

**Presentation Notes: Rule Development Workshop for Rule 6A-1.0503, F.A.C., Definition of Qualified
Instructional Personnel
January 23, 2018**

Slide 1

Welcome & Introduction

Introduce Dr. Paul Burns, new Deputy Chancellor for Educator Quality, to say a few words.

Slide 2

First, I'd like to address some logistics for today's workshop.

All participants need to call the telephone conference line in order to hear today's workshop proceedings.

To join the teleconference please call **1-877-809-7265** then provide **Participant Code 149-904-30#**.

You will be asked by the operator to provide your name and the name of the school district or other organization you represent.

To ensure full access to information, including the preliminary presentation, please register to join the webinar via the specific link provided on the current slide.

That address is: <https://attendee.gotowebinar.com/register/1317091072991709187>.

Enter your name and email address, then click "register."

After registering, you will receive a confirmation email containing additional information about joining the webinar. Participants are welcome to submit a comment or question via the webinar chat feature at any time during today's presentation.

Today's webinar and conference call will last for a minimum of 30 minutes, but will conclude after 30 minutes if no additional public comments or questions are received.

As we begin, all callers' telephone lines will be muted to ensure we capture a quality recording of today's presentation without background noise or unintended interruptions. In respect for all participants, please do not place your telephone on hold during today's presentation.

Slide 3

Today's workshop session will review proposed changes to 6A-1.0503, F.A.C., Definition of Qualified Instructional Personnel.

This rule defines the qualifications necessary for an educator to be deemed "qualified" as well as the provisions for being classified as out-of-field. This rule directly relates to the Course Code Directory (CCD) and Instructional Personnel Assignments adopted by reference under Rule 6A-1.09441. To receive funding through the Florida Education Finance Program (FEFP), districts must ensure that students are taught by a "qualified" educator as defined via today's rule.

After we present a few slides of information regarding the draft changes to this rule relevant to instructional personnel assignments, we will invite today's participants to make comments or ask questions for consideration as department leadership continues to develop the rule language.

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Slide 4

Under No Child Left Behind (NCLB), there was a narrow definition for a “highly qualified teacher” that required Florida to monitor both its state definition of “in-field” and the federal HQT status for teachers of core academic courses. The emphasis was placed on the educator holding a state-issued certificate and demonstrating adequate content knowledge in the subject or subjects being taught.

Under the Every Student Succeeds Act or ESSA, enacted as federal law in December 2015, Florida gets to define what it means for our educators to be “qualified” to teach. In essence, monitoring HQT status is no longer necessary and Florida reverts to classifying its educators as either “in-field” or “out-of-field.” Florida’s definition of “full state certification” for an educator to be deemed “qualified” continues to be holding a Florida Educator’s Certificate in the subject area(s) that match the educator’s teaching assignments.

In May 2017, the previous proposed rule language was withdrawn from the State Board of Education meeting agenda due to stakeholder feedback. During prior rule development, our district partners collaborated to share best practices for working to formalize district board policies. We, once again, commend our school districts for the initiative and leadership they demonstrated.

As a result of the feedback we received, we revised the rule language with the following primary goals in mind:

- To include formal definitions of primary instructor, in-field, and OOF;
- To compile all instructional personnel qualification options authorized by Florida Statutes (1012.42) into a single rule; and
- To redraft verbiage as necessary to clarify each qualification option

Slide 5

Before I outline the rule revisions, I want to address the aspects of the rule that remain unchanged. There will be no changes recommended regarding the rule’s primary provisions for “in-field” and “out-of-field.” We have uploaded a copy of the draft rule language. During this section of the workshop, I will reference the citations in the proposed rule language. (Show draft rule language)

The three in-field conditions that remain unchanged are paragraphs:

- 2A. Holds a valid Florida educator’s certificate with the appropriate coverage as provided for in the Course Code Directory. We consider this the ideal in-field condition and as the definition of Florida’s “Full state certification”.
- 2E. Nondegreed teacher of career and technical education courses who demonstrates evidence of successful occupational experience and completes district-specified training
- 2H. Select noncertificated expert who possesses expert skill or knowledge of a particular subject, as established via school board policy pursuant to Rule 6A-1.0502, FAC.

Please note that these conditions are underlined in the draft rule due to the reorganization. We grouped all of the in-field conditions in the proposed rule for easier reference.

