

NOTICE OF EMERGENCY RULE

DEPARTMENT OF EDUCATION

STATE BOARD OF EDUCATION

RULE No.: 6AER19-01

RULE TITLE: Content Expert for Best and Brightest Recruitment Award

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR

WELFARE: The mission of Florida's educational system is to increase the proficiency of all students by allowing them to expand their knowledge and skills through learning opportunities. This mission is dependent upon Florida's public schools recruiting and retaining qualified teachers. In Florida, there is a critical teacher shortage. Certain areas of the state have been unable to recruit a sufficient number of classroom teachers by the beginning of this school year. This problem is especially pronounced for certain subject areas, such as mathematics, science and computer science.

Effective July 1, 2019, the legislature provided school districts funding to recruit classroom teachers who are content experts in certain subjects. The criteria to identify content experts must be established by the Department of Education. However, most public schools in Florida are set to begin on August 12th and there is not sufficient time before school starts to establish this criteria by the normal rulemaking process. Unless this criteria is established by emergency rule, school districts will be unable to utilize these funds to recruit teachers by the beginning of this school year. Moreover, unless the criteria is set by emergency rule and recruitment awards provided by school districts, school districts will be unable to distribute recognition awards to their K-12 instructional personnel. The legislature appropriated funds this year to school districts so that the districts can recognize K-12 instructional personnel who are rated as effective or highly effective based upon criteria and policies set by the school districts. However, these funds cannot be distributed by the school districts until the recruitment awards have been made. Based upon the foregoing, the agency finds an immediate danger to public welfare requires an emergency rule in order to assist with recruiting teachers to Florida to mitigate the teacher shortages in critical areas.

REASONS FOR CONCLUDING THAT PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES:

There are multiple reasons for concluding that the procedure used is fair under these circumstances. First, because school begins in August, there is not sufficient time to adopt a rule through non-emergency means before the start of the 2019-20 school year. Second, the agency has received multiple requests from school districts to clarify and

define the criteria for content area experts so that districts can use the funds for remaining recruitment efforts. Additionally, the emergency rule allows districts to distribute not only recruitment awards to new teachers, but since recruitment awards must be made before recognition awards, this rule will allow school districts the opportunity to distribute recognition funding to K-12 instructional personnel. Further, the agency is of the opinion that the procedure is fair because the rule itself relies in part upon criteria established in an existing rule that has already been adopted through the full rulemaking process. Moreover, the emergency rule was published on the Department's website in an effort to reach interested persons. Finally, the agency intends to proceed with the normal rulemaking process as soon as possible in order to seek input from interested persons for any subsequent awards.

SUMMARY OF THE RULE: The emergency rule provides the criteria for identifying content experts in mathematics, science, computer science, reading, and civics in order to allow school districts to provide recruitment awards on this basis for newly hired classroom teachers.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Dr. Paul Burns, Deputy Chancellor for Educator Quality, Paul.Burns@fldoe.org, 850-245-0509.

THE FULL TEXT OF THE EMERGENCY RULE IS:

6AER19-01 Content Expert for Best and Brightest Recruitment Award

In order to allow school districts to distribute recruitment awards in the 2019-20 school year, a content expert in mathematics, science, computer science, reading, and civics means the following:

(1) For all areas, a person who has sufficient subject matter expertise as set forth in Rule 6A-1.0503(2)(a),

Definition of Qualified Instructional Personnel, F.A.C.:

(2) For the areas of mathematics, science, or computer science, a person who has either:

(a) Earned at least a master's degree in the areas of mathematics, science, or computer science from an institution accredited by the United States Department of Education; or

(b) Earned at least a bachelor's degree in the areas of mathematics, science or computer science from an institution accredited by the United States Department of Education and who has at least five (5) years' teaching experience in the associated subject area or at least five (5) years' work experience in the associated subject area.

(3) For the area of civics, a person who has either:

(a) Earned at least a master's degree in political science, American history, social studies, or social science from

an institution accredited by the United States Department of Education; or

(b) Earned at least a bachelor's degree in political science, American history, social studies, or social science from an institution accredited by the United States Department of Education and who has at least five (5) years' teaching experience in the associated subject area or at least five (5) years' work experience in the associated subject area.

(4) For the area of reading, a person who has either:

(a) Earned at least a master's degree in English, English literature, reading, or literacy instruction from an institution accredited by the United States Department of Education; or

(b) Earned at least a bachelor's degree in English, English literature, reading, or literacy instruction from an institution accredited by the United States Department of Education and who has at least five (5) years' teaching experience in English language arts or reading.

Rulemaking Authority 1001.02(1), (2)(n), 1011.62 FS. Law Implemented 1011.62(18), 1012.731 FS. History – New 7-29-19.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: July 29, 2019