purposes of continued approval of an educator preparation

301 institute's certification program.

302 (8) The State Board of Education shall ~~may~~ adopt rules  
 303 pursuant to ss. 120.536(1) and 120.54 to implement ~~the~~  
 304 ~~provisions of this section, which may include weighted criteria~~  
 305 and may authorize continued program approval based on a review  
 306 conducted by a nationally recognized accrediting entity. The  
 307 rules must establish criteria, based on program size, for  
 308 determining whether a program review is necessary, whether  
 309 program quality should be aggregated and measured at the  
 310 provider or institution level, and whether program reviews may  
 311 be validly conducted on a remote basis ~~including performance~~  
 312 ~~targets for the measures used for continued program approval~~  
 313 ~~described in subsection (4).~~

314 Section 4. Subsection (2) and paragraph (b) of subsection  
 315 (3) of section 1012.32, Florida Statutes, are amended, and  
 316 subsection (4) is added to that section, to read:

317 1012.32 Qualifications of personnel.—

318 (2)(a) Instructional and noninstructional personnel ~~who~~  
 319 ~~are~~ hired or contracted to fill positions that require direct  
 320 contact with students in any district school system or  
 321 university lab school must, upon employment or engagement to  
 322 provide services, undergo background screening as required under  
 323 s. 1012.465 or s. 1012.56, whichever is applicable.

324 (b)1. Instructional and noninstructional personnel ~~who are~~  
 325 hired or contracted to fill positions in a charter school other

326 than a school of hope as defined in s. 1002.333, and members of  
327 the governing board of such charter school, in compliance with  
328 s. 1002.33(12)(g), upon employment, engagement of services, or  
329 appointment, shall undergo background screening as required  
330 under s. 1012.465 or s. 1012.56, whichever is applicable, by  
331 filing with the employing entity ~~district school board for the~~  
332 ~~school district in which the charter school is located~~ a  
333 complete set of fingerprints taken by an authorized law  
334 enforcement agency or an employee of the school ~~or school~~  
335 ~~district~~ who is trained to take fingerprints.

336 2. Instructional and noninstructional personnel ~~who are~~  
337 hired or contracted to fill positions in a school of hope as  
338 defined in s. 1002.333, and members of the governing board of  
339 such school of hope, shall file with the school of hope a  
340 complete set of fingerprints taken by an authorized law  
341 enforcement agency, by an employee of the school of hope ~~or~~  
342 ~~school district~~ who is trained to take fingerprints, or by any  
343 other entity recognized by the Department of Law Enforcement to  
344 take fingerprints.

345 (c) Instructional and noninstructional personnel ~~who are~~  
346 hired or contracted to fill positions that require direct  
347 contact with students in an alternative school that operates  
348 under contract with a district school system must, upon  
349 employment or engagement to provide services, undergo background  
350 screening as required under s. 1012.465 or s. 1012.56, whichever

351 is applicable, by filing with the alternative school district  
 352 ~~school board for the school district to which the alternative~~  
 353 ~~school is under contract~~ a complete set of fingerprints taken by  
 354 an authorized law enforcement agency or an employee of the  
 355 school ~~or school district~~ who is trained to take fingerprints.

356 (d) Student teachers and persons participating in a field  
 357 experience pursuant to s. 1004.04(5) or s. 1004.85 in any  
 358 district school system, lab school, or charter school must, upon  
 359 engagement to provide services, undergo background screening as  
 360 required under s. 1012.56.

361  
 362 Required fingerprints must be submitted to the Department of Law  
 363 Enforcement for statewide criminal and juvenile records checks  
 364 and to the Federal Bureau of Investigation for federal criminal  
 365 records checks. A person subject to this subsection who is found  
 366 ineligible for employment under s. 1012.315, or otherwise found  
 367 through background screening to have been convicted of any crime  
 368 involving moral turpitude as defined by rule of the State Board  
 369 of Education, ~~may shall~~ not be employed, engaged to provide  
 370 services, or serve in any position that requires direct contact  
 371 with students. Except for a person's ineligibility for  
 372 employment as provided in this subsection, an employing entity  
 373 has the sole authority for determining a person's employment  
 374 eligibility. ~~Probationary persons subject to this subsection~~  
 375 ~~terminated because of their criminal record have the right to~~