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Item (3) focuses on out-of-field assignments and requirements. The main change is the insertion of language to be consistent with the proposed rule.

- This section relates to certified educators being approved to teach “out-of-field” after the employer determines that a teacher with appropriate certification is not available.
- Under the existing rule language, the educator must complete coursework or inservice training in the out-of-field subject within specified timeframes until all requirements for certification in the subject are satisfied.

The State Board of Education will consider the following proposed revisions:

The first change is to codify or establish definitions related to instructional assignments for which the CCD is used to determine status. The definitions were derived from existing statutory references.

(a) “Primary instructor” refers to any instructional employee of a Florida public school district who provides direct support in the learning process by planning, delivering, and evaluating instruction, including through virtual or blended environments, for all students during the entire class period.

(b) “In-field” (**not previously defined**) means a teacher is assigned to a course covering subject matter for which the teacher holds a certificate per 1012.55, F.S., or demonstrates sufficient subject matter expertise as determined by paragraphs (2)(a)-(h) of this rule.

(c) “Out-of-field” (**per 1012.42, Florida Statutes**) means a teacher is assigned to a course covering subject matter outside the field for which the teacher holds a certificate per Section 1012.55, F.S., or demonstrates sufficient subject matter expertise per Section 1012.42, F.S., and as determined by paragraphs (2)(a) - (h) of this rule.

Slide 6

Recommended additions to the rule language will update “in-field” or “qualified” designations that are permitted in statute and already used in routine reporting. However, they may have been under-used due to HQT reporting. Two such conditions are permitted for already certified educators under Section 1012.42, Florida Statutes.

To qualify under these options, an educator holds a valid Florida educator’s certificate in another subject, but either:

- Completed a minor with at least 15 semester hours in the subject content area, as verified by an official transcript. Some transcripts will explicitly note a minor in a subject area and others will need to be reviewed to determine if 15 semester hours were completed.
- An example for this designation is an educator who holds a Florida educator certificate in Social Science 6-12 and completed a minor in Speech/Debate who is assigned to teach a secondary debate course as well as American History courses.

or

- Demonstrates subject matter expertise through passage of a standardized examination or a comparable method for attainment of essential competencies in the subject area to

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be taught, as established via school board policy. We recommend that an educator who has a passing score on a standardized examination adds the subject to his/her certificate due to the 10 year rule on exams. The comparable methods for subject competencies are similar to those already in place for subjects without a standardized examination such as Dance and School Social Worker.

- An example for this in-field designation is an educator who holds a Florida educator certificate in Drama 6-12 and demonstrates subject matter expertise through competencies in Dance and he/she is assigned to teach a dance course in addition to drama courses.

Slide 7

The next in-field condition which also requires a teacher to hold a state-issued certificate is the use of the HOUSSE plan, which stands for the High, Objective, Uniform State Standard of Evaluation. It applied to core courses under NCLB and it will remain as an in-field designation with certain conditions.

Teachers who meet the proposed criteria will be grandfathered under the proposed rule. In the prior draft from May 2017, the proposed revision was to eliminate HOUSSE as an option, but it was restored due to stakeholder feedback and data analysis on teacher impact.

Proposed revisions allow for the use for in-field designation if the criteria outlined on this slide are met.

- The HOUSSE plan must have been completed beginning with the 2006-2007 school year in Florida or out-of-state, which means there are no new HOUSSE plans. Keep in mind that some states may not assist in the verification of a teacher's HOUSSE plan. And please note that additional exceptions documented in Technical Assistance 2006-92 K-12 memo will be acceptable, too.
- If a HOUSSE plan is used for a world language, there is not an existing state developed or approved exam or the HOUSSE plan was established prior to the State Board of Education approving an exam in rule. Once the rule is approved, we will provide technical assistance regarding the dates related to world languages.

Example: A teacher who holds a Florida educator certificate in Middle Grades General Science 5-9 and has a documented HOUSSE plan in Mathematics who is assigned to teach both middle grades math and science courses.

Slide 8

Slide 8 lists the additional in-field designations that do not require a teacher to hold a state-issued certificate.

The statutory qualification options for Voluntary Prekindergarten (VPK) instructors are to be codified in the rule, as well as the option under section 1012.57, Florida Statutes, for districts to issue an annual adjunct teaching certificate to a part-time teacher who demonstrates expertise in the subject area to be taught through passage of a Florida approved subject area exam.

