

CHAPTER 98-163

Committee Substitute for Senate Bill No. 2000

An act relating to rulemaking authority for matters pertaining to education (RAB); amending s. 231.17, F.S.; authorizing the Commissioner of Education to make decisions about granting certification to an applicant in extenuating circumstances not otherwise provided for in statute or by rule; amending s. 231.24, F.S.; allowing the state board to approve rules for the expanded use of training in teaching students having limited proficiency in English toward renewing a professional certificate; amending s. 231.29, F.S., relating to assessment procedures and criteria for personnel assessment; authorizing the state board to adopt necessary rules; amending s. 240.116, F.S.; allowing the state board to adopt rules for certain dual-enrollment programs; amending s. 240.233, F.S.; allowing the state board to adopt rules for the articulation of foreign-language competency and equivalency between secondary and postsecondary institutions; providing an effective date.

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

Section 1. Subsection (14) is added to section 231.17, Florida Statutes, to read:

231.17 Official statements of eligibility and certificates granted on application to those meeting prescribed requirements.—

(14) AUTHORITY OF COMMISSIONER.—The Commissioner of Education is authorized to make decisions regarding an applicant's certification under extenuating circumstances not otherwise provided for in statute or by rule. However, an applicant for certification approved by the commissioner must possess the credentials, knowledge, and skills necessary to provide quality education in the public schools.

Section 2. Paragraph (d) is added to subsection (3) of section 231.24, Florida Statutes, to read:

231.24 Process for renewal of professional certificates.—

(3) For the renewal of a professional certificate, the following requirements must be met:

(d) The state board shall approve rules for the expanded use of training for renewal of the professional certificate for educators who are required to complete training in teaching students of limited English proficiency as follows:

1. A teacher who holds a professional certificate may use college credits or inservice points completed in English-for-Speakers-of-Other-Languages training in excess of 6 semester hours during one certificate-validity period

toward renewal of the professional certificate during the subsequent validity periods.

2. A teacher who holds a temporary certificate may use college credits or inservice points completed in English-for-Speakers-of-Other-Languages training toward renewal of the teacher's first professional certificate. Such training must not have been included within the degree program, and the teacher's temporary and professional certificates must be issued for consecutive school years.

Section 3. Subsection (8) is added to section 231.29, Florida Statutes, to read:

231.29 Assessment procedures and criteria.—

(8) The State Board of Education shall adopt rules that establish uniform guidelines for the submission, review, and approval of district procedures for the annual assessment of instructional personnel and that include criteria for evaluating professional performance.

Section 4. Subsection (1) of section 240.116, Florida Statutes, is amended to read:

240.116 Articulated acceleration.—

(1) It is the intent of the Legislature that a variety of articulated acceleration mechanisms be available for secondary and postsecondary students attending public educational institutions. It is intended that articulated acceleration serve to shorten the time necessary for a student to complete the requirements associated with the conference of a degree, broaden the scope of curricular options available to students, or increase the depth of study available for a particular subject. Articulated acceleration mechanisms shall include, but not be limited to, dual enrollment, early admission, advanced placement, credit by examination, and the International Baccalaureate Program. The State Board of Education shall adopt rules for any dual-enrollment programs involving requirements for high school graduation.

Section 5. Subsection (1) of section 240.233, Florida Statutes, is amended to read:

240.233 Universities; admissions of students.—Each university shall govern admissions of students, subject to this section and rules of the Board of Regents.

(1) Minimum academic standards for undergraduate admission to a university must ~~shall~~ include the requirements that:

(a) Each student have received a high school diploma pursuant to s. 232.246, or its equivalent, except as provided in s. 240.116(2) and (3).

(b) Each student have earned two credits of sequential foreign language at the secondary level or the equivalent of such instruction at the postsecondary level. A student whose native language is not English is exempt from

this admissions requirement, provided that the student demonstrates proficiency in the native language. If a standardized test is not available in the student's native language for the demonstration of proficiency, the university may provide an alternative method of assessment. The State Board of Education shall adopt rules for the articulation of foreign-language competency and equivalency between secondary and postsecondary institutions. A student who received an associate in arts degree prior to September 1, 1989, or who enrolled in a program of studies leading to an associate degree from a Florida community college prior to August 1, 1989, and maintains continuous enrollment shall be exempt from this admissions requirement.

Section 6. This act shall take effect upon becoming a law.

Became a law without the Governor's approval May 22, 1998.

Filed in Office Secretary of State May 21, 1998.