376 ~~appeal such decisions.~~ The cost of the background screening may  
 377 be borne by the employing entity ~~district school board, the~~  
 378 ~~charter school, the employee, the contractor,~~ or a person  
 379 subject to this subsection. ~~A district school board shall~~  
 380 ~~reimburse a charter school the cost of background screening if~~  
 381 ~~it does not notify the charter school of the eligibility of a~~  
 382 ~~governing board member or instructional or noninstructional~~  
 383 ~~personnel within the earlier of 14 days after receipt of the~~  
 384 ~~background screening results from the Florida Department of Law~~  
 385 ~~Enforcement or 30 days of submission of fingerprints by the~~  
 386 ~~governing board member or instructional or noninstructional~~  
 387 ~~personnel.~~

388 (3)

389 (b) The Department of Law Enforcement shall search all  
 390 arrest fingerprints received under s. 943.051 against the  
 391 fingerprints retained in the statewide automated biometric  
 392 identification system under paragraph (a). Any arrest record  
 393 ~~that is~~ identified with the retained fingerprints of a person  
 394 subject to the background screening under this section must  
 395 ~~shall~~ be reported to the employing entity ~~or contracting school~~  
 396 ~~district or the school district with which the person is~~  
 397 ~~affiliated.~~ Each employing entity ~~school district~~ is required to  
 398 participate in this search process by payment of an annual fee  
 399 to the Department of Law Enforcement and by informing the  
 400 Department of Law Enforcement of any change in the ~~affiliation,~~



401 employment, or contractual status ~~or place of affiliation,~~  
402 ~~employment, or contracting~~ of its instructional and  
403 noninstructional personnel whose fingerprints are retained under  
404 paragraph (a). The Department of Law Enforcement shall adopt a  
405 rule setting the amount of the annual fee to be imposed upon  
406 each employing entity ~~school district~~ for performing these  
407 searches and establishing the procedures for the retention of  
408 instructional and noninstructional personnel fingerprints and  
409 the dissemination of search results. The fee may be borne by the  
410 employing entity ~~district school board, the contractor,~~ or the  
411 person fingerprinted.

412 (4) For purposes of this section, the term "employing  
413 entity" means a district school board, charter school,  
414 alternative school, or any other entity that requires employees  
415 to complete a background screening to maintain the safety and  
416 well-being of students and the integrity of the system of public  
417 education.

418 Section 5. Effective July 1, 2023, section 1012.321,  
419 Florida Statutes, is amended to read:

420 1012.321 Exceptions for certain individuals ~~instructional~~  
421 ~~personnel~~ from background screening requirements.—An individual  
422 participating in a field experience pursuant to s. 1004.04(5) or  
423 s. 1004.85 may ~~Instructional personnel who are required to~~  
424 ~~undergo level 2 background screening under s. 393.0655 or s.~~  
425 ~~402.305 and who meet the level 2 screening standards in s.~~

426 ~~435.04~~ are not ~~required to~~ be rescreened in order to satisfy the  
427 screening requirements in s. 1012.32 if the individual  
428 ~~instructional personnel~~:

429 (1) Has his or her fingerprints retained by the Department  
430 of Law Enforcement ~~Have completed the criminal history check~~  
431 ~~within 5 years prior to having direct contact with students; and~~

432 (2) Is ~~Are~~ rescreened every 5 years and meets ~~meet~~ the  
433 ~~level 2~~ screening standards under s. 1012.315; ~~and~~

434 ~~(3) Have their fingerprints retained by the Department of~~  
435 ~~Law Enforcement.~~

436 Section 6. Paragraph (a) of subsection (1) of section  
437 1012.34, Florida Statutes, is amended to read:

438 1012.34 Personnel evaluation procedures and criteria.—

439 (1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

440 (a) For the purpose of increasing student academic  
441 performance by improving the quality of instructional,  
442 administrative, and supervisory services in the public schools  
443 of the state, the district school superintendent shall establish  
444 procedures for evaluating the performance of duties and  
445 responsibilities of all instructional, administrative, and  
446 supervisory personnel employed by the school district. The  
447 procedures established by the district school superintendent set  
448 the standards of service to be offered to the public within the  
449 meaning of s. 447.209 and are not subject to collective  
450 bargaining. The district school superintendent shall provide

451 instructional personnel the opportunity to review their class  
452 rosters for accuracy and to correct any mistakes. The district  
453 school superintendent shall report accurate class rosters for  
454 the purpose of calculating district and statewide student  
455 performance and annually report the evaluation results of  
456 instructional personnel and school administrators to the  
457 Department of Education in addition to the information required  
458 under subsection (5).

459 Section 7. Except as otherwise expressly provided in this  
460 act, this act shall take effect July 1, 2022.