

**1002.33 Charter schools**

(12)(f) Teachers employed by or under contract to a charter school shall be certified as required by chapter 1012. A charter school governing board may employ or contract with skilled selected noncertified personnel to provide instructional services or to assist instructional staff members as education paraprofessionals in the same manner as defined in chapter 1012, and as provided by State Board of Education rule for charter school governing boards. A charter school may not knowingly employ an individual to provide instructional services or to serve as an education paraprofessional if the individual's certification or licensure as an educator is suspended or revoked by this or any other state. A charter school may not knowingly employ an individual who has resigned from a school district in lieu of disciplinary action with respect to child welfare or safety, or who has been dismissed for just cause by any school district with respect to child welfare or safety. The qualifications of teachers shall be disclosed to parents.

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=1000-1099/1002/Sections/1002.33.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=1000-1099/1002/Sections/1002.33.html)

**1010.215 Educational Funding Accountability**

"Instructional personnel" means classroom teachers including substitute teachers.

<https://www.flsenate.gov/Laws/Statutes/2024/1010.215>

**1012.01 Instructional Personnel**

(2) (a) "Instructional personnel" means any K-12 staff member whose functions includes the provision of direct instructional services to students. Instructional personnel also include K-12 personnel whose functions provide direct support in the learning process of students. Included in the classification of instructional personnel are the following K-12 personnel: Classroom teacher including exceptional student education, career education and adult education including substitutes teachers.

[https://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&URL=1000-1099/1012/Sections/1012.01.html](https://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=1000-1099/1012/Sections/1012.01.html)

**1012.33 Contracts with Instructional Staff, Supervisors, and School Principals**

(1)(a) Each person employed as a member of the instructional staff in any district school system shall be properly certified pursuant to s. 1012.56 or s. 1012.57 or employed pursuant to s. 1012.39 and shall be entitled to and shall receive a written contract as specified in this section.

[http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&URL=1000-1099/1012/Sections/1012.33.html](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=1000-1099/1012/Sections/1012.33.html)

**1012.42 Teacher Teaching Out-of-Field**

(2) NOTIFICATION REQUIREMENTS.—When a teacher in a district school system is assigned teaching duties in a class dealing with subject matter that is outside the field in which the teacher is certified, outside the field that was the applicant's minor field of study, or outside the field in which the applicant has demonstrated sufficient subject area expertise, as determined by district school board policy in the subject area to be taught, the parents of all students in the class shall be notified in writing of such assignment.

[http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=1000-1099/1012/Sections/1012.42.html](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=1000-1099/1012/Sections/1012.42.html)

## **1012.55 Positions for which Certificates Required**

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(b) Each person employed or occupying a position as school supervisor, school principal, teacher, library media specialist, school counselor, athletic coach, or other position in which the employee serves in an instructional capacity, in any public school of any district of this state shall hold the certificate required by law and by rules of the State Board of Education in fulfilling the requirements of the law for the type of service rendered. Such positions include personnel providing direct instruction to students through a virtual environment or through a blended virtual and physical environment.

[http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&URL=1000-1099/1012/Sections/1012.55.html](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=1000-1099/1012/Sections/1012.55.html)

## **1012.57 Certification of Adjunct Educators**

(1) Notwithstanding the provisions of ss. 1012.32, 1012.55, and 1012.56, or any other provision of law or rule to the contrary, district school boards and charter school governing boards shall adopt rules to allow for the issuance of an adjunct teaching certificate to any applicant who fulfills the requirements of s. 1012.56(2)(a)-(f) and (11) and who has expertise in the subject area to be taught. An applicant is considered to have expertise in the subject area to be taught if the applicant demonstrates sufficient subject area mastery through passage of a subject area test or has achieved an industry certification in the subject area to be taught.

(4) Each adjunct teaching certificate is valid through the term of the annual contract between the educator and the school district or charter school. An additional annual certification and an additional annual contract may be awarded by the district or charter school at the district's or charter school's discretion but only if the applicant is rated effective or highly effective under s. 1012.34 during each year of teaching under adjunct teaching certification.

[http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=1000-1099/1012/Sections/1012.57.html](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=1000-1099/1012/Sections/1012.57.html)

## **6A-1.0502 Non-certificated Instructional Personnel.**

(10) Notwithstanding the provisions of subsections 6A-1.0502(1) through (9), F.A.C., the school board or charter school governing board may employ non-certificated persons licensed by the State of Florida as occupational therapists or as physical therapists to render services to students in those areas covered by such license. The procedures for employment shall be the same as provided by law for certificated instructional personnel, and each person so employed shall be entitled to a written contract in the form prescribed pursuant to Rule 6A-1.064, F.A.C. Provided, however, that a non-certificated person employed to render services as an occupational therapist or as a physical therapist may be assigned duties of an instructional nature that are not covered within the scope of the person's license as defined by law.

