

Notice of Proposed Rule

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-4.0051 Renewal and Reinstatement of a Professional Certificate

PURPOSE AND EFFECT: The purpose of this rule amendment is to insert provisions due to statutory changes, propose changes to streamline regulatory implementation, and update language for clarity. Proposed changes include: update of the requirements specified for renewal of the professional certificate; update of the requirements for retention of certification coverages; update of the general requirements for renewal of a professional certificate; and, update of the requirements specified for reinstatement of the professional certificate.

SUMMARY: This rule provides the requirements and implementation provisions for renewal and reinstatement of a Florida Professional Educator's Certificate. Changes are proposed to update language to simplify and clarify the general requirement for use of college credits, inservice training, and subject area tests for renewal, and to insert the requirement to earn one college credit in the instruction of students with disabilities for applications submitted on or after July 1, 2014, for professional certificate renewal or for reinstatement of an expired professional certificate.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The revised rule continues to require an appropriate fee to accompany an application for renewal. However, the amount of the required fee remains unchanged. Additional operational or compliance monitoring costs may be incurred by the agency or by others impacted, but these aggregate costs are not anticipated to reach the threshold to necessitate legislative ratification.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 1012.585 FS.

LAW IMPLEMENTED: 1012.585 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 21, 2014, 9:00 a.m.

PLACE: Miami Lakes Educational Center, 5780 NW 158th Street, Miami Lakes, Florida 33014

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: David C. LaJeunesse, Chief, Educator Certification, Florida Department of Education, 325 West Gaines Street, Suite 201, Tallahassee, Florida 32399-0400, (850)245-0431

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0051 Renewal and Reinstatement of a Professional Certificate.

A professional certificate is renewed or reinstated and certification coverages retained on the certificate in accordance with the following provisions:

- (1) through (2) No change.
- (3) General requirements.

(a) All requirements necessary for the renewal of a certificate shall be completed during the last validity period of the certificate to be renewed and prior to the expiration date of the certificate. College credits, inservice training and subject area tests used to satisfy requirements for issuance of the initial professional certificate shall not be used for renewal of the professional certificate. ~~Requirements for the first renewal shall be completed subsequent to the date that the application for the certificate was received in the Bureau of Educator Certification, Florida Department of Education, or subsequent to the beginning validity date shown on the certificate, or subsequent to the date~~

~~eligibility was established for the first professional certificate, whichever is later.~~

(b) through (d) No change.

(e) A certification coverage which has been deleted from a professional certificate shall be added to the certificate when requirements specified in subsection 6A-4.004(6)(5), F.A.C., have been completed.

(f) through (5) No change.

(6) Special provisions for training in the instruction of students with disabilities.

(a) As a component of the credit requirements specified under paragraph (1)(a) of this rule, an educator whose application for renewal is received on or after July 1, 2014, must have earned at least one (1) college credit, twenty (20) inservice points, or a combination thereof, in the instruction of students with disabilities during the last validity period of the certificate to be renewed and prior to the expiration date of the certificate.

(b) As specified in paragraph (1)(b) of this rule, a passing score earned on a subject area test during the validity period of the professional certificate to be renewed on the Exceptional Student Education (Grades K-12), Hearing Impaired (Grades K-12), Visually Impaired (Grades K-12), or Speech-Language Impaired (Grades K-12) subject area exam may be used to satisfy the requirement for credit in the instruction of students with disabilities when certification coverage for the instruction of students with disabilities is shown on the professional certificate.

(c) An educator may earn acceptable credit for training in any certification subject area related to the instruction of students with disabilities, including, but not limited to, hearing impaired, speech-language impaired, and visually impaired, to satisfy the requirement for credit in the instruction of student with disabilities. Acceptable credit in the instruction of students with disabilities may be applied to retain any specialization area on the professional certificate to be renewed.

(d) In accordance with paragraph (1)(c) of this rule, national board certification in an Exceptional Needs Specialist subject area satisfies the requirement for the instruction of students with disabilities.

~~(7)(6)~~ Reinstatement of a professional certificate. The Department may reinstate an expired professional certificate if the certificate holder:

(a) Completes the application requirements as specified in Rule 6A-4.0012, F.A.C.,

(b) Satisfies the fingerprint requirement as specified in subparagraph 6A-4.004(1)(a)3., F.A.C.,

(c) Documents completion of six (6) semester hours of college credit during the five (5) years immediately preceding reinstatement of the expired certificate, completion of one hundred twenty (120) inservice points, or a combination thereof, as specified in paragraph (1)(a) of this rule, ~~and~~

(d) During the five (5) years immediately preceding reinstatement of the certificate, achieves a passing score on the subject area examination for each subject to be shown on the reinstated certificate. Only subjects currently issued by the Department may be shown on a reinstated certificate, ~~and~~

(e) An educator whose application for reinstatement is received on or after July 1, 2014, must have earned at least one (1) college credit or the equivalent inservice points in the instruction of students with disabilities during the five (5) years immediately preceding reinstatement of the expired certificate.

Rulemaking Authority 1001.02, 1012.55, 1012.585 FS. Law Implemented 1001.02, ~~4012.54~~, 1012.55, 1012.585 FS. History—New 12-25-86, Amended 4-23-91, 2-12-92, 10-15-01, 12-27-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Brian Dassler, Deputy Chancellor for Educator Quality
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner,
Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 5, 2013

DATE APPROVED: 01/21/2014