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Persons responsible for making instructional personnel assignments are highly encouraged to review existing school board policies to ensure that necessary and compliant provisions exist for identifying educators under each of the in-field qualification options provided in the revised rule.

Slide 9

The tables on Slides 9 and 10 summarize all the in-field designations discussed in the previous slides along with the corresponding reporting code. We want to emphasize the importance of doing what is best for students when assigning qualified teachers to courses.

First four options: Primary Instructor holds a FL educator certificate and

Reporting code I for valid FL certificate or professional license per the CCD

- On the following slide, David will explain the asterisk for conditions a and e.

Reporting code M for the minor field of study with a minimum of 15 semester hours

Reporting code S for demonstrating subject matter expertise

And reporting code H for having a HOUSSE plan for a core course

Slide 10

The other 4 in-field conditions do not require that the primary instructor hold a state certificate. Please check the CCD for the appropriate course assignments.

Reporting code I- district issued certificate for nondegreed career and technical courses

Reporting code V for VPK credentials

Reporting code A for district issued certificate for an adjunct teacher which can be used for hard to staff STEM areas.

Reporting code N for noncertificated personnel per Rule 6A-1.0502.

Per the Auditor General's Office, please be sure to document a teacher's in-field status.

Slide 11

BEC will assist with answering questions regarding in-field or out-of-field or if you need help deciphering the CCD. We request that when asking about a teacher's status always include the course code that corresponds to the teacher's assignment.

However, if your questions regard Exceptional Student Education, ESOL or Title I schools, please direct your inquiries to those department contacts after you review information in the Course Code Directory.

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Slide 12

At this time, let's review the asterisk on slide 10 and its relevance to the indicated codes from slides 9 and 10. At present, reporting code 'I' is applicable to three different qualification conditions, i.e. a Florida educator's certificate, state license to provide specialized services or district career and technical certificate. To allow for more accurate reporting, the BEC may propose separate codes to differentiate between these three qualification conditions.

Before we go on, let me provide some data based on a preliminary analysis recently conducted to strategically inform any recommended rule revisions. These data represent a little more than 165,000 teachers from about 1.5 million Teacher-Course records reported during each of the past three years' school district Survey 2 Fall submissions:

- In-field Teachers reported as ~94.8% in FYE2015 diminished to 93.25% in FYE2017
- Conversely, Out-of-field Teachers increased from ~5.2% in FYE2015 to 6.25% in FYE2017
 - During the same period, substitute teachers increased from less than 15,000 to nearly 20,000. In case you weren't aware, substitute teachers are calculated as out-of-field for statewide reporting.

As referenced in prior FTE Audit training sessions, the FEFP auditors base their reviews on Teacher-Course records reported by school districts during state survey periods. As Auditor General facilitators have stated, auditors must remain external evaluators and are not the ones to ask for guidance or advice about reporting requirements. Your source for reporting information is the FLDOE. If you need help regarding Qualifications of Instructional Personnel, please feel free to contact Educator Certification with all the necessary details for a teacher's assigned courses.

Slide 13

After today's workshop, department staff will gather and review all public input and may suggest additional changes to the language of this rule. The department will then publish required notice of proposed rulemaking prior to the March 21st hearing by the State Board. The rules as adopted will take effect for the 2018-19 school year.

Based on data analysis, the BEC may recommend edits or reject rules for the Automated Information Systems that allow for greater data accuracy to result in higher quality statewide reporting.

Slide 14

Current Rule language codified in the Florida Administrative Code, as well as notices of rule actions, may be retrieved from the Administrative Code site hosted by the Florida Department of State.

Once finalized, draft language proposed for rulemaking will be made available for review and public comment at the State Board Rules Under Review site.

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Educator Certification will post all relevant materials, as they become available, to its Rule Development site.

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That concludes our presentation for today's public workshop session to address rule development for Rule 6A-1.0503, of the Florida Administrative Code.

At this time, we will first read aloud any of the questions or comments already submitted via the chat window.

Then, we will ask our operator to assist us with fielding any questions or comments our audience might like to share.

(Finally, any in-person attendees will be provided an opportunity to share any of their comments or questions.)

All questions and comments submitted via chat, provided via telephone, or in person will be captured as a record of today's workshop.

Slide 16

Thank you for taking the time to participate in today's rule development workshop.

Provided email addresses for follow-up questions or comments.