(11) Notwithstanding the provisions of subsections 6A-1.0502(1) through (9), F.A.C., the school board or charter school governing board may employ persons certified as audiologists or speech pathologists under Chapter 468, Part I, F.S., to render services to students in those areas covered by such certificate of registration. The procedures for employment shall be the same as provided by law for certificated instructional personnel, and each person so employed shall be entitled to a written contract in the form prescribed pursuant to Rule 6A-1.064, F.A.C. Provided, however, that a non-certificated person employed to render services as an audiologist or speech pathologist may not be assigned duties of an instructional nature that are not covered within the scope of the person's certificate of registration as defined by law.

<https://www.flrules.org/gateway/ruleno.asp?id=6A-1.0502>

(2) A primary instructor must meet one (1) of the following conditions to be considered in-field:

(a) Hold a valid Florida educator's certificate with the appropriate coverage as provided for in the Course Code Directory as adopted by reference in Rule 6A-1.09441, F.A.C., or

(b) Hold a valid Florida educator's certificate with coverage other than that deemed appropriate by paragraph (2)(a), but have completed a minor field of study in the subject area to be taught, as per Section 1012.42, F.S., and the minor field of study consists of at least fifteen (15) semester hours in the appropriate subject area, or

(c) Hold a valid Florida educator's certificate with coverage other than that deemed appropriate by paragraph (2)(a), and have demonstrated sufficient subject matter expertise through passage of a standardized examination,

(d) Holds a valid Florida educator's certificate with coverage other than that deemed appropriate by paragraph (2)(a) and have previously documented subject matter expertise for the academic course assigned based on a High, Objective, Uniform State Standard of Evaluation (HOUSSE) plan, or

(3) A primary instructor considered out-of-field per paragraph (1)(c) of this rule, shall have been approved by the school board or charter school governing board to teach out-of-field after determination that a teacher with appropriate certification coverage is not available. All evidence of such qualifications and approval must be reflected in the individual's official personnel record; provided, however, that such approval may be granted by the school board or charter school governing board only under one (1) of the following conditions:

(a) The individual is in the first year of employment in the out-of-field assignment and has not been granted, during any preceding year in the district or charter school, approval by either the school board or the charter school governing board to be employed out-of-field in an area for which specific certification is otherwise required, or

(b) The individual has been approved to teach in the out-of-field assignment during any preceding year in the district or charter school and has earned the following college credit from an accredited or approved institution pursuant to Rule 6A-4.003, F.A.C., or inservice training in an approved district add-on program or district approved subject content professional development program:

1. Out-of-field assignment other than ESOL (English to Speakers of Other Languages). An individual assigned to teach out-of-field in a subject other than ESOL shall complete at least six (6) semester hours of college credit or the equivalent inservice toward the appropriate certification required in paragraph (2)(a), within one (1) calendar year from date of initial appointment to the out-of-field assignment and each calendar year thereafter until all requirements are completed for the appropriate subject certification;

2. Out-of-field assignment in only ESOL. An individual assigned to teach out-of-field in only ESOL shall complete at least three (3) semester hours of college credit or the equivalent in-service toward the ESOL requirements within the first two (2) calendar years from date of initial assignment to a class with limited English proficient (LEP) students and three (3) semester hours or the equivalent in-service during each calendar year thereafter until all requirements for certification in ESOL are completed; or

3. Out-of-field assignment in ESOL and another subject. An individual assigned to teach out-of-field in ESOL and another subject shall complete at least six (6) semester hours of college credit or the equivalent inservice toward the appropriate certification required by paragraph (2)(a), within one (1) calendar year from date of initial appointment to the out-of-field assignment and each calendar year thereafter until all requirements are completed for the appropriate subject certification.

#### **6A-1.0503 Definition of Qualified Instructional Personnel (Continued)**

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The training shall be completed in the following manner: During the first two years, at least three (3) of the required twelve (12) semester hours or the equivalent inservice shall be completed in ESOL strategies. Beginning with the third year and each year thereafter, at least three (3) semester hours or the equivalent inservice shall be completed in ESOL strategies and at least three (3) semester hours in the other out-of-field subject requirements. When either ESOL or all other out-of-field subject requirements are completed, a teacher shall comply with the schedule specified in subparagraph (3)(b)1. or 2. of this rule, as appropriate until all requirements are completed for both ESOL and the other out-of-field subject.

<https://www.flrules.org/gateway/ruleno.asp?id=6A-1.0503>